




City of Dublin

**Office of the City Manager**

5200 Emerald Parkway • Dublin, OH 43017-1090  
Phone: 614.410.4400 • Fax: 614.410.4490

# Memo

**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager 

**Date:** March 12, 2019

**Initiated By:** Vincent A. Papsidero, FAICP, Director of Planning  
Jennifer M. Rauch, AICP, Planning Manager  
Claudia D. Husak, AICP, Current Planning Manager

**Re:** Ordinance 09-19  
Amendments to Sections 153.002, 153.060, 153.061, 153.063, 153.064, 153.065, 153.066 of the City of Dublin Codified Ordinances (Zoning Code) to Amend the Bridge Street District Development Review Process Regulations. (Case 18-005ADMC)

## Background

In late 2016, the City initiated a project to update the Bridge Street District (BSD) zoning code, based on five years of experience administering the code. The City hired Clarion Associates to assist with the project, supported by Codametrics (both assisted with drafting of the original BSD code). In the interim time period, Council directed staff to amend the sign code provisions of the BSD related to pre-existing buildings and to create the new Historic South district. This project followed those two initiatives.

As part of the analysis phase of this project, Clarion interviewed stakeholders and City staff to identify issues related to the code and the Bridge Street development process. This resulted in a February 20, 2017 memo that provided a record of the feedback. As a follow up to that task, Clarion prepared an independent assessment of the code and City procedures, issuing a March 2, 2017 memo.

Taken together, these tasks concluded that the administrative process for the BSD Code was too cumbersome and would benefit from certain efficiencies. In addition, there was a desire to streamline the application types, because of confusion that was generated between unique BSD applications and the "typical" applications required under the PUD district (aligning these documents would also serve as the basis for alignment with revisions to the West Innovation District and the proposed Metro-Blazer District).

Staff and consultants presented these findings to a joint work session of City Council and the Planning and Zoning Commission on April 17, 2017. General support was voiced for the proposed direction. Two initial priorities of this update were completed (sign code amendment affecting pre-existing commercial development and the Historic South District). The project was placed on hold due to other pressing projects through the fall of 2017.

Beginning in 2018, staff and the consultants restarted the project and drafted this amendment, which was the subject of a Council work session and three joint sessions of the Planning and Zoning Commission and Architectural Review Board. At the June 20, 2018 work session, City Council directed staff to remove the Historic District from the BSD code. This separate project is underway.

PZC recommended approval of the proposed amendments at its meeting on October 11, 2019 (the minutes are included). Staff presented the code amendments to the Community Development Committee on February 4, 2019. The committee recommended changes to the proposal, which were incorporated into the final ordinance.

Accompanying the proposed ordinance are "redlined" and "clean" versions of the proposed amendment.

## **Update**

Since the proposal was heard by the Community Development Committee, the following edits were included in the amendment:

- Minor text edits can be found that provide clarity.
- The Pre-Application step was added to Table 153.066-A.
- The appeals process was clarified to allow appeals of decisions by the Planning Director (Administrative Approval) or ART (Minor Project and Administrative Departure) to the Planning and Zoning Commission. This is reflected in Table 153.066-A and in key sections of the code.
- Clarity was added to the Concept Plan (CP) Purpose and Applicability section, as well as the role of the Director and PZC in providing recommendations to Council when its review is triggered.
- The Review Criteria for CP, Preliminary Development Plan (PDP), and Final Development Plan (FDP) was further detailed. Revised criteria was provided for the Minor Project (MP).
- Under Minor Projects, the definition of a modification to existing structures was clarified (increase in GFA by not more than 25% or not more than 10,000 SF, whichever is less").
- Clarified that when a Waiver is combined with a MP, the PZC shall be the required reviewing body for both applications.
- A set of mandatory requirements for the submittal of a Master Sign Plan (MSP) was removed because it hasn't been particularly applicable. It was felt that the submittal of a MSP should be driven by the need for an MSP and not the particular size of a project or site.
- Under the Administrative Approval (AA), the definitions were clarified to differentiate between the expansion of the total floor area of a building (limited to 10%) versus adjustments to building height (which was also limited to expansions necessary to accommodate building equipment or building code issues, limited to 10% of the floorplate). Text was added to allow the Director to forward an AA to the PZC under specific criteria.
- Clarity was added regarding the duration of specific approvals (Informal, CP, PDP, FDP and MP).
- The provision regarding the review of individual single-family detached homes was clarified, with language added regarding the applicability of a Waiver, AA, or AD.

## **Ordinance Summary**

The proposed code amendment seeks to streamline the development review and approval process, while promoting consistency among application types. The ordinance includes administrative references in other portions of the zoning code, as well as 153.066 that require revisions in order to eliminate conflicts with the proposed amendment.

Among the major changes are the following, which are described in more detail in the next section.

- Codification of the non-binding Informal review step, at the request of the Planning and Zoning Commission. The informal review has been a practice, but never codified in the BSD code.
- Creation of a Concept Plan (CP) submittal that replaces the BSD Basic Plan, which is reviewed and approved by the PZC unless it is accompanied by a development agreement, then the CP is approved by City Council (PZC provides a recommendation).
- Creation of a Preliminary Development Plan that replaces the BSD Development Plan, which is reviewed and approved by PZC. It may be combined with the Final Development Plan.
- Creation of a Final Development Plan that replaces the BSD Site Plan, which is reviewed and approved by PZC.
- The role of the Administrative Review Team (ART) is reduced to review and approval of Minor Projects (which was also reduced in scope).
- When a development agreement is associated with a project, City Council's role is modified to review and approval of the Concept Plan.

## **Detailed Summary**

The following provides a detailed review of the proposed changes. Both a "clean" and a "redlined" version of the proposed amendment is included.

### *Section A. Intent*

Minor edits are proposed to clarify the text.

### *Section B. Required Approvals*

Major changes are presented on Table 153.066-A Summary Procedure Table, which reflect the core changes to the BSD process. The major revisions are the following (details are provided in subsequent subsections):

- Planning Director has been added to reflect the staff review and recommendation function, while the Architectural Review Board has been removed per Council direction.
- The Informal review has been added, as recommended by the Commission.
- The BSD Basic Plan has been replaced with the Concept Plan (CP), which is reviewed and approved by PZC, except when projects are proposing a development agreement; in those cases PZC will provide a recommendation and City Council will review and approve the CP.
- The BSD Development Plan is replaced with a Preliminary Development Plan (PDP), which is reviewed and approved by PZC. The PDP may be combined with the Final Development Plan, as discussed further. The intent is to expedite smaller or less complicated projects.

- The BSD Site Plan is replaced with a Final Development Plan (FDP), which is reviewed and approved by PZC. Again, it may be combined with a PDP. Again, the intent is to expedite smaller or less complicated projects.

*Section C. Pre-Application*

Clarifications are proposed relative to purpose and applicability, and review procedure.

*Section E. Informal Review*

As requested by the PZC, an applicant may request a non-binding Informal review of a development concept. The submittal is to include material sufficient to describe the concept, as determined by the applicant. The intent is to provide feedback by PZC to the applicant, prior to submitting a formal Concept Plan. Staff will provide a brief analysis.

*Section D. Concept Plan*

The Concept Plan (CP) provides a detailed conceptual overview of a proposed project. The submittal requirements incorporate the BSD Basic Plan and additional clarity is provided regarding submittal requirements and review criteria. The CP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body, unless a development agreement is associated with a CP. In those cases, City Council is the required reviewing body and the PZC provides a recommendation.

*Section E. Preliminary Development Plan*

The Preliminary Development Plan (PDP) presents preliminary development, architecture, landscaping and engineering information regarding a proposal. It replaces the BSD Development Plan. The PDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The PDP may be combined with the FDP at the request of the applicant, at the recommendation of the Planning Director, or at the recommendation of the PZC at the time of CP approval. The intent is to expedite smaller or less complicated projects.

*Section F. Final Development Plan*

The Final Development Plan (FDP) presents final development, architecture, landscaping and engineering information regarding a proposal. It replaces the BSD Site Plan. The FDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The FDP may be combined with the PDP, as noted earlier. Again, the intent is to expedite smaller or less complicated projects.

*Section G. Minor Project*

The Minor Project (MP) process is not proposed to change, but the list of eligible projects has been reduced to eliminate all new construction, other than accessory structures that are 1,000 square feet or smaller (the MP list retains additions to existing buildings). The Administrative Review Team (ART) remains the required reviewing body. ART may forward a MP to PZC in cases where there is a need for new infrastructure or in cases of community wide impact.

*Section H. Administrative Departures*

There are no substantive changes proposed to this section.

*Section I. Waiver*

There are no substantive changes proposed to this section.

*Section J. Master Sign Plan*

This is a new section that provides much more detail relative to Master Sign Plans (MSP) relative to purpose and applicability, review procedure, submittal requirements, and review criteria. PZC is the required reviewing body.

*Section K. Administrative Approval*

Formerly called Minor Modifications, there are no substantive changes proposed to this section. Section 2, Administrative Approval Defines, is shortened because the text is redundant with Section 5, Review Criteria, which may cause confusion.

*Section L. Other Administrative Approvals*

There are no substantive changes proposed to this section.

*Section M. General Provisions*

There are no substantive changes proposed to this section other than some restructuring. However, Appeals was moved to this section and simplified to the standard appeals provisions of the zoning code (e.g. Board of Zoning Appeals). Section 7, Architectural Review Board, was added as a stop-gap regulation to handle applications in the interim until the new code for the ARB and Historic District is adopted. At that time, Section 7 will be deleted. Section 8, Single-Family Detached Homes, was added to provide clarity that an individual home, whether new construction or an addition, is not required to follow the Concept Plan, Preliminary Development Plan, and Final Development Plan processes, but can go directly to Building Permit, which will include zoning review similar to other single-family homes in the City.

**Recommendation**

Staff recommends City Council approval of Ordinance 09-19 at the second reading/public hearing on April 8, 2019.

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed \_\_\_\_\_, \_\_\_\_\_

**AMENDMENTS TO SECTIONS 153.002, 153.060, 153.061, 153.063, 153.064, 153.065, 153.066 OF THE CITY OF DUBLIN CODIFIED ORDINANCES (ZONING CODE) TO AMEND THE BRIDGE STREET DISTRICT DEVELOPMENT REVIEW PROCESS REGULATIONS. (CASE 18-005ADMC)**

**WHEREAS**, it is necessary from time to time to amend Dublin's Zoning Code to protect the health, safety and welfare of the citizens of the City of Dublin, and

**WHEREAS**, Dublin City Council adopted the Bridge Street Corridor Districts as part of the City of Dublin Zoning Code, including Sections 153.057-153.066, on March 26, 2012 and as amended in November 2013, August 2014, December 2014, February 2017 and November 2017 to implement the Bridge Street District Plan within the Dublin Community Plan; and

**WHEREAS**, Section 153.066 of the City of Dublin Zoning Code states that the Planning and Zoning Commission and the Architectural Review Board may evaluate and monitor the application of the requirements and standards of Sections 153.057 through 153.066 and recommend to City Council any changes needed in the BSD district standards and requirements to better implement the Bridge Street Corridor Vision Report, and

**WHEREAS**, the Planning and Zoning Commission reviewed and recommended adoption of the proposed amendments to amend the development review process regulations for properties within the Bridge Street District on October 11, 2018 because it serves to improve the health, safety and welfare of the citizens of the City of Dublin,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, \_\_\_\_\_ of its elected members concurring, that:

Section 1. Section 153.002 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

**§ 153.002 Definitions**

(B) General Definitions

(2)(m) Bridge Street District (BSD)

A planned area of the city generally bounded on the east by Sawmill Road, on the north and west by I-270, and including land within the Architectural Review District boundaries and along the north and south sides of SR 161.

(3)(o) Concept Plan

A plan that generally indicates the overall design of a proposed PUD or BSD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Community Plan and other applicable plans of the city.

(6)(d) Final Development Plan

A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signs, directional signs, location of refuse containers, lighting and accessory structures, and other similar improvements, and may include a subdivision plat of a proposed PUD or BSD project. Critical dimensions are shown unless otherwise required.

(16)(z) Preliminary Development Plan

A plan, submitted at the time of rezoning to a PUD or BSD project, outlining permitted and conditional land uses, development sites, major circulation



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 2 of 28

patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of §§ 153.050 through 153.056, a preliminary development plan shall include a composite plan and any other development plan adopted prior to effective date of these regulations that are still in force.

Section 2. Section 153.060 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

**§ 153.060 Lots and Blocks**

**(B) Applicability**

The requirements of this section apply to developments within all BSD zoning districts that require a Concept Plan in accordance with § 153.066, and for land within all BSD zoning districts proposed for subdivision in accordance with Chapter 152.

**(C) General Block and Lot Layout**

**(2) Maximum Block Size**

**(a) Required Subdivision**

Unless otherwise permitted by this chapter, all developments requiring a Concept Plan in accordance with §153.066(E)(1) shall subdivide consistent with the maximum block sizes as required by Table 153.060-A, Maximum Block Dimensions.

Section 3. Section 153.061 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

**§ 153.061 Street Types**

**(C) Street Network**

**(2) Street Types**

...Available street type configurations shall be reviewed with the applicant during the Concept Plan review process, as described in §153.066.

**(4) Street Network Map**

(a) ...In addition to the Thoroughfare Plan, the Street Network Map shall be used as a guide in determining the appropriate locations and alignments of new streets during the Preliminary Development Plan approval process as required in §153.066.

(b) ...Actual street alignments and locations will be determined through the Preliminary Development Plan review process as individual properties are developed and through the City's Capital Improvements Program process, as applicable.

(g) ...Actual locations of new alleys and service streets will be determined through the Preliminary and Final Development Plan review processes.

Section 4. Section 153.063 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 3 of 28

## § 153.063 Neighborhood Standards

### (A) Intent

... They are not intended to designate the precise locations for approved street types, use areas, open spaces or other required elements of this Code; actual locations and specific development requirements will be determined through the Concept Plan, Preliminary Development Plan, and Final Development Plan reviews as required in §153.066 for individual neighborhoods.

### (C) BSD Sawmill Center Neighborhood District

(2) ...Actual locations of elements depicted on the graphic will be determined through the Concept Plan, Preliminary Development Plan, and Final Development Plan review processes.

#### (5)(d) Gateways

1. ...Gateway designs shall be approved with the Final Development Plan, but locations shall be identified with the Preliminary Development Plan and shall be coordinated with the street network.

#### (6)(d) Open Space Network

2. Open space designs shall be approved with the Final Development Plan, but locations and types shall be identified with the Preliminary Development Plan and shall meet the following criteria:

D. Open space nodes shall be provided at prominent street intersections as identified during the Preliminary and Final Development Plan reviews, such as those serving as entrances to a designated shopping corridor and other gateway locations, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.

### FIGURE 153.063 A

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

### (D) BSD Historic Transition Neighborhood District

(2) Actual locations of elements depicted on the graphic will be determined through the Preliminary and Final Development Plan review processes.

#### (5)(c) Gateways

1. ... Gateway designs shall be approved with the Final Development Plan, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

#### (6)(d) Open Space Network

2. Open space designs shall be approved with the Final Development Plan, but locations and types shall be identified on the Preliminary Development Plan application and shall meet the following criteria:

G. Other open space nodes shall be provided at gateway locations as identified during the Preliminary and Final Development Plan reviews, such as at prominent street intersections, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 4 of 28

## FIGURE 153.063 B

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

### (E) BSD Indian Run Neighborhood District

(3) Actual locations of elements depicted on the graphic will be determined through the Preliminary and Final Development Plan review processes.

#### (6)(d) Gateways

1. ... Gateway designs shall be approved by the required reviewing body, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

#### (7)(d) Open Space Network

2. ...Open space designs shall be approved by the required reviewing body, but locations and types shall be identified on the Preliminary and Final Development Plan and shall meet the following criteria:

## FIGURE 153.063 C

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

### (F) BSD Scioto River Neighborhood District

#### (3)(b)

3. For the purposes of measuring block length, the limits of private street sections designed and constructed to public street standards and defined on the Preliminary Development Plan shall be used in lieu of right-of-way.

#### (5)(e) Gateways

2. ... Gateway designs shall be approved by on the Final Development Plan, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

#### (6)(d) Open Space Network

2. ...Open space locations shall be approved on the Final Development Plan, but locations and types shall be identified on the Preliminary Development Plan and shall meet the following criteria:

## FIGURE 153.063 D

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

Section 5. Section 153.064 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

### § 153.064 Open Space Types

#### (D) Suitability of Open Space

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 5 of 28

(1) Per the applicable review process, the PZC or ART shall review all proposed open space types during the Preliminary Development Plan, and Final Development Plan or the Minor Project, application review processes to determine the suitability of the open space.

Section 6. Section 153.065 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

## § 153.065 Site Development Standards

### (B) Parking and Loading

(1)(b)1.C. Where on-site surface parking is provided on a site included as part of a Preliminary Development Plan, parking may be permitted by the required reviewing body to encroach required setbacks to facilitate coordinated site design and contiguous parking areas with future development phases.

(1)(f)(A) Applications for Final Development Plan

(3)(c)(3) Bicycle parking racks, docks or posts provided within the street right-of-way shall be of a consistent design on all streets.

### (D) Landscaping and Tree Preservation

(2)(c) Protected trees, as defined in this Chapter, removed from any portion of a lot consistent with an approved Preliminary Development Plan, Final Development Plan, or Minor Project shall be replaced in accordance with §153.146 except as provided by §153.065(D)(9).

(2)(k) A registered landscape architect shall be used to prepare landscape plans required for applications for a Final Development Plan.

(9)(a)2.C. A tree survey prepared by a certified arborist shall be submitted with the tree preservation plan for all Preliminary and Final Development Plans, and/or Minor Project applications for lots containing existing trees.

(9)(a)2.D. The tree preservation plan submitted as part of the Preliminary and Final Development Plans, and/or Minor Project application shall identify all landmark trees and/ or significant tree stands on the site, including critical root zones to establish the limits of tree preservation zones, as determined by the required reviewing body.

(9)(b)(3) Removal of trees on any portion of a site required to be occupied by a public street as approved by the City Engineer and the required reviewing body with a Preliminary Development Plan application;

(9)(b)(4) Removal of trees on any portion of a lot required to be occupied by a structure pursuant to the standards of §153.062 as approved by the required reviewing body with applications for Final Development Plan or Minor Project;

(11) ...Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project application and approved only if the proposed alternative is equal to or better than the aesthetic, environmental, and buffering functions anticipated with the provisions of §153.065(D).

### (E) Fencing, Walls and Screening

(1)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project by the required reviewing body with examples of successful, high quality installations.



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 6 of 28

(2)(d)... Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project application and approved only if the proposed alternative is equal to or better than the intent of the provisions of §153.065(E)(2).

(3)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project by the required reviewing body with examples of successful, high quality installations.

(F) Exterior Lighting

(8) Lighting plans submitted as part of an applicable Final Development Plan or Minor Project shall include existing lighting from streets and adjacent buildings developed under these standards, and proposed lighting generated from light poles and building lighting.

(G) Signs

(2)(e) Master Sign Plans

A Master Sign Plan may be requested in accordance with the provisions of 153.066(K). Master Sign Plans are required for projects meeting the criteria of 153.066(K)(1)(d).

Section 7, Section 153.066 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as follows:

**§ 153.066 Review and Approval**

(A) Intent

The intent of this section is to provide an efficient and predictable review process for rezoning and/or development applications within the Bridge Street District (BSD) zoning districts and to enhance Dublin's reputation for exceptional, carefully considered design and high quality development consistent with the Vision Principles and direction articulated in the BSD Special Area Plan in the Community Plan. The review and approval procedures and criteria help ensure that new development and redevelopment is served by adequate and efficient infrastructure so as not to burden the fiscal resources of the City, and to protect the health, safety, and general welfare of residents, occupants, and users of property in the BSD districts and surrounding areas of the City.

(B) Required Approvals

(1) Summary

This section outlines the requirements and procedures for development review specifically within the BSD districts. The review procedures of this section shall be used for all development applications in a BSD district. Table 153.066-A, Summary Procedure Table, describes the review procedures applicable in all BSD districts.

(2) Abbreviations

The following abbreviations and terms are used in this section:

ART: Administrative Review Team  
BZA: Board of Zoning Appeals  
CC or Council: City Council  
PD or Director: Planning Director  
PZC or Commission: Planning and Zoning Commission

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 7 of 28

TABLE 153.066-A: SUMMARY PROCEDURE TABLE						
R = Recommendation D = Decision A = Administrative Appeal RF = Review & Feedback						
Type of Application	PD	ART	BZA	PZC	Council	Zoning Code Reference
<b>Zoning Code Approvals</b>						
Zoning Map or Text Amendment	R			R	D	§ 153.234
Conditional Use	R			D		§ 153.236/
Special Permit	R		D			§ 153.231(G)
Use Variance	R		R		D	§ 153.231 (H)(3)
Non-Use (Area) Variance	R		D			§ 153.231(H)(2)
<b>Other Approvals</b>						
Building Code Appeal			D			§ 153.231(I)
<b>Bridge Street District Applications</b>						
Pre-Application	RF					§153.066(C)
Informal	RF			RF		§153.066(D)
Concept Plan	R			D		§153.066(D)
Concept Plan with a Development Agreement	R			R	D	§153.066(D)
Preliminary Development Plan	R			D		§153.066(E)
Final Development Plan	R			D		§153.066(F)
Minor Project	R	D		A		§153.066(G)
Administrative Departure	R	D		A		§153.066(H)
Waivers	R			D		§153.066(I)
Master Sign Plan	R			D		§153.065(H)(2)(e)/ §153.066(J) and (L)(8)
Parking Plans	R			D		§153.066(G)(2)(f)/§153.065(B)
Administrative Approval	D			A		§153.066(K)
Open Space Fee in Lieu	R			D		§153.066(L)(1)/§154.064(D)(E)
Certificate of Zoning Plan Approval	D					§153.233/§153.066(N)(3)

(C) Pre-Application

(1) Purpose and Applicability

- (a) The purpose of the Pre-Application submittal is to provide a potential applicant with a non-binding review of a development proposal and to provide information on the procedures and policies of the City, including application review procedures.
- (b) Pre-Application reviews do not result in a development decision or permit, and shall not obligate the City or the developer to take any action on the proposal.

(2) Review Procedure

- (a) A request for a pre-application review shall be made in accordance with the provisions of division (N)(1) of this section.
- (b) Requests shall be submitted to the Director, who shall be responsible for circulating any submittal material to the applicable departments for input.



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 8 of 28

- (c) The Director and staff shall use reasonable efforts to conduct an expeditious review of the submitted materials and provide non-binding input and recommendations.
- (d) The Director may schedule a meeting with the potential applicant to discuss the request or may provide a written summary of the staff review.
- (e) Additional staff reviews of the pre-application submittal may be requested by the applicant prior to filing a formal application.
- (f) Any and all written summaries of the pre-application review shall be forwarded to the required reviewing body with a formal.

(D) Informal

Prior to submittal of an application for a Concept Plan (CP), an applicant may submit an Informal application for review of a development concept with the PZC. Such submittal shall include a completed application form and supporting material sufficient to describe the development concept. The review of the informal submittal shall be non-binding upon the PZC and the applicant, however, it is intended to provide feedback by the PZC that should inform the preparation and subsequent review of the CP. The Planning Director shall prepare a brief analysis and comments that will be submitted to the PZC with the application.

(E) Concept Plan

(1) Purpose and Applicability

- (a) The purpose of the Concept Plan (CP) is to provide a general outline of the scope, character, and nature of the proposed development that is consistent with the policy direction of the Community Plan and the BSD Special Area Plan, the requirements of the BSD Code, other related policy and regulatory documents, and the review criteria, and to consider the proposal within the context of existing and planned development within the vicinity of the project.
- (b) The CP allows the required reviewing body the means to ensure that the proposed concept is consistent with the following:
  - 1. That the proposed land uses are consistent with Community Plan, BSD Special Area Plan, and BSD Code;
  - 2. That the proposed block framework and street network are generally compatible with the adopted plans, lead to the creation of a walkable, urban place;
  - 3. That the proposed development concept generally fulfills the intent of the BSD Special Area Plan; and
  - 4. That the proposed development concept has the potential to create a walkable, urban place.
- (c) The CP review provides an opportunity for public input at an early stage of the development process.
- (d) The CP review is intended to provide clear direction to the



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 9 of 28

applicant by the required reviewing body resulting from its review and approval of the application.

- (e) If the CP is approved by the required reviewing body it shall serve as a basis for preparation by the applicant of the Preliminary Development Plan (PDP) for the proposed development.
- (f) For projects that will propose a development agreement due to the need for development timeframe, public infrastructure, public and private contributions, development restrictions, or other related items, City Council shall serve as the required reviewing body for the CP. In those cases, the Director and the Planning and Zoning Commission shall each review the CP and provide a recommendation to Council to approve, approve with conditions, or disapprove the CP.

(2) Review Procedure

- (a) The CP is a mandatory step in the development review and approval process for the BSD.
- (b) An application for a CP shall be made in accordance with the provisions of divisions (D)(3) and (N)(1) of this Chapter.
- (c) The PZC shall be the required reviewing body for the CP in the BSD, unless a development agreement is proposed in conjunction with a proposed project, then City Council shall be the required reviewing body for the CP.
- (d) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the CP application under the criteria of division (D)(4) of this section.
- (e) The PZC shall review the CP application, the minutes of the PZC meeting if an informal review was requested by the applicant, the Director's recommendation, and render its decision based on the criteria of division (D)(4). In the instance the PZC is the required reviewing body, the Commission will render a decision for approval, approval with conditions, or denial and written record of the Commission's decision shall be provided.
- (f) In the instance of a CP associated with a proposed development agreement, the Commission will make a recommendation of approval, approval with conditions, or denial to City Council.
- (g) City Council shall review the CP application and the recommendations of PZC and the Director, and render its decision based on the criteria of division (D)(4) of approval, approval with conditions, or denial.

(3) Submittal Requirements

It is the intent of these regulations that the CP shall indicate overall design of the proposed project. Information submitted should be comprehensive enough to enable the required reviewing body to understand the existing site and concept for the proposed development, and to evaluate consistency with the review criteria in division (D)(4). The applicant shall submit an application and supplemental materials as outlined in division (N)(1) and determined by the Director.

(4) Review Criteria

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 10 of 28

The required reviewing body shall make its decision on an application for a CP based on each of the following criteria and may consider the recommendation of the Director and, if City Council is the required reviewing body, the recommendation of the PZC. For applications associated with a development agreement, the PZC shall apply these criteria in the formulation of its recommendation to City Council.

- (a) The CP is consistent with the applicable policy guidance of the Community Plan, the BSD Special Area Plan, and other applicable City plans, and citywide administrative and financial policies;
- (b) The CP conforms to the applicable requirements of the BSD Code;
- (c) The illustrative lots and blocks, supporting street and pedestrian network, and internal circulation provide a coherent development pattern that conforms to the requirements of §§153.060 Lots and Blocks, 153.061 Street Types, and 153.065 Site Development Standards, and the conceptual locations of access points to surrounding streets will avoid adverse impacts on surrounding neighborhoods and traffic infrastructure;
- (d) The proposed land uses allow for appropriate integration into the community, consistent with adopted plans, and align with the requirements of §153.059 Uses;
- (e) The conceptual buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment, and conforms to the architectural requirements of §153.062 Building Types;
- (f) The conceptual design of open spaces, including location and relationship to surrounding buildings, provides for meaningful public gathering spaces that benefit the community both within and outside the proposed development;
- (g) The CP allows for the connection and or expansion of public or private infrastructure and the continued provision of services required by the City or other public agency; and
- (h) The development concept conforms to the requirements of §153.063 Neighborhood Standards, as applicable.

(F) Preliminary Development Plan

(1) Purpose and Applicability

- (a) The purpose of the Preliminary Development Plan (PDP) is to establish a framework for the proposed development that is consistent with the requirements of the Community Plan, BSD Special Area Plan, BSD Code, BSD Design Guidelines, other adopted plans, policies, and regulations, and the review criteria.
- (b) The PDP allows the PZC to ensure that the proposed development is consistent with the following:
  - 1. That the street network and block framework provide a coherent and rational development pattern;



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 11 of 28

2. That the proposed street types provide for walkable urbanism;
  3. That the proposed building types are appropriate to the location and surrounding neighborhood;
  4. That the proposed development creates the urban setting envisioned by the applicable neighborhood standards;
  5. That planned open spaces and building types within the development are integrated in order to complement each other;
  6. That the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations; and
  7. That the proposed development will contribute to the creation of signature places in the City consistent with the BSD Special Area Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.
- (c) The PDP is intended to establish the direction of the proposed development based on all applicable code requirements and shall refine the approved CP.
- (d) If a PDP is approved by the PZC, such action shall be binding and shall serve as the basis for submittal of the Final Development Plan (FDP) for the proposed development or phases thereof.
- (2) Review Procedure
- (a) An application for a PDP may not be submitted prior to the review and approval of a CP.
  - (b) The PDP is a mandatory submittal requirement prior to filing a FDP. However, the PDP may be combined with the FDP at the request of the applicant, by motion of the PZC following its approval of the CP, or if recommended by the Director and agreed by the applicant.
  - (c) An application for PDP shall be submitted in accordance with the provisions of divisions (E)(3) and (N)(1) of this section.
  - (d) The PZC shall be the required reviewing body for the PDP within the Bridge Street District.
  - (e) The Director shall make a recommendation for approval, approval with conditions, or denial of the PDP application under the criteria of division (E)(4) of this section.
  - (f) The PZC shall review the PDP application and the recommendation of the Director and render its decision based on the criteria of division (E)(4) of this section for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided to the applicant.
- (3) Submittal Requirements

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 12 of 28

It is the intent of these regulations that a PDP shall provide information that is sufficient to ensure general conformity with the regulations and that can serve as a basis for the future consideration of a FDP. Information submitted should be sufficiently detailed to enable the PZC to understand the existing site and the PDP for the proposed development, and to evaluate consistency with the review criteria in division (E)(4). The applicant shall submit an application and supplemental materials as outlined in division (N)(1) and determined by the Director.

(4) Review Criteria

The PZC shall make its decision on an application for a PDP based on each of the following criteria:

- (a) The PDP shall be consistent with the approved CP, the record established by the required reviewing body, the associated Staff Report, and the Director's recommendation;
- (b) The development is consistent with the Community Plan, BSD Special Area Plan, BSD Design Guidelines, other adopted City plans, and related policies;
- (c) The proposed land uses align with all applicable requirements and use specific standards of §153.059 Uses;
- (d) The proposed buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment, and conforms to the requirements of §§153.062 Building Types and 153.065 Site Development Standards;
- (e) The proposed lots and blocks conform to the requirements of §153.060 Lots and Blocks;
- (f) The proposed street types conform to the requirements and standards of §153.061 Street Types, including the general pattern of streets, blocks, and development reflected on the BSD Street Network Map and the conceptual locations of access points to surrounding streets to avoid adverse impacts on surrounding neighborhoods and traffic infrastructure;
- (g) The proposed design of the internal circulation system, driveways, and any connections to the public realm provide for safe and efficient access for pedestrians, bicyclists, vehicles, and emergency services;
- (h) The proposed design of buildings conforms to the BSD Code and is consistent with the BSD Design Guidelines, while integrating with nearby development;
- (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community both within and outside the proposed development, and conform to the requirements of §153.064 Open Spaces;
- (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 13 of 28

- (k) The proposed development conforms to the requirements of §153.063 Neighborhood Standards, as applicable;
- (l) The proposed development provides adequate stormwater management systems and facilities that comply with the applicable regulations of this code and any other applicable design criteria or regulations as adopted by the City or required by other government entities;
- (m) The proposed development can be adequately serviced by existing and/or planned public or private infrastructure consistent with the City's most recently adopted capital improvements program;
- (n) If the development is to be implemented in phases, each phase has adequate infrastructure to serve the development independently without the need for further phased improvements; and
- (o) The proposed development demonstrates consistency with the recommendations, principles, and intent of all applicable design standards and guidelines, including but not limited to buildings, open spaces, and streetscapes.

(G) Final Development Plan

(1) Purpose and Applicability

- (a) The purpose of the Final Development Plan (FDP) is to confirm compliance with the PDP, all requirements of the BSD Code, Community Plan, BSD Special Area Plan, BSD Design Guidelines, and other adopted plans, policies, and regulations, and the review criteria.
- (b) The FDP allows the PZC to ensure that the proposed development is compliant with the following:
  - 1. That the street network and block framework provide a coherent and rational development pattern;
  - 2. That proposed street types provide for walkable urbanism;
  - 3. That the proposed building types are appropriate to the location and neighborhood, including assuring that the dimensions of a parcel meet the lot size requirements for the applicable building type;
  - 4. That the architecture, building materials and colors, landscaping and buffering, and site layout create a functional, aesthetically appealing urban place;
  - 5. That the proposed development creates the urban setting envisioned by the applicable neighborhood standards;
  - 6. That planned open spaces and building types within the development are integrated in order to complement each other;
  - 7. That the proposed development is consistent with the general development requirements of the City with



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 14 of 28

respect to such elements as infrastructure, transportation, and environmental considerations; and

8. That the proposed development will contribute to the creation of signature places in the City consistent with the BSD Special Area Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.
  - (c) The FDP is intended to verify the proposed development, or phases of development, is in compliance with all applicable code requirements, and is consistent with the PDP.
  - (d) All development within the BSD District shall require an approved FDP prior to applying for site disturbance approval, CZPA, and/or building permits. In addition, the following development activities shall also require an approved FDP:
    - (1) When a project involves the design or construction of new streets, or a proposed realignment or relocation of any street in the general pattern of street development conceptualized by the BSD Street Network Map in §153.061 that is required or permitted by the City;
    - (2) When a project requires land subdivision in accordance with Chapter 152; or
    - (3) When a project does not meet the criteria for a Minor Project (MP).
  - (e) Applications for a FDP shall be reviewed by the PZC, whose approval shall be binding and shall serve as the regulatory and administrative document for zoning compliance.
- (2) Review Procedures
- (a) An application for a FDP shall be submitted in accordance with the provisions of divisions (F)(3) and (N)(1) of this section.
  - (b) The PDP may be combined with the FDP at the request of the applicant, by motion of the PZC at the time of CP review and approval, or recommended by the Director.
  - (c) The PZC shall be the required reviewing body for the FDP within the BSD.
  - (d) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the final development plan application under the criteria of division (F)(4) of this section.
  - (e) The PZC shall review the FDP application and the recommendation of the Director and render its decision based on the criteria of division (F)(4) of this section for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.

(3) Submittal Requirements

It is the intent of these regulations that a FDP shall provide final project information that is sufficient to ensure general conformity to an approved PDP. In cases where the applicant has been authorized to submit a combined PDP and FDP, then the submittal shall incorporate

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 15 of 28

the required information for the PDP and as required below. Information should be sufficiently detailed to enable the PZC to understand the existing site and the FDP for the proposed project or a portion thereof, and to evaluate consistency with the review criteria in division (F)(4). The applicant shall submit an application and supplemental materials as outlined in division (N)(1) and determined by the Director.

(4) Review Criteria

The PZC shall make its decision on an application for a FDP based on each of the following criteria:

- (a) The FDP shall be substantially similar to the approved PDP, and consistent with the record established by the required reviewing body, the associated Staff Report, and the Director's recommendation;
- (b) The proposed development is consistent with the Community Plan, BSD Special Area Plan, BSD Design Guidelines, other adopted City plans, and citywide administrative and financial policies;
- (c) The proposed land uses conform to all applicable requirements and use specific standards of §153.059 Uses;
- (d) The proposed buildings are appropriately sited and conform to the requirements of §153.062 Building Types and §153.065 Site Development Standards;
- (e) The proposed lots and blocks conform to the requirements of §153.060 Lots and Blocks;
- (f) The proposed street types conform to the requirements and standards of §153.061 Street Types, including the general pattern of streets, blocks, and development reflected on the BSD Street Network Map, as amended;
- (g) The proposed design of the internal circulation system, driveways, and any connections to the public realm provide for safe and efficient access for pedestrians, bicyclists, vehicles, and emergency services;
- (h) The proposed design, architecture, and materials of buildings is consistent with the BSD Design Guidelines, while integrating with nearby development, and avoids overshadowing of existing or proposed development;
- (i) The proposed site design, landscaping, screening, and buffering is consistent with the BSD Design Guidelines;
- (j) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community, benefit the community both within and outside the proposed development, and conform to the requirements of §153.064 Open Spaces;
- (k) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 16 of 28

services;

- (l) The proposed development conforms to the requirements of §153.063 Neighborhood Standards, as applicable;
- (m) The proposed development provides adequate stormwater management systems and facilities that comply with the applicable regulations of this code and any other applicable design criteria or regulations as adopted by the City or required by other government entities;
- (n) The proposed development can be adequately serviced by existing and/or planned public or private infrastructure consistent with the City's most recently adopted capital improvements program;
- (o) If the development is proposed to be implemented in phases, each phase has adequate infrastructure to serve the development independently without the need for further phased improvements; and
- (p) The proposed development demonstrates consistency with the recommendations, principles, and intent of all applicable design standards and guidelines, including but not limited to buildings, open spaces, and streetscapes.

(H) Minor Project

(1) Purpose and Applicability

The purpose of the Minor Project (MP) is to provide an efficient review process for smaller projects that do not have significant community effects, as defined in (H)(2).

(2) Minor Projects Defined

The following projects shall be considered eligible for review and approval as an MP:

- (a) Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 10,000 square feet gross floor area, whichever is less, existing as of the effective date of this amendment, or when first constructed, and associated site development requirements.
- (b) Exterior modifications to principal structures involving not more than 25% of any individual façade elevation of the structure.
- (c) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building. Parks, when used to meet requirements as an open space type, as provided in §153.064, shall require a FDP.
- (d) Accessory structures 1,000 gross square feet or smaller and the related accessory uses.
- (e) Modifications to existing structures in accordance with §153.062(B)(2) that increase the gross floor area by not more than 25%, or not more than 10,000 square feet gross floor area, whichever is less, existing as of the effective date of this amendment and associated site development requirements; and

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 17 of 28

(f) Parking plans when not associated with a PDP or a FDP.

(3) Review Procedure

(a) An application for a minor project MP shall be made in accordance with the provisions of divisions (G)(4) and (N)(1) of this section.

(b) The ART shall be the required reviewing body for the MP.

(c) The Director shall make a recommendation to the ART for approval, approval with conditions, or denial of the MP under the criteria of division (G)(5).

(d) The ART shall review the MP application and the Director's recommendation, and render its decision based on the criteria of (G)(5) of this section for approval, approval with conditions, or denial. A written record of the ART's decision shall be provided.

(e) The ART may forward any MP application to the PZC for consideration. In making such a determination, the ART shall conclude that the application raises complex issues, including but not limited to, the need for public infrastructure improvements and/or other neighborhood or community-wide effects that would benefit from a public review and decision by the PZC. These applications shall be reviewed against the criteria in (G)(5) of this section.

(f) If the application is not approved by the ART, the applicant shall be given the opportunity to revise the application in response to the ART's comments and resubmit for reconsideration.

(g) Decisions of the ART are appealable to the PZC.

(4) Submittal Requirements

It is the intent of these regulations that an application for a MP provides sufficient information to ensure general conformity to the applicable provisions of this code. The information should be sufficiently detailed to enable the required reviewing body to understand the existing site and the MP request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(5) Review Criteria

The Administrative Review Team (ART) shall make its decision on an application for a MP based on each of the following criteria and the recommendation of the Director:

(a) The MP shall be consistent with the Community Plan, BSD Special Area Plan, BSD Code, BSD Design Guidelines, and adopted plans, policies, and regulations;

(b) In cases where a MP is proposed within or as part of an approved PDP or FDP, the MP shall be consistent with such approved PDP or FDP;

(c) The MP shall be consistent with the record established by the required reviewing body, the associated Staff Report, and the



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 18 of 28

Director's recommendation;

- (d) The proposed land uses meet all applicable requirements and use specific standards of §153.059 Uses; and
- (e) The proposed site improvements, landscaping, screening, and buffering shall meet all applicable requirements of the BSD Code and respond to the standards of the BSD Design Guidelines.

(I) Administrative Departure

(1) Purpose and Applicability

- (a) The intent of the Administrative Departure (AD) is to provide an efficient process to allow minor deviations from the strict application of the BSD requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this Chapter.
- (b) The AD shall not convey special rights or other approvals that would not otherwise result from a decision under this code.

(2) Administrative Departure Defined

An AD shall be limited to any modification of no greater than 10% to a numeric zoning standard related to building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting.

(3) Review Procedure

- (a) An application for an AD shall be made in accordance with the provisions of divisions (H)(4) and (N)(1) of this section.
- (b) The ART shall be the required reviewing body for administrative departures.
- (c) A request for an AD may be submitted with an application for a PDP, FD, MP, or at any other time as may be necessary.
- (d) A request for an AD may be processed simultaneously with a PDP, FDP, or MP to which it relates.
- (e) The Director shall make a recommendation to the ART for approval, approval with conditions, or denial of the AD under the criteria of division (H)(5).
- (f) The ART shall determine whether each requested AD is approved, approved with conditions, or denied. A written record of the ART's decision will be provided. Decisions relative to an approved FDP shall be reported to the PZC.
- (c) Should the ART find that the request does not meet the criteria for an AD, the applicant may request a Waiver under the provisions of division (I) of this section or submit a new application for a FDP or MP, as applicable.
- (d) Decisions may be appealed to the PZC.

(4) Submittal Requirements



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 19 of 28

It is the intent of these regulations that an application for an AD provides sufficient information to evaluate whether the request should be granted under divisions (H)(2) and (H)(5). The information should be sufficiently detailed to enable the required reviewing body to understand the existing site, proposed AD, and the related PDP, FDP or MP for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (N)(1) and determined by the Director.

(5) Review Criteria

The ART shall make its decision on the requested AD based on the following criteria:

- (a) The need for the AD is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Community Plan, BSD Special Area Plan, BSD Design Guidelines, other adopted City plans and policies, and all applicable requirements within §§153.057 through 153.066;
- (b) The AD is not being requested simply to reduce cost or as a matter of general convenience;
- (c) The AD does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in the BSD district;
- (d) The AD, if approved, does not adversely impact the pedestrian experience; and
- (e) The AD, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the AD.

(J) Waiver

(1) Purpose and Applicability

Under the provisions of this section, Waivers are a process to allow deviations from specific code requirements that may only be granted by the PZC.

(2) Waivers Defined

A Waiver is defined as a request for a deviation from a requirements of §§ 153.059 through 153.065, which do not otherwise qualify for an AD under the provisions of division (H) of this section.

(3) Review Procedure

- (a) An application for a Waiver shall be made in accordance with the provisions of divisions (I)(4) and (N)(1) of this section.
- (b) The PZC shall be the required reviewing body for Waivers. In cases where a Waiver is submitted with a Minor Project (MP), the PZC shall be the required reviewing body for both the Waiver and the MP.
- (c) The Waiver may be submitted with any application for a PDP or FDP.

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 20 of 28

- (d) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the Waiver under the criteria of division (I)(5). Additional Waivers determined by the Director during his/her review, may be included for review by the PZC.
- (e) The PZC shall review the requested Waiver using the criteria of division (5) of this section. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested Waiver, those Waivers shall also be reviewed by PZC.
- (f) The PZC shall approve, approve with conditions, or deny the Waiver request. A written record of the PZC decision will be provided.

(4) Submittal Requirements

It is the intent of these regulations that an application for a Waiver provides sufficient information to evaluate whether the Waiver should be granted under divisions (I)(2) and (I)(5). The information should be sufficiently detailed to enable the PZC to understand the existing site, proposed PDP, FDP, or MP as noted in (J)(3)(b), and the related Waiver request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined (N)(1) and determined by the Director.

(5) Review Criteria

The PZC shall make its decision on an application for a proposed Waiver based on all of the following criteria:

- (a) The need for the Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;
- (b) The Waiver, if approved, will generally meet the spirit and intent of the Community Plan, BSD Special Area Plan BSD Design Guidelines, other adopted City plans and policies, and all applicable requirements in §§153.057 through 153.066;
- (c) The Waiver is not being requested solely to reduce cost or as a matter of general convenience;
- (d) The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver;
- (e) The requested Waiver is better addressed through the Waiver rather than an amendment to the requirements of this Chapter; and
- (f) The Waiver does not have the effect of authorizing any use or open space type that is not otherwise permitted in that BSD district.

(K) Master Sign Plan

(1) Purpose and Applicability

- (a) The purpose of the Master Sign Plan (MSP) is to define the scope, character, and aesthetic quality of signs and sign regulations for an individual tenant, multi-tenant building, or multi-building development; while allowing an additional degree of flexibility and creativity in sign design and display.



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 21 of 28

(b) The MSP review is intended to confirm the proposed sign design or comprehensive sign plan is consistent with the development context, architectural character, and the BSD Design Guidelines. MSPs are not intended to permit larger or more visible signs, and are not intended to permit a greater number of signs without consideration of the BSD Design Guidelines.

(c) The MSP allows the PZC the means to evaluate the proposal for its consistency with §153.057 through §153.066, the Community Plan, BSD Special Area Plan, BSD Design Guidelines, and other adopted City plans, and the review criteria, and to consider the proposal within the context of existing and planned development within the vicinity of the project boundary.

(2) Review Procedure

(a) An application for a MSP shall be submitted in accordance with the provisions of divisions (J)(3) and (N)(1) of this Chapter.

(b) The PZC shall be the required reviewing body for MSPs in the BSD.

(c) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the MSP application under the criteria of division (J)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.

(d) The PZC shall review the MSP application and the recommendation of the Director, and render its decision based on the criteria of division (J)(4) for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.

(e) The applicant may request additional review meetings with the PZC.

(3) Submittal Requirements

It is the intent of these regulations that the MSP shall indicate general information, sign design standards, and the area of applicability. Information submitted should be comprehensive enough to enable the PZC to understand the existing site and design concept for the proposed MSP. The applicant shall submit an application and supplemental materials as outlined in division (N)(1) and determined by the Director.

(4) Review Criteria

The PZC shall render its feedback on an application for a MSP based on each of the following criteria and the recommendation of the Director.

(a) The MSP is consistent with the Community Plan, BSD Special Area Plan, BSD Design Guidelines, and other adopted City plans and policies;

(b) The proposed signs are appropriately sited and scaled to create a cohesive character that complements the surrounding environment and meets the intent of the architectural

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 22 of 28

requirements of §153.062 Building Types;

- (c) The proposed signs are not in conflict with public streets, open spaces, utilities, or rights-of-way, and do not impede the continued provision of services required by the City or other public agency; and
- (d) The MSP responds to the requirements of §153.063 Neighborhood Standards, as applicable.

(L) Administrative Approval

(1) Purpose and Applicability

- (a) The Director may authorize an Administrative Approval (AA) to an approved FDP or MP that is required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that is necessary to ensure orderly and efficient development.
- (b) Any approved AA must be consistent with the intent of the related approved FDP or MP.
- (c) The Director may also authorize an AA to existing structures and associated site improvements that are necessary to complete ordinary maintenance, refurbishment or Zoning Code compliance.

(2) Administrative Approval Defined

The following are considered AA's:

- (a) Adjustments to lot lines;
- (b) Adjustments to the location and layout of parking lots;
- (c) Adjustments of up to 10% in total building floor area or floor plan;
- (d) Adjustments to building height up to 10% for no more than 10% of the floorplate of the highest occupied floor when necessary to accommodate building equipment or features required to comply with building code;
- (e) Substitution of landscaping materials specified in the landscape plan;
- (f) Redesigning and/or relocating stormwater management facilities;
- (g) Relocating fencing, walls or screening (not including screening walls);
- (h) Modifications to sign location, sign face, landscaping and lighting;
- (i) Changes in building material or color;
- (j) Changes required by outside agencies such as the county, state, or federal departments; and/or



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 23 of 28

(k) Other modifications deemed appropriate by the Director that do not alter the basic design or any specific conditions imposed as part of the original approval.

(3) Review Procedure

(a) An application for an AA shall be made in accordance with the provisions of divisions (K)(4) and (N)(1) of this section.

(b) The Director shall be the required reviewing body for applications for an AA.

(c) The Director shall review the request after receiving a complete application and make a decision to approve, approve with conditions, or deny an AA application under the criteria of division (K)(5) of this section. The Director's decision shall be provided to the applicant in writing.

(d) The Director may forward any AA application to the PZC for consideration. In making such a determination, the Director shall conclude that the application raises complex issues, including that the proposal is of such magnitude that it has a detrimental effect on the approved development or there are neighborhood or community-wide effects that may result if the proposal is approved, that would benefit from a public review and decision by the PZC.

(e) If denied, or approved with conditions, the applicant shall be given the opportunity to revise the request in response to the Director's comments and resubmit for further consideration.

(f) Requests not meeting the requirements for an AA shall require the filing and approval of a new application for a FDP, MP or other application as applicable, in accordance with this section.

(g) Decisions may be appealed to PZC.

(4) Submittal Requirements

It is the intent of these regulations that an application for an AA provides sufficient information to ensure general conformity to the applicable provisions of this code and the approved FDP or MP, and to evaluate whether the AA should be granted under division (K)(2) and (K)(5). The information should be sufficiently detailed to enable the Director to understand the existing site and the AA request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined (N)(1) and determined by the Director.

(5) Review Criteria

The Director shall make his or her decision on an application for a proposed AA based on all of the following criteria:

(a) Adjustments to lot lines do not create additional lots, required setbacks and/or RBZs are maintained, and the boundaries to any approved PDP, FDP, or MP are not altered;

(b) Adjustments to the location and layout of parking lots maintain the perimeter setbacks, yards, buffers, and required parking;

(c) Adjustments for buildings do not alter the character or the use of the originally approved building, building height(s), or floor



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 24 of 28

plans except as provided for in division (K)(2);

- (d) Substitution of landscaping materials shall be of an equal or greater size and quality as the approved materials;
- (e) Redesigned and/or relocated stormwater management facilities shall maintain the approved general character of said facilities and the approved stormwater capacities;
- (f) Relocating fencing, walls, or screening (not including screening walls) shall maintain the same level and quality of materials and screening;
- (g) Modifications to sign location, sign face, and related landscaping and lighting, shall maintain the approved general sign design, number of signs, and dimensional requirements;
- (h) Changes in building material shall be similar to and have the same general appearance comparable to previously approved material; such changes shall be of equal or higher quality than the previously approved material;
- (i) Changes in color shall be complimentary to the architectural design and character of the building;
- (j) The modification is not being requested solely to reduce cost or as a matter of general convenience; and
- (k) The requested modification would be better addressed through the modification rather than an amendment to the requirements of this Chapter or to the approved FDP or MP.

(M) Other Applicable Approvals

(1) Open Space Fee in Lieu

After a recommendation from the Director in consultation with the Director of Parks and Recreation, the PZC shall determine whether a request for a payment of a fee in lieu of open space dedication may be approved, as provided in §153.064(D) and (E).

(2) Conditional Uses

The Conditional Use approval procedures in §153.236 shall apply in the BSD districts. The PZC is the required reviewing body for Conditional Use applications.

(3) Zoning Map or Text Amendment

The amendment procedures of §153.234 shall apply in the BSD districts. In addition, a recommendation from the Director shall be submitted for consideration by the PZC and City Council.

(4) Preliminary and Final Plats

Reviews of Preliminary and Final Plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.

(5) Special Permit

The Special Permit procedures in §153.231(G) shall apply in the BSD districts.

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 25 of 28

(6) Zoning Variance

The Zoning Variance procedures in §153.231(H) shall apply in the BSD districts. In addition, a recommendation from the Director shall be submitted for consideration by the Board of Zoning Appeals, and for City Council in the instance of a use variance.

(7) Public Tree Permit

The Tree Permit requirements of §153.134(G) shall apply in the BSD districts.

(N) General Provisions

(1) Applications

(a) Each application required by this section shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.

(b) Applications shall include all information required by the City, unless deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted and processed by the City until it is deemed complete by the Director. If found to be incomplete, the Director shall inform the applicant of any additional materials required to certify that the application is complete.

(c) After acceptance of a complete application, the Director and/or required reviewing body may request additional materials if deemed necessary to evaluate the proposal.

(d) No application for a FDP that has been denied by the PZC shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

(e) The Director may approve the simultaneous review of applications required by this Chapter and/or a subdivision plat required by the Code, if the Director determines that simultaneous review will not adversely impact the achievement of the purpose and intent of this Chapter. The provisions of §153.066(F)(2)(b) and (G)(2)(b) govern relative to the filing of a combined PDP and FDP.

(f) Where public reviews are required by this Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2) Decisions

(a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 26 of 28

criteria as provided in this section and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.

- (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
- (c) Following the approval of a FDP or MP, the applicant may proceed with the process for obtaining a Certificate of Zoning Plan Approval (CZPA) and Building Permit (BP), consistent with the approval as granted. All construction and development under any BP shall comply with the approved FDP and MP, and any other approval, as applicable.

(3) Certificate of Zoning Plan Approval

A CZPA issued by the Director verifying compliance with all applicable zoning requirements is required prior to modification, extension, or alteration of sites and structures, and/or change of use in BSD.

(4) Code Administration

The PZC may evaluate and monitor the application of the requirements and standards of §153.057 through §153.066 by the Director. The PZC may advise the Director as to whether it finds that the requirements or standards (including requests for an AA) are being applied correctly, and recommend to City Council any changes needed in the BSD district standards and requirements to better implement the Community Plan, BSD Special Area Plan, BSD Design Guidelines, and other related policy and regulatory documents adopted by the City.

(5) Duration of Approvals

- (a) Because the review of an Informal application is non-binding on the City and does not result in a decision by the PZC, the comments made during the Informal application review do not expire. However, if the applicant makes any material change in the Informal application following the review, the applicant should not assume that the previous Informal review comments remain applicable to the revised application.
- (b) An approved CP shall be valid for a period of no more than one year. If an application has not been filed for a PDP for at least a portion of the site within that one-year period, then the CP shall no longer be valid. A new CP application shall be required in accordance with the requirements of this Chapter.
- (c) An approved PDP shall be valid for a period of no more than two years. If a FDP application for at least a portion of the site has not been filed within that two-year period, then the PDP shall no longer be valid. A new PDP application shall be required in accordance with this Chapter.
- (d) An approved FDP shall be valid for a period of no more than two years. If a Building Permit and/or CZPA has not been filed

# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 27 of 28

for at least a portion of the project within the two-year period, the FDP shall no longer be valid. A new FDP application shall be required in accordance with this Chapter.

(e) An approved MP shall be valid for a period of no more than two years. If a Building Permit and/or CZPA for at least one portion of the site has not been filed within that two-year period, then the MP shall no longer be valid. A new MP application shall be required in accordance with this Chapter.

(f) Abandonment

1. Once a final approval is granted by the required reviewing body, if the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.

2. The Director of Building Standards shall make the determination of abandonment based on the presence of one or more of the following conditions:

a. Removal of construction equipment or supplies;

b. Expiration of an active building permit issued by the City;

c. Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;

d. Other actions documented by the Director of Building Standards and/or Director evidencing an intent to abandon the construction of the project.

3. Once the Director of Building Standards makes a determination of abandonment, if a new BSD application is not submitted within 90 days from the date of the determination, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of the determination of abandonment. If the owner fails to restore the site to its previous condition within 180 days, the City may take any and all actions necessary to restore the site to its previous condition, including removing any structures or other evidence of work, and the costs of removal shall be assessed against the property.

(6) Architectural Review Board Authority

Until otherwise amended, the Architectural Review Board (ARB) shall be the required reviewing body for the following districts: BSC Historic Core, Historic Residential, Historic South, and Historic Transition Neighborhood, as outlined in §153.170 through §153.180 in the Codified Ordinances. The ARB shall be sole authority for Waivers and Master Sign Plans in the above noted zoning districts, pursuant to the standards and criteria in §153.066.

(7) Single-Family Detached Home



# RECORD OF ORDINANCES

Ordinance No. 09-19

Passed Page 28 of 28

Individual single-family detached homes and additions thereto, which are not components of a larger development, are not subject to the submittal of a CP, PDP, nor FDP. A single-family home and addition there to shall submit a Building Permit as required by code and issuance of a CZPA as provided for in §153.233. Any proposed modifications to zoning standards of the BSD Code associated with a proposed single-family home and any additions thereto shall be subject to review and approval of a Waiver, AA, and/or AD provided for in this Chapter. A single-family home is not subject to MP provisions of this Chapter.

(Ord. 07-12, passed 3-26-12; Am. Ord. 84-13, passed 11-4-13; Am. Ord. 114- 14, passed 12-8-14)

This ordinance shall be effective on the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

## Cross Reference Check

### 153.002(B) General Definitions

(2)(m) BRIDGE STREET ~~CORRIDOR-DISTRICT~~ (BSCBSD). A planned area of the city generally bounded on the east by Sawmill Road, on the north and west by I-270, and including land within the Architectural Review District boundaries, and along the north and south sides of SR 161.

(3)(o) CONCEPT PLAN. A plan that generally indicates the overall design of a proposed PUD or BSD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Community Plan and other applicable plans of the city.

(6)(d) FINAL DEVELOPMENT PLAN. A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signs, directional signs, location of refuse containers, lighting and accessory structures, and other similar improvements, and may include a subdivision plat of a proposed PUD or BSD project. Critical dimensions are shown unless otherwise required.

~~(13)(g) MINOR PLAN MODIFICATION or MINOR MODIFICATION. A nominal deviation from, or clarification of, the adopted plan and/or text of a planned development, or an approved Final Development Plan for developments in Bridge Street zoning districts, development plan, or site plan approval, as provided in this chapter.~~

(16)(z) PRELIMINARY DEVELOPMENT PLAN. A plan, submitted at the time of rezoning to a PUD, or as part of BSD review and approval processes of §153.066 project, outlining permitted and conditional land uses, development sites, major circulation patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of §§ 153.050 through 153.056, a preliminary development plan shall include a composite plan and any other development plan adopted prior to effective date of these regulations that are still in force.

### 153.060 LOTS AND BLOCKS

#### (B) APPLICABILITY

The requirements of this section apply to developments within all BSD zoning districts that require ~~Development Plan Review~~ a Concept Plan Review in accordance with § 153.066, and for land within all BSD zoning districts proposed for subdivision in accordance with Chapter 152.

#### (C) GENERAL BLOCK AND LOT LAYOUT

##### (2) Maximum Block Size

##### (a) Required Subdivision

Unless otherwise permitted by this chapter, all developments requiring ~~Development Plan Review~~ a Concept Plan Review in accordance with §153.066(E)(1)~~(b)2-4~~ shall



subdivide consistent with the maximum block sizes as required by Table 153.060-A, Maximum Block Dimensions.

#### 153.061 STREET TYPES

##### (C) STREET NETWORK

###### (2) Street Types

...Available street type configurations shall be reviewed with the applicant during the ~~Pre-Application Review~~ Concept Plan Review process, as described in §153.066.

###### (4) Street Network Map

(a) ...In addition to the Thoroughfare Plan, the Street Network Map shall be used as a guide in determining the appropriate locations and alignments of new streets during the Preliminary Development Plan approval process as required in §153.066.

(b) ...Actual street alignments and locations will be determined through the Preliminary Development Plan ~~Review~~ review process as individual properties are developed and through the City's Capital Improvements Program process, as applicable.

(g) ...Actual locations of new alleys and service streets will be determined through the ~~Development Plan Review and Site Plan Review~~ Preliminary and Final Development Plan review processes.

#### 153.063 NEIGHBORHOOD STANDARDS

##### (A) INTENT

... They are not intended to designate the precise locations for approved street types, use areas, open spaces or other required elements of this Code; actual locations and specific development requirements will be determined through the ~~Development Plan and Site Plan~~ Concept Plan, Preliminary Development Plan, and Final Development Plan ~~Reviews~~ reviews as required in §153.066 for individual neighborhoods.

##### (C) BSD SAWMILL CENTER NEIGHBORHOOD DISTRICT

(2) ...Actual locations of elements depicted on the graphic will be determined through the ~~Development Plan and Site Plan~~ Concept Plan, Preliminary Development Plan, and Final Development Plan ~~Review~~ review processes.

###### (5)(d) Gateways

1. ...Gateway designs shall be approved with the ~~Site-Final Development Plan~~ Review, but locations shall be identified with the Preliminary Development Plan ~~Review~~ and shall be coordinated with the street network.

###### (6)(d) Open Space Network

2. Open space designs shall be approved with the ~~Site-Final Development Plan~~ Review, but locations and types shall be identified with the Preliminary Development Plan ~~application~~ and shall meet the following criteria:

D. Open space nodes shall be provided at prominent street intersections as identified during the ~~Development Plan and Site~~ Preliminary and Final Development Plan ~~Reviews~~ reviews, such as those serving as entrances to a designated

shopping corridor and other gateway locations, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.

FIGURE 153.063 A

NOTE: ...Actual locations and standards will be provided with the approval of the ~~Development Plan and Site~~ Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(D) BSD HISTORIC TRANSITION NEIGHBORHOOD DISTRICT

(2) Actual locations of elements depicted on the graphic will be determined through the ~~Development Plan and Site~~ Preliminary and Final Development Plan Review review processes.

(5)(c) Gateways

1. ... Gateway designs shall be approved with the ~~Site-Final Development Plan~~ Review, but locations shall be identified with-on the Preliminary Development Plan Review and shall be coordinated with the street network.

(6)(d) Open Space Network

2. Open space designs shall be approved with the ~~Site-Final Development Plan~~ Review, but locations and types shall be identified with-on the Preliminary Development Plan application and shall meet the following criteria:

G. Other open space nodes shall be provided at gateway locations as identified during the ~~Development Plan and Site~~ Preliminary and Final Development Plan Reviews reviews, such as at prominent street intersections, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.

FIGURE 153.063 B

NOTE: ...Actual locations and standards will be provided with the approval of the ~~Development Plan and Site~~ Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(E) BSD INDIAN RUN NEIGHBORHOOD DISTRICT

(3) Actual locations of elements depicted on the graphic will be determined through the ~~Development Plan and Site~~ Preliminary and Final Development Plan Review review processes.

(6)(d) Gateways

1. ... Gateway designs shall be approved by the required reviewing body, but locations shall be identified with-on the Preliminary Development Plan Review and shall be coordinated with the street network.

(7)(d) Open Space Network

2. ...Open space designs shall be approved by the required reviewing body, but locations and types shall be identified with-on the Preliminary and Final Development Plan ~~and Site Plan~~ Reviews and shall meet the following criteria:

FIGURE 153.063 C



NOTE: ...Actual locations and standards will be provided with the approval of the ~~Development Plan and Site Plan~~ Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(F) BSD SCIOTO RIVER NEIGHBORHOOD DISTRICT

(3)(b)

3. For the purposes of measuring block length, the limits of private street sections designed and constructed to public street standards and defined on the Preliminary Development Plan shall be used in lieu of right-of-way.

(5)(e) Gateways

2. ... Gateway designs shall be approved by ~~with-on~~ the Site-Final Development Plan Review, but locations shall be identified ~~with-on~~ the Preliminary Development Plan Review and shall be coordinated with the street network.

(6)(d) Open Space Network

2. ...Open space locations shall be approved ~~with-on~~ the Site-Final Development Plan Review, but locations and types shall be identified ~~with-on~~ the Preliminary Development Plan Review and shall meet the following criteria:

FIGURE 153.063 D

NOTE: ...Actual locations and standards will be provided with the approval of the ~~Development Plan and Site~~ Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

153.064 OPEN SPACE TYPES

(D) SUITABILITY OF OPEN SPACE

(1) ~~Per the applicable review process, t~~The PZC or ART ~~or required reviewing body~~ shall review all proposed open space types during the Preliminary Development Plan, and Final Development Plan or the Minor Project, Site Plan and Development ~~Preliminary and Final Development Plan~~ application review processes to determine the suitability of the open space.

153.065 SITE DEVELOPMENT STANDARDS

(B) PARKING AND LOADING

(1)(b)1.C. Where on-site surface parking is provided on a site included as part of a Preliminary Development Plan ~~Review~~, parking may be permitted by the required reviewing body to encroach required setbacks to facilitate coordinated site design and contiguous parking areas with future development phases.

(1)(f)(A) Applications for Site-Final Development Plan Review

(3)(c)(3) Bicycle parking racks, docks or posts provided within the street right-of-way shall be of a consistent design on all streets ~~included within a Development Plan or Site Plan Review site~~.

(D) LANDSCAPING AND TREE PRESERVATION

(2)(c) Protected trees, as defined in this Chapter, removed from any portion of a lot consistent with an approved Preliminary Development Plan, Final Development Plan, or Minor Project, ~~Preliminary and Final Development Plan, or Site Plan Review~~ shall be replaced in accordance with §153.146 except as provided by §153.065(D)(9).

(2)(k) A registered landscape architect shall be used to prepare landscape plans required for applications for a Site-Final Development Plan-Review.

(9)(a)2.C. A tree survey prepared by a certified arborist shall be submitted with the tree preservation plan for all Preliminary and Final Development Plans, Site Plan and/or Minor Project ~~Review~~ applications for lots containing existing trees.

(9)(a)2.D. The tree preservation plan submitted as part of the Preliminary and Final Development Plans, Site Plan and/or Minor Project ~~Review~~ application shall identify all landmark trees and/ or significant tree stands on the site, including critical root zones to establish the limits of tree preservation zones, as determined by the required reviewing body.

(9)(b)(3) Removal of trees on any portion of a site required to be occupied by a public street as approved by the City Engineer and the required reviewing body with a Preliminary Development Plan Review application;

(9)(b)(4) Removal of trees on any portion of a lot required to be occupied by a structure pursuant to the standards of §153.062 as approved by the required reviewing body with applications for Final Development Plan or Minor Project or Site-Final Development Plan Review;

(11) ...Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project or Site-Final Development Plan Review application and approved only if the proposed alternative is equal to or better than the aesthetic, environmental, and buffering functions anticipated with the provisions of §153.065(D).

#### (E) FENCING, WALLS AND SCREENING

(1)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project or Site-Final Development Plan Review by the required reviewing body with examples of successful, high quality installations.

(2)(d)... Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project or Site-Final Development Plan Review application and approved only if the proposed alternative is equal to or better than the intent of the provisions of §153.065(E)(2).

(3)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project or Site-Final Development Plan Review by the required reviewing body with examples of successful, high quality installations.

#### (F) EXTERIOR LIGHTING



(8) Lighting plans submitted as part of an applicable Final Development Plan or Minor Project or Site Final Development Plan Reviews shall include existing lighting from streets and adjacent buildings developed under these standards, and proposed lighting generated from light poles and building lighting.

(G) SIGNS

(2)(e) Master Sign Plans

A Master Sign Plan may be requested in accordance with the provisions of 153.066(K). Master Sign Plans are required for projects meeting the criteria of 153.066(K)(1)(d).

- ~~1. The purpose of a master sign plan is to allow a greater degree of flexibility and creativity in sign design and display. Further, master sign plans are intended to be used for multiple signs for either a single building or a group of related buildings to ensure that the requested signs work in a coordinated fashion to meet the general intent of signs in the District. It is not intended to simply permit larger or more visible signs or additional signs than may be permitted, without any consideration for unique sign design and display. Master sign plans shall maintain the purpose and intent of the sign and graphic standards for the applicable BSD zoning district. Master sign plans may be submitted for the purposes described below:  
A. Any applicant may request approval for a master sign plan for signs that depart from the requirements of §153.065(H). The required reviewing body shall be permitted to approve alternative requirements for sign design, number, type, size, height, location, and lighting.  
B. A master sign plan may be submitted for a single building to ensure that sign locations and designs are properly coordinated with the building. Once the master sign plan is approved, no subsequent approvals are required provided the signs are consistent with the approved master sign plan.  
C. A master sign plan may be submitted for multiple buildings and sites. A master sign plan is required for shopping corridors. Once the master sign plan is approved, no subsequent approvals are required provided the signs are consistent with the approved master sign plan.~~
- ~~2. The Planning and Zoning Commission shall review all master sign plans, except for those in the BSD Historic Core District and areas of the BSD Public and Historic Transition Neighborhood Districts that fall within the Architectural Review District boundaries, as provided in §153.065(H)(2)(e)(6).~~
- ~~3. Applications for Basic Plan Review as required in §153.066(D) may include a description of the general design intent for proposed signs, demonstrating coordination with proposed building architecture and compatibility with the surrounding development context. Information provided at the Basic Plan Review should demonstrate that signs will meet all requirements of §153.065(H), or that the applicant intends to request master sign plan as provided in §153.065(H)(2)(e). A master sign plan may be reviewed concurrently with a Basic Plan Review.~~
- ~~4. A master sign plan shall include, at a minimum: the proposed locations, types, number, heights and sizes of signs, indicated on scaled plans and/or building elevation drawings; proposed materials to be used for sign structures and sign faces; fabrication details; and proposed types of illumination.~~
- ~~5. Where applicable, all signs located within a development shall meet the requirements established in an approved master sign plan. Where an approved master sign plan does not contain specific sign elements (such as height, colors, placement, etc.), then the provisions of §153.065(H) shall apply.~~

6. ~~The Architectural Review Board may approve master sign plans that depart from the requirements of §153.065(H), provided the purpose and intent of the sign and graphic standards for the BSD Historic Core and Historic Transition Neighborhood districts and the historic character of Historic Dublin are maintained. The Board shall determine the appropriateness of signs and their placement given the architecture of buildings within these districts.~~



## **Cross Reference Check**

### 153.002(B) General Definitions

(2)(m) BRIDGE STREET DISTRICT (BSD). A planned area of the city generally bounded on the east by Sawmill Road, on the north and west by I-270, and including land within the Architectural Review District boundaries. and along the north and south sides of SR 161.

(3)(o) CONCEPT PLAN. A plan that generally indicates the overall design of a proposed PUD or BSD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Community Plan and other applicable plans of the city.

(6)(d) FINAL DEVELOPMENT PLAN. A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signs, directional signs, location of refuse containers, lighting and accessory structures, and other similar improvements, and may include a subdivision plat of a proposed PUD or BSD project. Critical dimensions are shown unless otherwise required.

(16)(z) PRELIMINARY DEVELOPMENT PLAN. A plan, submitted at the time of rezoning to a PUD or BSD project, outlining permitted and conditional land uses, development sites, major circulation patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of §§ 153.050 through 153.056, a preliminary development plan shall include a composite plan and any other development plan adopted prior to effective date of these regulations that are still in force.

### 153.060 LOTS AND BLOCKS

#### (B) APPLICABILITY

The requirements of this section apply to developments within all BSD zoning districts that require a Concept Plan in accordance with § 153.066, and for land within all BSD zoning districts proposed for subdivision in accordance with Chapter 152.

#### (C) GENERAL BLOCK AND LOT LAYOUT

##### (2) Maximum Block Size

##### (a) Required Subdivision

Unless otherwise permitted by this chapter, all developments requiring a Concept Plan in accordance with §153.066(E)(1) shall subdivide consistent with the maximum block sizes as required by Table 153.060-A, Maximum Block Dimensions.

### 153.061 STREET TYPES

#### (C) STREET NETWORK

##### (2) Street Types

...Available street type configurations shall be reviewed with the applicant during the Concept Plan review process, as described in §153.066.

(4) Street Network Map

(a) ...In addition to the Thoroughfare Plan, the Street Network Map shall be used as a guide in determining the appropriate locations and alignments of new streets during the Preliminary Development Plan approval process as required in §153.066.

(b) ...Actual street alignments and locations will be determined through the Preliminary Development Plan review process as individual properties are developed and through the City's Capital Improvements Program process, as applicable.

(g) ...Actual locations of new alleys and service streets will be determined through the Preliminary and Final Development Plan review processes.

153.063 NEIGHBORHOOD STANDARDS

(A) INTENT

... They are not intended to designate the precise locations for approved street types, use areas, open spaces or other required elements of this Code; actual locations and specific development requirements will be determined through the Concept Plan, Preliminary Development Plan, and Final Development Plan reviews as required in §153.066 for individual neighborhoods.

(C) BSD SAWMILL CENTER NEIGHBORHOOD DISTRICT

(2) ...Actual locations of elements depicted on the graphic will be determined through the Concept Plan, Preliminary Development Plan, and Final Development Plan review processes.

(5)(d) Gateways

1. ...Gateway designs shall be approved with the Final Development Plan, but locations shall be identified with the Preliminary Development Plan and shall be coordinated with the street network.

(6)(d) Open Space Network

2. Open space designs shall be approved with the Final Development Plan, but locations and types shall be identified with the Preliminary Development Plan and shall meet the following criteria:

D. Open space nodes shall be provided at prominent street intersections as identified during the Preliminary and Final Development Plan reviews, such as those serving as entrances to a designated shopping corridor and other gateway locations, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.

FIGURE 153.063 A

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(D) BSD HISTORIC TRANSITION NEIGHBORHOOD DISTRICT

(2) Actual locations of elements depicted on the graphic will be determined through the Preliminary and Final Development Plan review processes.

(5)(c) Gateways

1. ... Gateway designs shall be approved with the Final Development Plan, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

(6)(d) Open Space Network

2. Open space designs shall be approved with the Final Development Plan, but locations and types shall be identified on the Preliminary Development Plan application and shall meet the following criteria:

G. Other open space nodes shall be provided at gateway locations as identified during the Preliminary and Final Development Plan reviews, such as at prominent street intersections, with other appropriately scaled open space types integrated along the corridor as appropriate to the character of the street.

FIGURE 153.063 B

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(E) BSD INDIAN RUN NEIGHBORHOOD DISTRICT

(3) Actual locations of elements depicted on the graphic will be determined through the Preliminary and Final Development Plan review processes.

(6)(d) Gateways

1. ... Gateway designs shall be approved by the required reviewing body, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

(7)(d) Open Space Network

2. ...Open space designs shall be approved by the required reviewing body, but locations and types shall be identified on the Preliminary and Final Development Plan and shall meet the following criteria:

FIGURE 153.063 C

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

(F) BSD SCIOTO RIVER NEIGHBORHOOD DISTRICT

(3)(b)

3. For the purposes of measuring block length, the limits of private street sections designed and constructed to public street standards and defined on the Preliminary Development Plan shall be used in lieu of right-of-way.

(5)(e) Gateways

2. ... Gateway designs shall be approved by on the Final Development Plan, but locations shall be identified on the Preliminary Development Plan and shall be coordinated with the street network.

(6)(d) Open Space Network



2. ...Open space locations shall be approved on the Final Development Plan, but locations and types shall be identified on the Preliminary Development Plan and shall meet the following criteria:

FIGURE 153.063 D

NOTE: ...Actual locations and standards will be provided with the approval of the Concept Plan, Preliminary Development Plan, and Final Development Plan as required in §153.066 for individual neighborhood areas.

153.064 OPEN SPACE TYPES

(D) SUITABILITY OF OPEN SPACE

(1) Per the applicable review process, the PZC or ART shall review all proposed open space types during the Preliminary Development Plan, and Final Development Plan or the Minor Project, application review processes to determine the suitability of the open space.

153.065 SITE DEVELOPMENT STANDARDS

(B) PARKING AND LOADING

(1)(b)1.C. Where on-site surface parking is provided on a site included as part of a Preliminary Development Plan, parking may be permitted by the required reviewing body to encroach required setbacks to facilitate coordinated site design and contiguous parking areas with future development phases.

(1)(f)(A) Applications for Final Development Plan

(3)(c)(3) Bicycle parking racks, docks or posts provided within the street right-of-way shall be of a consistent design on all streets .

(D) LANDSCAPING AND TREE PRESERVATION

(2)(c) Protected trees, as defined in this Chapter, removed from any portion of a lot consistent with an approved Preliminary Development Plan, Final Development Plan, or Minor Project shall be replaced in accordance with §153.146 except as provided by §153.065(D)(9).

(2)(k) A registered landscape architect shall be used to prepare landscape plans required for applications for a Final Development Plan.

(9)(a)2.C. A tree survey prepared by a certified arborist shall be submitted with the tree preservation plan for all Preliminary and Final Development Plans, and/or Minor Project applications for lots containing existing trees.

(9)(a)2.D. The tree preservation plan submitted as part of the Preliminary and Final Development Plans, and/or Minor Project application shall identify all landmark trees and/ or significant tree stands on the site, including critical root zones to establish the limits of tree preservation zones, as determined by the required reviewing body.

(9)(b)(3) Removal of trees on any portion of a site required to be occupied by a public street as approved by the City Engineer and the required reviewing body with a Preliminary Development Plan application;

(9)(b)(4) Removal of trees on any portion of a lot required to be occupied by a structure pursuant to the standards of §153.062 as approved by the required reviewing body with applications for Final Development Plan or Minor Project ;

(11) ...Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project application and approved only if the proposed alternative is equal to or better than the aesthetic, environmental, and buffering functions anticipated with the provisions of §153.065(D).

#### (E) FENCING, WALLS AND SCREENING

(1)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project by the required reviewing body with examples of successful, high quality installations.

(2)(d)... Requests for alternative landscaping shall be reviewed by the required reviewing body with the Final Development Plan or Minor Project application and approved only if the proposed alternative is equal to or better than the intent of the provisions of §153.065(E)(2).

(3)(a)... High quality synthetic materials may be approved with the Final Development Plan or Minor Project by the required reviewing body with examples of successful, high quality installations.

#### (F) EXTERIOR LIGHTING

(8) Lighting plans submitted as part of an applicable Final Development Plan or Minor Project shall include existing lighting from streets and adjacent buildings developed under these standards, and proposed lighting generated from light poles and building lighting.

#### (G) SIGNS

(2)(e) Master Sign Plans

A Master Sign Plan may be requested in accordance with the provisions of 153.066(K). Master Sign Plans are required for projects meeting the criteria of 153.066(K)(1)(d).

# **AMENDMENTS TO BRIDGE STREET DISTRICT SECTION 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA**

18-005ADMC

Community Development Committee  
City Council

FEBRUARY 4, 2019

Case Manager: Vince Papsidero, FAICP, Director of Planning

Consultants: Don Elliott, FAICP, Clarion Associates





# PROJECT GOALS

- Simplify the Bridge Street District review and approval process without compromising standards
- Create consistency among submittal requirements
- Methodology:
  - Learn from five years of administering the code
  - Interview stakeholders
  - Conduct independent analysis
  - Conduct stakeholder committee review
  - Public review
  - Adoption process



## PROCESS BACKGROUND

- Consultants were hired to work with staff (Clarion, Codametrics, and LandPlan Studios)
- Consultants reviewed case histories; interviewed staff, stakeholders and leadership; conducted an independent analysis; and issued two background memos
- Code drafting process started
- Concepts discussed at four Council work sessions and three joint work sessions of PZC and ARB
- Proposal reviewed and approved by PZC on 10/11/18
- Community Development Committee review on 02/04/19



# PROJECT STATUS: BSD CODE

PHASE/TASK	16Q4	17Q1	17Q2	17Q3	17Q4	18Q1	18Q2	18Q3	18Q4
<b>1 – PROCESS AND SUBMITTAL REQUIREMENTS</b>									
Draft Process/Submittal Requirements Proposal				█					
<b>Project on hold *</b>				█	█	█			
PZC-ARB Joint Work Sessions						█	█		
Formal Code Amendment Preparation				█			█	█	
ARB Review and Recommendation								█	█
PZC Review and Recommendation				█				█	█
Council Review and Adoption									█

\*Library/Garage review, Signature Transition Element, additional public engagement (DCAP and WID)





An architectural rendering of a modern urban street scene. The scene is dominated by multi-story brick buildings with large, multi-paned windows. Some windows have people looking out. The street is wide and paved, with trees planted along the sidewalks. Pedestrians are walking, and a dog is being walked. In the background, a sailboat is visible on the water. The overall atmosphere is bright and lively. The text "PROPOSED PROCESS CHANGES" is overlaid in the center in a bold, white, sans-serif font.

# PROPOSED PROCESS CHANGES



# PROCESS CHANGES

## Findings

- Process is too lengthy
- Too much detail is required too early in the process
- Too few administrative approvals

## Recommendations

- Shorten the process without compromising standards and outcomes, while ensuring appropriate flexibility
- Adjust submittal requirements accordingly
- No changes to administrative approvals



# PROCESS CHANGES

## Without Development Agreement

CURRENT	PROPOSAL
1. Planning Staff	1. Planning Staff
2. ART	2. PZC
3. PZC	
Preliminary/Final: <ul style="list-style-type: none"> <li>• Basic Plan</li> <li>• Development Plan</li> <li>• Site Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Informal</li> <li>• Concept Plan</li> <li>• Preliminary Development Plan</li> <li>• Final Development Plan</li> </ul>

Preliminary and Final Development Plans may be combined





# PROCESS CHANGES

## With Development Agreement

CURRENT	PROPOSAL
1. Planning Staff	1. Planning Staff
2. PZC	2. PZC
3. ART	3. Council
4. Council	
Preliminary/Final: <ul style="list-style-type: none"> <li>• Basic Plan</li> <li>• Development Plan</li> <li>• Site Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Concept Plan</li> </ul> PZC: <ul style="list-style-type: none"> <li>• Preliminary Development Plan</li> <li>• Final Development Plan</li> </ul>

Preliminary and Final Development Plans may be combined



# PROCESS CHANGES

- PZC is the Required Reviewing Body for Concept Plan, Preliminary Development Plan, and Final Development Plan except...
  - City Council is the Required Reviewing Body for a Concept Plan when a Development Agreement is associated with a project
- Administrative Review Team no longer provides a recommendation
- Informal review has been codified (optional step)
- Waivers can only be approved by PZC (no changes proposed)
- No other major administrative changes are proposed



## Minor Projects

- Smaller projects that do not have significant community effects.
- List of eligible items has been reduced to eliminate all new construction
  - List includes expansions of existing structures (25% or 10,000 sf, whichever is less)
  - List includes new accessory structures (1,000 sf or less).
- Approved by ART (kick-up provision)





## Administrative Departures

- Minor deviations of no more than 10% to a numeric zoning standard (building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting)
- Due to unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the BSD Code
- No changes are proposed
- Approved by ART (kick-up provision)



## Master Sign Plan

- New, more detailed section.
- Builds upon existing code provisions in 156.035(H).
- New, clearer review criteria.
- Approved by PZC.



# PROCESS CHANGES

## **Administrative Approvals (Minor Modifications)**

- Limited in scope to correct undetected errors or omissions, address conditions discovered during permitting or construction, etc.
- New section created for Review Criteria, based upon language in the definitions.
- Approved by PD.

## **Appeals**

- Section replaced with the “standard” BZA appeals process.



# PROCESS CHANGES

## Architectural Review Board

- Provisions were included to continue ARB's authority as a Required Reviewing Body in the HD zoning districts until the new HD code is adopted.
- This includes MSP's and Waivers.

## Single-Family Detached Homes

- New provision that excludes individual SF detached homes from submittal of a Concept Plan, Preliminary Development Plan, and Final Development Plan.
- Edits also excluded these as a Minor Project for ART review.
- Homeowners can go straight to Building Permit, which includes CZPA (Waivers/Administrative Departures are still eligible if necessary).





An architectural rendering of a modern urban street scene. The scene is dominated by multi-story brick buildings with large, multi-paned windows. Some windows have people visible inside. The street is wide and paved, with several trees planted along the sidewalks. Pedestrians are walking on the sidewalks, and a dog is being walked. In the background, a sailboat is visible on the water. The overall atmosphere is bright and lively. The text "SUBMITTAL REQUIREMENTS" is overlaid in the center of the image.

# SUBMITTAL REQUIREMENTS



# SUBMITTAL REQUIREMENTS

## Findings

- Too many submittal requirements
- Too much detail is required too early in the process
- Too much variations among various processes throughout the City
  - BSD vs PUD vs WID

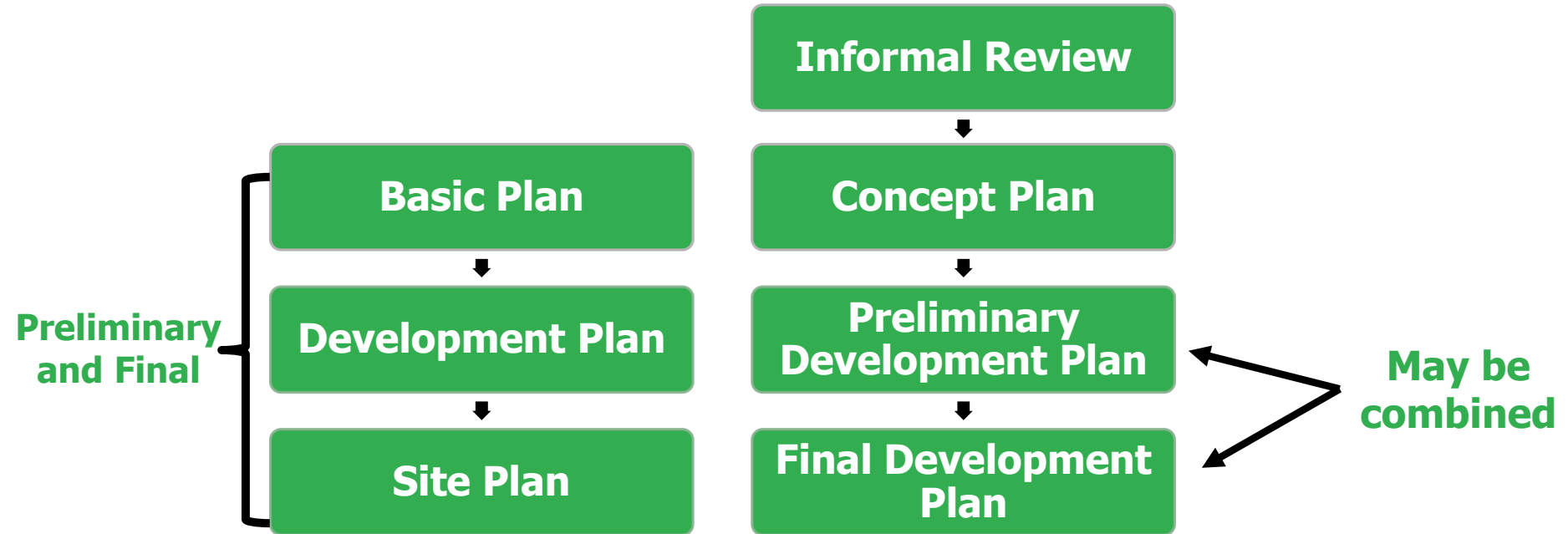
## Recommendations

- Provide consistency
- Simplify the submittal process without compromising standards and outcomes, while ensuring appropriate flexibility
- Establish a framework for updating processes in WID and DCAP to ensure consistency within business districts



## Proposed Application Types

- Consistency with PUD





**DISCUSSION**





## DISCUSSION

- Does the proposal sufficiently simplify the review and approval process?
- Is a Concept Plan submittal tied to a Development Agreement provide too much information?
- Does the committee support the changes to submittal requirements?
- Is the recommended appeals process appropriate?



# **AMENDMENTS TO BRIDGE STREET DISTRICT SECTION 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA**

18-005ADMC  
Community Development Committee  
City Council

FEBRUARY 4, 2019

Case Manager: Vince Papsidero, FAICP, Director of Planning  
Consultants: Clarion





**TABLE 153.066-A: SUMMARY PROCEDURE TABLE**

R = Recommendation D = Decision RF = Review & Feedback

Type of Application	PD	ART	BZA	PZC	Council	Zoning Code Reference
<b>Zoning Code Approvals</b>						
Zoning Map or Text Amendment	R			R	D	§153.234
Conditional Use	R			D		§153.236/§153.066(L)(2)
Special Permit	R		D			§153.231(G)
Use Variance	R		R		D	§153.231(H)(3)
Non-Use (Area) Variance	R		D			§153.231(H)(2)
<b>Other Approvals</b>						
Building Code Appeal			D			§153.231(I)
<b>Bridge Street District Applications</b>						
Informal	RF			RF		§153.066(D)
Concept Plan	R			D		§153.066(E)
Concept Plan with a Development Agreement	RF			R	D	§153.066(E)
Preliminary Development Plan	R			D		§153.066(F)
Final Development Plan	R			D		§153.066(G)
Minor Project	R	D				§153.066(H)
Administrative Departure	R	D				§153.066(I)
Waivers	R			D		§153.066(J)
Master Sign Plan	R			D		§153.065(H)(2)(e)/ §153.066(K) and (M)(8)
Administrative Approval	D					§153.066(L)
Parking Plan	R			D		§153.066(H)(2)(f) /§153.065(B)
Open Space Fee In Lieu	R			D		§153.066(M)(1)/ §154.064(D)-(E)
Certificate of Zoning Plan Approval	D					§153.233/ §153.066(N)(3)



**DUBLIN CITY COUNCIL  
COMMUNITY DEVELOPMENT COMMITTEE  
Monday, February 4, 2019 – 6:00 p.m.  
Council Chambers**

Minutes of Meeting

Mr. Reiner, Chair called the meeting to order.

Committee members present: Mr. Reiner, Vice Mayor Amorose Groomes, Ms. De Rosa

Staff members present: Ms. Goss, Mr. Papsidero, Ms. Husak.

Other Council member present: Jane Fox

Consultant present: Don Elliott, Clarion Associates

Approval of Minutes of 10-31-18 meeting

Ms. De Rosa moved approval of the minutes.

Vice Mayor Amorose Groomes seconded the motion.

Vote on the motion: Mr. Reiner, yes; Ms. De Rosa, yes; Vice Mayor Amorose Groomes, yes.

Review of Proposed Amendment to the Bridge Street District Review and Approval Process (Section 153.066)

Mr. Papsidero noted that Don Elliott of Clarion Associates is present this evening. He has been assisting with this process, and a stakeholder meeting is scheduled tomorrow for this major Code update and the guidelines.

Tonight, he will present an overview of the proposal before Council. It focuses on the administrative chapter of the Bridge Street Code. There have been numerous meetings on this with Council, Planning Commission and the Architectural Review Board. They are looking to have the proposed amendments to the Code adopted in the near term.

The goals of this project were to simplify the Bridge Street review and approval process without compromising City standards; and create some consistency among submittal requirements, specifically ways to have consistency with the PUD district. The methodology was to learn from seven years of administering the Code. Mr. Elliott spent a good deal of time interviewing stakeholders and connecting his own independent analysis. There was a key stakeholder committee (comprised of users of the Code) who they worked with earlier in the process, and there has been some public review with the development community in the process. Now, the hope is to move toward adoption.

Background

The consultant team consists of Don Elliott of Clarion; Leslie Oberholzer of Codametrics who helped specifically with the Historic District a year ago; and Landplan Studio who did some analysis and graphic design.

The process piece has been drafted and there have been two Council work sessions and three joint work sessions of PZC and ARB for review. On October 11, 2018, PZC recommended approval of the proposed amendments.

Vice Mayor Amorose Groomes asked if all of the PZC changes have been incorporated in the redlined version provided to the Committee.

Mr. Papsidero responded affirmatively. The key provisions relates to the Informal and codifying that process.



In a June 2018 Council work session, staff shared a timeline for the process that they had hoped would be completed by the end of 2018. Staff was ready to present this proposed amendment to Council in November of 2018, but the City Manager directed staff to have this reviewed by CDC prior to sending it to the full Council. They are looking forward to input from the Committee tonight so that this project can move forward in the near term.

### Findings

Mr. Papsidero stated that the findings to date are the review process is too lengthy; too much detail is required too early in the process; and there are too few administrative approvals. The recommendations are to shorten the process without compromising standards and outcomes, while ensuring appropriate flexibility for applicants; to adjust submittal requirements accordingly; and make no changes to administrative approvals.

### Recommendations for Process Changes

The proposal for process changes are divided into two pieces: one process when there is a development agreement, and one where there is not a development agreement.

- Without Development Agreement

Currently, when there is no development agreement, Planning staff conducts its analysis and makes recommendation; the Administrative Review Team meets and makes a recommendation, which often requires two or three meetings; and then the proposal is reviewed by Planning Commission. The submittal requirements are Basic Plan, Development Plan and Site Plan.

The proposal is to eliminate ART's role in providing a recommendation. Planning staff would provide a staff recommendation to the Planning Commission, who would approve the individual pieces.

- With Development Agreement

When there is a development agreement involved, under the current Code the required reviewing body must be identified. The process involves Planning staff making a recommendation, Planning Commission making a recommendation, ART making a recommendation and Council taking the final action. The proposal is to eliminate the ART review and have Council just reviewing the concept plan. Currently, if Council chooses, it can be the designated required reviewing body for all the steps. What is being suggested is Council be the reviewing body for the concept plan.

At the last work session, discussion took place about what material should accompany a development agreement. There was some conversation that enough was needed to define the project, but not more than that. After more consideration, staff's recommendation is that the action for a development agreement should still be part of the zoning process. Therefore, what makes the most sense is to have this review be the Concept Plan. Staff is seeking direction from the Committee about whether that seems adequate. This would still provide a lot of information at the conceptual level and would be an important piece of the process. It is important as it would give Planning Commission clear direction from Council in terms of how to deal with the preliminary development plan and, eventually, the final development plan.

For the most part, then, Planning Commission becomes the required reviewing body; ART no longer provides a recommendation; and the informal review is added as a codified step. The

informal review is optional – the applicant can request that. Staff will encourage it, depending on the type of project being proposed. Waivers can only be approved by the Planning Commission as is currently provided. There are no other major administrative changes in that part of the process.

- Minor Projects

Mr. Papsidero stated that the Code allows for Minor Projects – small projects that do not have significant community impacts. There is a list of eligible items in the current Code and that list is proposed to be significantly reduced. Items such as single-family homes, multi-family (four unit buildings), and a lot of new construction that the ART could review have been eliminated from the Minor Project list. The list has been reduced to, principally, expansions to existing structures that are limited and in a smaller scale; and small accessory structures. Those would continue to go to the ART, which would help to expedite minor projects. There is in the Code a kick-up provision, where if ART finds that there are impacts – even if the project falls into these two categories – the ART can and would kick up the project to Planning Commission. An example would be a small addition to Bob Evans to accommodate their paper goods, which would not be a good use of Planning Commission's time. This would be handled by ART.

- Administrative Departures

The other approval step is Administrative Departures, which are minor deviations of Code that can exceed 10 percent – such as building dimensions, lot dimensions, lot coverage, open space, landscaping, etc. The basis to approve these has to be that it is unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but must remain consistent with the intent of this chapter. Staff is not suggesting any changes to this. Code currently allows administrative departures to be approved by ART, with a kick-up provision that if it does not meet that 10 percent, it becomes a waiver. A common example is transparency, where the Code requires the façade to be 60 percent transparent, yet the proposed development has 58 percent.

- Master Sign Plan

While the Code allows Master Sign plans, it was very minimal in terms of guidance. This guidance has been expanded, as staff believed that Planning Commission, in particular, was seeking more guidance. Staff built upon existing Code provisions, but provides clear review criteria that ties back to the intent of the Bridge Street District. These continue to be approvable only by Planning Commission.

- Administrative Approvals

These were formerly called “Minor Modifications.” These are extremely limited in scope and can be approved by the Planning Director. These tend to be items that need to be addressed during construction because of undetected errors or omissions, conditions discovered during permitting or construction, more than anything else. Staff is not suggesting any changes because of the minor nature of these approvals that occur during the construction process. Examples might be switching out materials on site. The Code requires that any change of building material must be equal than or better than what was approved. Staff has been strict in this interpretation, and has kicked up a proposal to the Planning Commission when warranted.

- General Provisions

For the appeals process, the current Code provides that appeals of a final development plan go directly to City Council. Staff is suggesting returning to the standard process that applies in all other zoning districts – that an appeal goes to the Board of Zoning Appeals for purposes of consistency.

Section 7, Architectural Review Board was added as a stop-gap regulation to handle applications in the interim until the new Code for the ARB and Historic District is adopted. At that time, Section 7 will be deleted. All of the ARB references are removed in other portions of this Chapter, but this is needed in the interim.

In response to a question regarding timeframes, Mr. Papsidero stated that this work is expected to be completed by year end.

Regarding Single-Family Detached Homes, under the current Code, if someone wants to build a house, it is treated as a Minor Project and goes through ART. Staff is suggesting that single-family detached homes are not treated as a Minor Project and can go straight to permitting, which would include a zoning review relative to this Code and the City's appearance standards for single-family residential. There have not been any single-family homes proposed in the BSD, but there is a potential project from M/I Homes that is all single-family and could be triggered by this provision.

Ms. De Rosa stated that staff does not therefore mean a single owner – they mean single-family homes in general. Could this M/I project referenced be a proposed development for single-family homes?

Mr. Papsidero responded it could not be a development. M/I Homes could seek zoning for a development of homes and each single-family home would be permitted. The current Code calls for each of those individual homes to be reviewed by ART.

Ms. De Rosa stated that clarity on this point is important -- whether this is a specialty home builder constructing a single-family home or a large developer proposing a housing development. A housing development should be subject to a larger set of reviews. This was not clear in the language and should be tweaked.

Mr. Papsidero responded that the intent was that a development – whether single-family or a large builder/developer – would have to go through a review process – not by ART.

Mr. Reiner stated that the City does not have high architectural standards for single-family housing in the current Code.

Mr. Papsidero responded that the Appearance Code applies citywide, and in the Design Guidelines for the BSD, there is language speaking to single-family home exterior materials, roofs, etc. A review process has not been established, however.

Mr. Reiner stated that he raises this issue, as a large developer a few years ago proposed a development in Muirfield; however, the Muirfield architectural design review group indicated the housing proposed was very substandard architecturally. After three years, the developer sold the land to a higher quality home builder, due to frustration with the Muirfield Association approval process. The question is should an architecture review board be established for single-family homes; should we retain an architect to review these? What can be done to assure the City that the outcome is a high quality development? Dublin's Code is weak and allows for less than desirable finishes and architecture. His concern is that minimal standards exist currently, and how can the City have better quality architecture and finishes in single-family homes going

forward? He cited examples of recent housing developments built in the City and their quality levels.

Mr. Papsidero stated that using the M/I proposal as an example that came through for zoning, it would have a concept plan, preliminary development plan and final development plan approved by Planning Commission, and standards would be included to be met by the individual homes. That provides a guarantee of quality as part of that action.

Ms. De Rosa clarified that this is only for one single-family where a lot is purchased and the existing house demolished to construct a new home.

Mr. Papsidero responded the process would apply to any single-family home, whether it is in a development or a single lot. Even with the M/I example, the zoning would have standards established as part of the development plan. When the builder came through for building permit, the standards would have to be met as part of the permit and zoning process.

Ms. De Rosa stated that this does not address Mr. Reiner's concerns.

Mr. Reiner stated that the standards to be met would be the City's.

Mr. Papsidero responded that an approved development plan would have the standards in it as desired by Planning Commission. Maybe the larger concern is the individual single-family home – perhaps an empty lot at Indian Run for example, where someone wants to build a house. There is no design review for those unless something new is created. ART was intended to play that role, originally, and could still do so. The other option would be to have that proposed home reviewed at Planning Commission or create some other body to do the review. There is nothing else currently that exists.

Ms. Husak added that the Historic Guidelines will have a single-family detached housing type that has those criteria.

Mr. Papsidero stated that the regulations can be as tight as desired, but from a process standpoint, a zoning review would be needed at the staff level as part of the building permit review to ensure that the established standards and guidelines were met.

Mr. Reiner stated that his issue is that the City's standards are low, and if a developer is meeting Dublin's standards, this is the result. Muirfield has its own architectural design review board, which has higher standards and therefore results in a better product.

Mr. Elliott asked for clarification about this discussion. If it is an individual house on an individual lot – not subject to concept plan and final development plan review in the BSD, then the fallback is the appearance standards. Mr. Reiner has indicated that he believes those are not adequate. This Code change is not intended to address that. In this case, the issue is that the development would be taken through concept, preliminary and final plan review. At that point, negotiating would take place regarding the quality standards to apply to all the houses in this development. That is part of the zoning approval. Everyone who does this must demonstrate it complies with the plan. It is not a PUD, but must comply with the Code and the Design Guidelines. For example, for an eight-house development of single-family homes, the developer/builder is subject to an approved final development plan that sets the quality standards that are established in the design standards and guidelines. Based on Mr. Reiner's comments, the design standards and guidelines will be higher than the current ones. The draft Code design standards and guidelines are significantly higher than what exists in the appearance code. The eight-house development would be approved, based on its consistency with the standards and guidelines applicable in the Bridge Street Corridor. Once this approval is obtained, the developer seeks builders. Must the builders do a concept plan or preliminary plan



for each house? The answer is “no” – the building permit staff and Planning staff review it to make certain it meets the higher standards approved for this eight-lot development. Mr. Reiner stated he understands this, but the appearance code standards are low.

Vice Mayor Amorose Groomes asked if it makes sense to draft a new Appearance Code for the District

Mr. Reiner suggested a new Appearance Code for the entire City.

Mr. Elliott stated that the Appearance Code serves as a backstop for development without negotiated approval standards.

Ms. Husak noted that the single-family detached housing type and its requirements is not being eliminated from the Guidelines.

Ms. De Rosa asked what the intention is then. This language is not clear.

Mr. Elliott responded that the language is intended to state that once the quality standards and layout are approved for the multi-house single-family development, one does not need to go through the process again to pull a building permit for an individual house. That is the intent.

Ms. De Rosa stated that makes sense to her.

Mr. Papsidero clarified that there are two components being discussed. One is specific to Bridge Street and the Design Guidelines that speak to development standards. Those can be reviewed to ensure they are satisfactory. The other issue is with the remainder of the City and the residential Appearance standards, which are not to Mr. Reiner’s satisfaction and need to be reviewed. Finally, there are individual development standards set through text that cannot be changed.

Ms. De Rosa stated that for this Bridge Street District, for single-family homes, there should be some upgraded criteria – that is what she understands from the discussion.

Mr. Elliott responded that is the discussion that will begin tomorrow with the stakeholder group. Work continues on this draft and determining what is fixed in stone and what is negotiable to create a variety and allow creative development. The standards will be significantly above the existing residential appearance standards.

Mr. Reiner stated that a good example of this is the City zoned an 18-lot subdivision. A builder purchases it and proposes two-car garages for all houses. Even though this involved a national corporation, there were no architects on the corporate staff. A new owner comes along and has an architect and hires more, and they decide to have three-car garages, which will make them much higher in value. The surrounding neighborhoods did not object, so the problem was resolved.

#### Submittal Requirements

Mr. Papsidero noted that the findings were there were too many submittal requirements, too much detail required too early in the process, and too much variation among the different processes throughout the City, i.e. Bridge Street District (BSD) vs. Planned Unit Development (PUD) vs. West Innovation District (WID).

The goal is to provide consistency among other districts; simplify the submittal process without compromising standards and outcomes, while ensuring appropriate flexibility; and establish a framework for updating processes in the WID and Metro-Blazer District to ensure consistency within business districts.

The current BSD Code provides for a Basic Plan, Development Plan and Site Plan. What is proposed is to mirror what is in the PUD with a concept plan, preliminary development plan and final development plan. The informal review has been added as a codified step. The preliminary and final development plans can be combined at the request of the applicant, at the direction of the Commission or based on the recommendation of the Planning Director. The Planning Commission supported the concept of flexibility for smaller, less complicated projects. But with a typical Bridge Street District project, this will not happen as the project would be too complex.

Vice Mayor Amorose Groomes asked if this should be codified – perhaps a trigger included if a project is over 40,000 square feet, etc.

Mr. Papsidero responded it was debated, but no conclusion was reached. Originally, there were some suggestions for such trigger language, but the language was removed.

Mr. Elliott noted that most Codes leave this to the discretion of whether it blends or not. Planning staff will know which ones to combine and which ones are not okay to combine. Basically, if they are combined and do not get approval, the process must begin again. It is difficult to define objectively which ones could and could not be combined. Much of Bridge Street is being built now, but over time, there will be redevelopment that will involve redeveloping a portion of a project or a small portion of it. It is desirable to have the discretion to combine them for redevelopment at a later date.

Mr. Reiner asked if Mr. Elliott has viewed all of the progress made on the Bridge Street District.

Mr. Elliott responded he was in Dublin six months ago, and he has observed all of the progress.

Mr. Papsidero commented that Mr. Elliott was brought back on this Code update based on his history with the Code, and because he has national expertise in this field.

Mr. Elliott reiterated that it is difficult to codify exactly when the City should allow applicants to combine preliminary and final plans. It does not tend to go wrong, because if too much is attempted in one step, there is a significant financial risk to the applicant if it is wrong, as the work will have to be done again. It tends to occur when the developer and the Director collectively agree that it is very unlikely the plan will not be adopted.

Ms. De Rosa stated -- using Bridge Park as an example --almost everything in Bridge Park is of a fairly large scale. In thinking about redevelopment there, it would be a substantial unit within that. It is also part of a development agreement that spans 30 years. If the intent is to make this easier on the developer by combining projects, it may be best to have a concept plan review. Anything being redeveloped in Bridge Park is going to have an impact, given the sheer size of the Bridge Park development.

Vice Mayor Amorose Groomes stated that with everyone at the table and all having the context of the conversations, those decisions are easy. But with changes on Council in the future, how is this information shared with those who follow? She recalls many times at the Planning Commission where two plans were combined – not necessarily in Bridge Street District – and it becomes a little overwhelming. While reviewing and discussing the preliminary development plan items and then going directly to the final, there is no opportunity for the applicant to return to address items identified in the preliminary plan prior to the hearing on the final development plan.

Mr. Elliott stated that if the Committee desires that objective standards be included in that

provision, it can be done.

Vice Mayor Amorose Groomes stated that perhaps some intent language should be added -- not necessarily specifying square footage measurements, but the intent.

Mr. Papsidero stated that an example for him would be a lot on SR161. There are two existing ranch homes and some vacant lots in that area. For the lot near Lowe's, which has a storm detention pond on it and restrictions, there has been discussion with some developers regarding a Panera or City Egg restaurant use. If there are no access issues or stormwater issues that are problematic, perhaps these examples could qualify for a combined submittal. That would be the largest development application that staff would recommend for such a combined process in the Bridge Street District.

Ms. De Rosa stated that there are therefore some parameters established for this process.

Mr. Elliott stated that this category of Minor Projects in this Code review has become really small. If there were a 1,100 square foot accessory building, it would not be a Minor Project. He believes there are many 1,100 square feet accessory buildings where the City would not want them to do a preliminary and final development plan.

Mr. Reiner stated the applicant would not want to do this anyway, due to the expense that could occur.

Mr. Elliott noted that it is hard to envision all of the items that come in over time, yet the trend clearly is to have parameters within which the professional staff can make that call about a combined process.

#### Discussion Points

Mr. Papsidero asked if staff has sufficiently simplified the process with the proposal. Is the Committee comfortable with the idea of the concept plan as the key submittal tied to a development agreement? Is the Committee comfortable with the submittal requirements as outlined tonight? In regard to the appeals process, is staff's recommendation appropriate? Are there any other questions the Committee might have or any concerns not addressed?

Ms. De Rosa asked about the concept plan under the submittal requirements on page 7. To her, it was vague in terms of what is to be included.

Vice Mayor Amorose Groomes stated that sometimes with a concept plan there is too much information for some items and not adequate information for other items. In her experience in reviewing concept plans, drive cuts are not included, and those are really important. She would forgo a lot of items in lieu of receiving drive cut information in a concept plan. For the review of the recent hotel across from the parking garage in Bridge Park, the circulation on the hotel was not acceptable. If Council had known where the drive aisles were to be located, this would have impacted the outcome. It is important to consider what the content of a concept plan should be, and it may need to be adjusted. The circulation and navigation on the site is a critical piece of information.

Ms. De Rosa stated that the language in submittal requirements indicates, "It is the intent of these regulations that the Concept Plan shall indicate overall design of the proposed project." This is a very broad statement. "Information submitted should be comprehensive enough to enable the reviewing body to understand the existing site and concept for the proposed

development.” This is followed by review criteria. The language does not speak to density or a number of other items. It might be helpful to the Commission and to Council to have in a grid form the list of what will come back in a Concept Plan, and add a few of these items not mentioned. This is the opportunity to do so. Often, Council or the Commission asks questions and they are told that the information would come later. She is not certain the feedback provided to an applicant is clear enough, based on the information submitted. Having some clarity around the Concept Plan would be very helpful.

Vice Mayor Amorose Groomes added that a checklist of what makes a good Concept Plan submittal would be helpful – circulation, density, overall building height, etc. A footprint of the building is not necessary required, although that is often what is submitted.

Mr. Papsidero summarized the placement of the building and setbacks would be provided. The review criteria are intended to speak to what should be submitted so that a decision can be made, based on that criteria. The other piece missing and not included in this is that there is a very detailed checklist for the applications. It is purposely not codified so that there is flexibility to change those as needed or as the Commission might direct. Staff can provide those checklists to the Committee so that they have that perspective as well.

Ms. De Rosa stated that she believes the checklist should include the types of things discussed. If there are items that are specifically desired, they need to be added to the checklist. This will help everyone. Later in the process, whatever decisions are made become binding. She struggled somewhat with that language.

Mr. Elliott noted that staff has a checklist. It currently indicates that enough data must be shown to know what the lot and block layout is, the size and scale of the building, the location of the open spaces, the infrastructure and the neighborhood standards. Appropriately sized and scaled, it can be fleshed out to do that. The integration of the neighborhood can include points of access and curb cuts. They are checking that. The question is how to reflect that in the Code without making the Code the checklist.

Ms. De Rosa stated that this is the list that would come to Council and to the Planning Commission, so it must have enough definition. If this will be the evaluation criteria for which discussions will take place, there has to be enough definition in order to have these discussions.

Mr. Elliott suggested this be done by making the language in the review criteria or the submittal requirements crisper as to the level of the showing required, but avoid putting the checklist in. The bottom line around the country is – and it is a hard line to hold – that the intent of a Concept Plan is one should not have had to hire an engineer, architect or designer in order to have this conversation. Good developers will have hired these services, because they would have instructed them to do certain portions appropriate for a Concept Plan. But the number one complaint of builders/developers is that they must hire architects, engineers and stormwater engineers on a speculative basis before knowing whether or not a layout is even acceptable. He encouraged the Committee to modify the language to make it crisper, but not to make the requirements such that an architect, engineer must be retained before knowing if a Concept Plan is acceptable.

Ms. De Rosa stated that defining what the Concept Plan is a new thing. She tried to compare this to the Basic Plan review and was left with the same questions that sometimes occur at an informal review. She wants to make sure that, given all of this effort, the process will be improved where it is lacking.

Mr. Elliott stated that the proposal has four steps. An applicant can request an extra informal



review to obtain a sense of whether a proposal is something that would even be considered. Secondly, the applicant can do a Concept Plan without significant investment. There would still be two opportunities to work out the details with the preliminary and final development plans. All of this is in response to complaints that the process is too complicated and requires too much investment before knowing if it is acceptable and so there are two steps available prior to making significant investment.

Ms. De Rosa noted that for projects that have a development agreement, all that Council will review is the Concept Plan. She is not opposed to the process, but wants to make sure that those items that are fundamental to the approval should be outlined to provide clarity. Absent this clarity, there will likely be problems at the Concept Plan review.

Mr. Elliott stated that what she is saying is that if the process is not tightened up as suggested so that enough information is available at the Concept Plan to make Council comfortable, then there will be pushback to go beyond the Concept Plan and bring additional information to Council. Is that accurate?

Vice Mayor Amorose Groomes stated as an example that the Basic Plan was reviewed by Council for the Springhill Suites hotel application in Bridge Park. There were many issues raised at that point.

Mr. Papsidero stated that the issues were, for the most part, addressed so that staff was comfortable moving forward to PZC with it.

Ms. Husak added that the PZC is the required reviewing body for this item.

Vice Mayor Amorose Groomes recalled this was a difficult process in terms of the information Council received, and now the Basic Plan will become the Concept Plan going forward. The information at the Basic Plan for this application was minimal to obtain the approval needed.

Mr. Elliott commented that as this Code is fleshed out, the Committee should consider the issues that arose during that Basic Plan review process – items for which more detail is needed.

Ms. De Rosa stated she appreciated that several times, the question is posed whether the Concept Plan is in agreement with the Community Plan or Area Plans. The question that arose for her is how often are the Community/Area Plans updated, and what are the rules for that? The Community Plan can become outdated quickly, given the rate of change. Her question is if the Plan update is part of this process, or is that a policy decision?

Mr. Papsidero responded that the reference is specific to the 2010 Vision Plan that Council adopted for the Bridge Street District. That is the policy document underlying all of Bridge Street. The questions for Council are whether they believe it is appropriate now or at some point in the future to update that BSD Vision Plan. It has existed for nine years, and the first phase plus some smaller projects have now been built in the BSD. What does Council believe is appropriate for the balance of this 1,000 acres moving forward? Is it the same vision or something different?

Ms. De Rosa noted that community input is also needed, as the BSD went from conceptual to reality in a very short time. Now may be the time to revisit this Vision Plan, based upon what has been built.

Mr. Papsidero clarified it is not part of this process, but a separate item. He believes Council would need to provide direction to staff regarding when they would desire an update to be done. This is a big undertaking and involves some significant stakeholders, including the Stavroffs, OCLC, and the Schools.

Vice Mayor Amorose Groomes suggested that when this Code update is completed, which has

been underway since 2016, that issue can be taken up.

Ms. De Rosa indicated she is not suggesting that, but the question came to mind.

Vice Mayor Amorose Groomes stated that direction regarding updating of the Vision Plan would likely come from Council at the conclusion of this Code update process. Council would want to take a look at the Vision Plan and make sure it is in alignment.

Vice Mayor Amorose Groomes added that she appreciates the fact that ART will no longer be providing recommendations. People want to please, at the end of the day, and it is difficult for Council not to support a recommendation that comes from ART. She always tries to read the materials prior to reviewing the ART recommendation, and then see if her conclusion aligns with that of the staff. It is important to have independent, critical thinking in all parts of the process. In regard to the ten percent Administrative Departure number, this could be a very large number given the size of a building in Bridge Park. Perhaps the Administrative Departure should have a cap. She supported the language of 10 percent or 10,000SF – whichever is less – that was part of a recent application. That seems a good way to frame this, and perhaps similar thinking could be applied for Administrative Departures.

Ms. Husak stated that F1 had three Administrative Departures and 17 waivers.

Vice Mayor Amorose Groomes clarified that she is not suggesting any already approved have not been appropriate; she is only suggesting that a cap be considered going forward.

Mr. Elliott responded that the value would not be compromised if a cap is included. The key is in the criteria. An administrative departure must be caused by unique site conditions or conditions on surrounding properties. There is nothing that would allow an applicant to request 10,000SF more or 10 percent higher because of a unique site condition. This relates to the shape, the terrain, the way the site relates to its neighboring properties as the justifying reasons for an administrative departure.

Vice Mayor Amorose Groomes stated that the terrain on this site is unusual. Secondly, she wants the Code written with an eye toward future development.

Mr. Elliott stated that many people are uncomfortable with the administrative departure concept. If a lower number is desired or a cap is desired, that is not a problem. The important issue is that there is a reason unique to the site to defend such a departure.

Ms. De Rosa noted the reasons for Administrative Departures are well articulated, and that the threshold must be met.

Mr. Papsidero commented that the justification is very narrowly defined.

Mr. Elliott stated that it is interesting that these have been increasingly incorporated in zoning ordinances, over the 25 plus years of his experience. He has not observed anyone repealing them. It does rely upon the professionalism of the staff to work.

Mr. Papsidero asked if the principal concern is with building volume – allowing a larger space. Many of these things relate to walls, screening, lighting, and fencing -- something that would inadvertently allow something larger to be constructed.

Vice Mayor Amorose Groomes responded not necessarily. She believes fencing can change the architecture of a building. Ten percent can be a lot, and can change the entire character of a building.

Mr. Papsidero stated he does not object to a cap, but wants to talk this through.

Mr. Elliott added that for size and height, a number can be included. Otherwise, review criteria relating to its appearance and its relationship to the street and surrounding properties could be

added.

Mr. Papsidero stated there could be a kick-up provision to Planning Commission.

Ms. De Rosa brought up the topic of notification to the community when a change will be made. The language in the Code reflects a 300-foot rule. She reviewed the Charter in regard to zoning public hearing notices, and it indicates the Clerk shall mail written notice of the public hearing to the owners of property contiguous to and directly across the street from the affected parcels. This is tighter than the 300-foot requirement. She often hears from residents that they are not aware of proposed changes. In today's electronic communication world, if changes are being made, 300 feet is not adequate.

Vice Mayor Amorose Groomes stated that could be more of a policy decision about what the City shares through social media.

Ms. De Rosa stated that she hears from residents who are affected by a change, yet they are not likely within the 300 feet specified. This should be addressed, as it is an easy item to fix. We can communicate and share in a better way, given all the tools available. Having upset residents who are not aware of changes will impact the process, and it would be wise to address this and give them the opportunity to speak early in the process.

Mr. Elliott suggested it is a citywide notification policy that should be revisited, if Council believes it is not adequate currently. His recommendation is not to have different notification devices for different Districts of the City, as it is confusing. Three-hundred feet is a very standard, common distance for this notification requirement. What should be avoided is a requirement to do a lot of mailings to a very broad area. Most cities keep the mailing requirement at 300 feet or adjacent/abutting properties. This is seldom codified as it relates to City administration. The policy could be that notifications will be done through the web or through electronic notifications for every application or for all in a broader area. Therefore, those who are interested can follow up. Using the web sources avoids a huge mailing expense and it is effective. The issue of whether a citizen has the opportunity to weigh in is a separate issue of notification of the change or administrative decision. An example is a fence permit that meets standards, and does not require a hearing. Notification can be made of this change, if desired. In general, citizens can adapt to the fact that not every change has a hearing, but they do appreciate being notified that it is happening.

Ms. De Rosa stated that often, through discussion, improvements happen – even for minor changes. Taking the time to have the conversation results in a better outcome. It also allows residents to understand the evaluation criteria. Understanding the criteria helps to make residents more comfortable with a change.

Mr. Papsidero stated that staff will follow up on this discussion, as there are many things done on a regular basis that may fall into this category – notification beyond what Code requires.

Mr. Elliott added that all of the notification regulations are changing as many state-mandated notifications depend upon the existence of a daily newspaper. Those daily newspaper are going away, and this allows an opportunity to explore other means of communication. Some cities have agreed these are administrative decisions, but when comments are received, they are forwarded to the applicant who may want to keep the neighbors happy.

Ms. De Rosa asked about conditional use process under this change.

Mr. Papsidero responded the conditional use review stays with the Planning Commission. There has been no change to that process.

Ms. De Rosa stated if there is a development agreement in place, and there is a conditional use requirement for an item, would that go to PZC? There is a strikeout on the chart included.

Mr. Papsidero stated that the decision or administrative appeal for a conditional use is shown under Council. There is a footnote referencing the conditional use provisions. He did not research this, but as far as he knows, this has never been applied.

Vice Mayor Amorose Groomes noted these have always been reviewed by PZC.

Mr. Papsidero stated that staff will double check this item.

Ms. De Rosa stated that the redlined version was very helpful in reviewing the changes.

Mr. Reiner summarized that staff now has direction regarding next steps for Section 153.066.

Mr. Papsidero asked if the Committee wants to review this at their next meeting with the edits shown, or is this ready to move to Council?

Vice Mayor Amorose Groomes responded this is ready to go to Council.

The Committee members agreed.

Ms. De Rosa asked if there should be communication back to PZC and other groups involved regarding these changes. It seems appropriate to communicate what has taken place at the Committee level, given their hard work and recommendations.

Mr. Papsidero responded that staff will do so.

Mr. Reiner thanked Mr. Elliott for his assistance with this process.

Mr. Elliott responded that he is aware that some are frustrated with the BSD process and some are dissatisfied with the results, but many cities would be thrilled to have the quality of development that Dublin has in the District.

#### Review of Code Section 152.086(C) of the Subdivision Regulations (Fee in Lieu of Land Dedication)

Ms. Husak stated that this topic came from a Council meeting in November when the review of the parkland appraisal was done. This is the basis for the parkland fee charged when land is not donated by a developer who opts to pay a fee instead. Based on concerns expressed by Council about the value of land reflected in the study, staff was asked to review options that could be considered. As this provision is part of the Subdivision Regulations, staff has worked with the Law Director on this item. Changes to the Subdivision Regulations do not require a recommendation from PZC and can be considered directly by Council.

The options explored by staff to address the concerns include:

- 1) Continue enforcing the Subdivision Regulations Fee in Lieu of Dedication as was done with the approval of Ordinance 76-18 (accepting the updated average per acre value)
- 2) Continue to evaluate parkland fees in lieu of dedication in accordance with an appraisal for raw land value as outlined in the Subdivision Regulations **and** specifically for land within the Bridge Street District (leading to two different fees)



## RECORD OF ACTION

# Planning & Zoning Commission

Thursday, October 11, 2018 | 6:30 pm

The Planning and Zoning Commission discussed the following proposal at this meeting:

**2. Bridge Street District, Phase I - Review and Approval Procedures and Criteria  
18-005ADMC Administrative Request – Code Amendment**

Proposal: Amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin.

Planning Contact: Vincent A. Papsidero, FAICP, Planning Director.

Contact Information: 614.410.4682, vpapsidero@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/18-005

**MOTION:** Mr. Stidhem moved, Mr. Fishman seconded, to recommend approval to City Council for Amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions.

**VOTE:** 6 – 0.

**RESULT:** The Amendments were recommended for approval and forwarded to City Council for final review.

**RECORDED VOTES:**

Victoria Newell	Yes
Stephen Stidhem	Yes
Jane Fox	Yes
Bob Miller	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
William Wilson	Absent

**STAFF CERTIFICATION**

  
\_\_\_\_\_  
Vincent A. Papsidero, AICP  
Planning Director





- 13) That the applicant continue to work with Engineering to demonstrate compliance with stormwater requirements as defined in Chapter 53 to the satisfaction of the City Engineer; and
- 14) That the applicant continue to work with Engineering to determine an alternative sanitary alignment to connect to the existing sanitary sewer located at 9284 Donatello Drive in order to minimize impacts to existing trees.

The vote was as follows: Ms. Fox, yes; Ms. Newell, yes; Mr. Fishman, no; Ms. Kennedy, yes; Mr. Miller, yes; and Mr. Stidhem, yes. (Recommendation of Approval 5 – 1)

#### **Motion and Vote**

Mr. Stidhem moved, Mr. Miller seconded, to recommend approval to City Council for a Preliminary Plat with three conditions:

- 1) That the applicant make any other minor technical adjustments prior to Council review;
- 2) That the plat include the Estate Lot on the plat as a lot and address setback requirements; and
- 3) That the applicant will need to revise the plat to identify maintenance responsibilities for the two reserves prior to review by City Council.

The vote was as follows: Ms. Newell, yes; Ms. Kennedy, yes; Mr. Fishman, no; Ms. Fox, yes; Mr. Miller, yes; and Mr. Stidhem, yes. (Recommendation of Approval 5 – 1)

## **2. BSD, Phase I - Review and Approval Procedures and Criteria 18-005ADMC Administrative – Code Amendment**

The Chair, Victoria Newell, said this application is a proposal for Amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions. She said this is a request for a review and recommendation of approval to City Council for proposed Amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Vince Papsidero reported one section had been added to the proposal since the Commission last reviewed this application, in response to the Commission's direction, to create an informal step in the process. He stated that was the only change that was made. He said the proposal meets the review criteria for a Zoning Code Amendment and the Administrative Review Team recommends approval to this Commission.

The Chair asked the Commission if they had any questions. Jane Fox asked about a scenario, from a Council perspective - if an applicant wants an informal review, and they never presented a formal application, what type of proposals come through Planning's door and get kicked out. She said that process appears as a quality control measure. She said Planning is obtaining data by doing this and she wanted to know how to capture that data as the data may cause the City to change a policy, if the information was known. She thought it would be a Pre-Application Review. Mr. Papsidero explained a Pre-Application Review occurs with an application that comes to the Commission. He said Planning receives a lot of inquiries by phone with 'an idea' and Staff will provide an answer in the way of advisement to proceed or answer the proposal would never be possible. He confirmed a Pre-Application is part of a formal process so when those occur, the Commission will review them.

Steve Stidhem indicated Ms. Fox was asking about the proposals that are not fit for proceeding. Mr. Papsidero said a good example of that would be inquiries on elderly housing facilities and the City Manager was receiving those inquiries too so that generated a policy discussion in terms of the amount of elderly care facilities that should be permitted in Dublin. He said usually these phone inquiries are about if a land use is appropriate or not; not a type of inquiry that would lead to a policy change. He said if Staff

was seeing a trend, they would share it with the Boards and Commission. Ms. Fox affirmed that was what she was asking about. Mr. Papsidero said a lot of these calls are fishing expeditions and Staff never knows the legitimacy with these calls and that can be a challenge.

Ms. Fox said she was happy the Commission has the opportunity for the Informal Review first because the Concept Plan is binding.

Ms. Fox referred to submittal requirements and the verbiage of "being comprehensive enough". She indicated a general checklist under a concept to provide a standard that the Commission could review like Staff goes through with criteria but more general. She asked if the past request for a checklist ever went anywhere. She indicated "being comprehensive enough" is very vague. Mr. Papsidero explained that was its purpose. He said the criteria is the Commission's checklist in terms of decision-making. He said Staff has a very detailed application submittal form that is several pages in length. He said Staff has to make a judgement call, professionally, when an application is submitted to make that determination based on the uniqueness of the proposal, the site, and any kind of issues that may be raised. He indicated it is written as a statement and allows Staff to react to the specifics. Ms. Fox asked to see a submittal form.

Ms. Newell reiterated the submittal form is very specific. She said when she submits an application to any municipality, she tries to follow the requirements to the letter. She said sometimes the checklists are intentionally used to stop a project of which that municipality does not want in their area. She indicated it is good when Staff has a little bit of flexibility. Claudia Husak said Staff appreciates applicants like Ms. Newell that provide everything that is on the submittal checklist.

Ms. Fox said she is glad the Guidelines are going to become developed enough to refer back to them. She said, to her, coming on as a new Commissioner, and not being familiar with all the details, the parameters that should be used to review against are ones that are broad enough to get the desired result but to not leave out the important details that create the environment that the Commission is trying to create. She explained without the Guidelines at this point, everything else seems a little subjective and vague to use for a review.

Ms. Newell asked Staff to present the submittal checklist. Logan Stang shared the example of submittal forms that illustrate the level of detail needed for a submission from the website. He said individual applications can be viewed on the website as well to see how the submittal form was used for a particular type of proposal. Ms. Fox agreed the submittal forms were lengthy. Mr. Papsidero emphasized the Commission has to use the review criteria to base their decision on; that is the legal stance, it is not all of that other detail. He said the criteria are general but that is what the Commission should hone in on; the other is just supporting information.

Mr. Stidhem indicated he had a counter point. He said he would rather not make it as formulaic as there needs to be judgement calls allowed in there. Mr. Papsidero said there is a very detailed checklist that New Albany and Columbus use whereas the applicant receives a grade. He explained New Albany and Columbus have a scoring system; if the applicant meets a certain score, they are approved. He said it allows the applicant to work with that in a limited way and he did not think that would ever work in Dublin because the subjectivity disappears along with the qualitative aspect. Ms. Fox said all the architecture looks the same in New Albany.

Thad Boggs said, for an Informal Review, there has to be a legally defensible framework of criteria while also allowing the Commission to make judgement calls in the gray areas. He said that is what the Commission is here for. He suggested, if the Commission hears several informal plans and says to Vince or Claudia, we would really like to have more information about this in the future, Vince can hop on Microsoft Word and change it like that and not have to repeat the whole process.

Ms. Fox said the Guidelines help the Commissioners determine if they are meeting the intent of the Community Plan.

Ms. Fox said the Code states "...the design of the internal circulation systems, driveways and any connections to the public realm and would only allow for pedestrian, bicycles, and emergency services..." She said transit is never included. She suggested if we never think about it, we will never allow for it. Mr. Papsidero said Staff certainly factored in transit in Bridge Park applications. He suggested there needs to be a joint effort with COTA to expand service into the City.

The Chair asked if anyone had any further questions or comments. [Hearing none.] She called for a motion.

### **Motion and Vote**

Mr. Stidhem moved, Mr. Fishman seconded, to recommend approval to City Council for Amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions. The vote was as follows: Ms. Kennedy, yes; Mr. Miller, yes; Ms. Fox, yes; Ms. Newell, yes; Mr. Fishman, yes; and Mr. Stidhem, yes. (Recommended for Approval 6 - 0)

### **3. BSD Street Network Map Code Amendment 18-053ADMC**

### **Administrative – Code Amendment**

The Chair, Victoria Newell, said this application is a proposal for Amendments to Zoning Code Figure 153.061-A Bridge Street District Street Network Map to address street connections based on recent developments in the Bridge Street District. She said this is a request for a review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Logan Stang said this application was reviewed informally at the Commission meeting on August 23, 2018, and there have been no changes since that map was presented.

Mr. Stang presented the existing Street Network Map and explained the purpose of the Street Network Map is to layout the grid pattern for the Bridge Street District and classifications for roadways – existing and proposed. He noted the areas of the map being amended to reflect as-built conditions or roadway alignments based on developments such as Bridge Park, Tuller Flats, and the Echo Hospital site. He noted the two portions of the network map being removed entirely, which were the neighborhood street through the Penzones' Campus and the extension of Rock Cress Parkway over Indian Run from the existing terminus in Historic Dublin to the future extension of Shawan Falls Drive.

Mr. Stang presented the proposed BSD Street Network Map and stated those amendments were reflected in that proposed map.

Mr. Stang concluded, based on the review standards outlined in the Dublin Code of Ordinances, this amendment is recommended for approval to City Council.

The Chair asked if there were any questions or comments for Staff. [Hearing none.] She called for a motion.

### **Motion and Vote**

Mr. Stidhem moved, Mr. Fishman seconded, to recommend approval to City Council for an Administrative Request for Amendments to the Zoning Code Figure 153.061-A Bridge Street District Street Network Map to address street connections based on recent developments in the Bridge Street District. The vote was

# 18-005ADMC – BSD CODE AMENDMENT

**Site Location**

Bridge Street District

**Proposal**

Administrative Request – Code Amendment (ADMC0 to amend Section 153.066 Review and Approval Procedures and Criteria.

**Property Owners**

Various owners of the ±1,000 acres in the district

**Applicable Land Use Regulations**

Bridge Street District, Section 153.066  
Zoning Code Sections 153.232 and 153.234

**ART Recommendation**

A. Approval to City Council

**Contents**

1. Overview.....	2
2. Details .....	3
3. Criteria Analysis.....	4
4. Recommendation.....	5

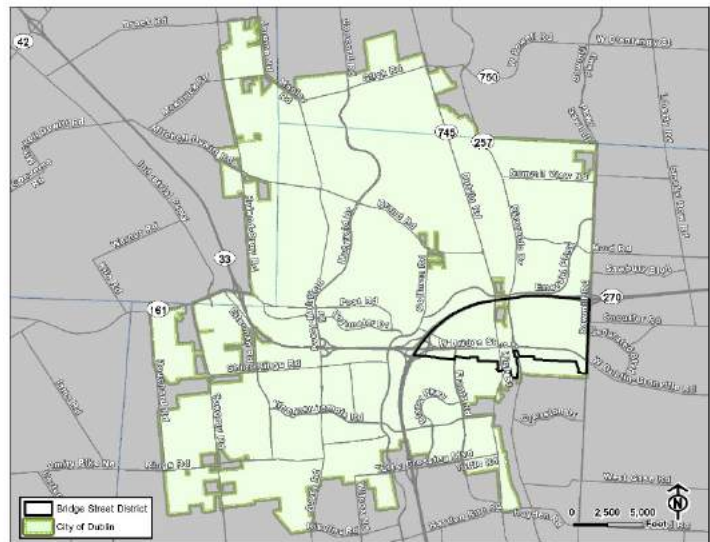
**Case Manager**

Vince Papsidero, FAICP, Director of Planning  
(614) 410-4682  
[vpapsidero@dublin.oh.us](mailto:vpapsidero@dublin.oh.us)

**Summary**

An amendment to Section 153.066 of the Bridge Street District Code to streamline the development application review and approval process, and to improve consistency among application submittal types.

**Zoning Map**



**Next Steps**

Upon the review and recommendation of the proposed amendment by the Planning and Zoning Commission, the amendment will be scheduled for review and adoption by City Council. The amendment will require two readings before Council and will be in effect after the 30-day referendum period following the second reading.

## 1. Overview

### A. Background

In late 2016, the City initiated a project to update the Bridge Street District (BSD) zoning code, based on five years of experience administering the code. The City hired Clarion Associates to assist with this project, supported by Codametrics (both assisted with drafting of the original BSD code).

As part of the analysis phase, Clarion interviewed stakeholders and city staff to identify issues related to the code and the Bridge Street development process. This resulted in a February 20, 2017 memo that provided a record of the feedback. As a follow up to that task, Clarion prepared an independent assessment of the code and city procedures, issuing a March 2, 2017 memo.

Taken together, these tasks concluded that the administrative process for the BSD Code was too cumbersome and would benefit from certain efficiencies. In addition, there was a desire to streamline the application types, because of confusion that was generated between unique BSD applications and the “typical” applications required under the PUD district (aligning these documents would also serve as the basis for alignment with revisions to the West Innovation District and the proposed Metro-Blazer District).

Staff and consultants presented these findings to a joint work session of City Council and the Planning and Zoning Commission on April 17, 2017. General support was voiced for the proposed direction. Two initial priorities of this update were completed (sign code amendment affecting pre-existing commercial development and the Historic South District). The project was placed on hold due to other pressing projects through the fall of 2017. Beginning in 2018, staff and the consultants restarted the project and drafted this amendment, which was the subject of a Council work session and three joint sessions of the Planning and Zoning Commission and Architectural Review Board. At the June 20, 2018 work session, City Council directed staff to remove the Historic District from the BSD code. This separate project is underway.

### B. Proposal

The proposed amendment seeks to streamline the development review and approval process, while promoting consistency among application types. Among the changes are the following, which are described in more detail in the next section.

- Formalization of a non-binding Informal review step, at the request of the Planning and Zoning Commission.
- Creation of a Concept Plan submittal that replaces the Basic Plan, which is reviewed and approved by the PZC unless it is accompanied by a development agreement, then the CP is approved by City Council (PZC provides a recommendation).
- Creation of a Preliminary Development Plan that replaces the Development Plan, which is reviewed and approved by PZC. It may be combined with the Final Development Plan.
- Creation of a Final Development Plan that replaces the Site Plan, which is reviewed and approved by PZC.
- The role of the Administrative Review Team (ART) is reduced to review and approval of Minor Projects (which was also reduced in scope).



## 2. Details

The following provides a detailed review of the proposed changes. Both a “clean” and a “redlined” version of the proposed amendment is included with the staff report.

**1) Section A. Intent**

Minor edits are proposed to clarify the text.

**2) Section B. Required Reviews**

Major changes are presented on Table 153.066-A Summary Procedure Table, which reflect the core changes to the BSD process. The major revisions are the following (details are provided in subsequent subsections):

- Planning Director has been added to reflect the staff review and recommendation function, while the Architectural Review Board has been removed per Council direction.
- The Informal review has been introduced as recommended by the Commission at their informal review of this proposal.
- The former Basic Plan has been replaced with the Concept Plan, which is reviewed and approved by PZC, except when projects are proposing a development agreement; in those cases PZC will provide a recommendation and City Council will review and approve the CP.
- The former Development Plan is replaced with a Preliminary Development Plan, which is reviewed and approved by PZC. The PDP may be combined with the Final Development Plan, as discussed further.
- The former Site Plan is replaced with a Final Development Plan, which is reviewed and approved by PZC. Again, it may be combined with a PDP.

**3) Section C. Pre-Application**

Clarifications are proposed relative to purpose and applicability, and review procedure.

**4) Section E. Informal Review**

As requested by the PZC, an applicant may request a non-binding Informal review of a development concept. The submittal is to include material sufficient to describe the concept, as determined by the applicant. The intent is to provide feedback by PZC to the applicant, prior to submitting a formal Concept Plan. Staff will provide a brief analysis.

**5) Section D. Concept Plan**

The Concept Plan (CP) provides a detailed conceptual overview of a proposed project. The submittal requirements incorporate the former Basic Plan and additional clarity is provided regarding submittal requirements and review criteria. The CP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body, unless a development agreement is associated with a CP. In those cases, City Council is the required reviewing body and the PZC provides a recommendation.

**6) Section E. Preliminary Development Plan**

- The Preliminary Development Plan (PDP) presents preliminary development, architecture, landscaping and engineering information regarding a proposal. It replaces the former Development Plan. The PDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The PDP may be combined with the FDP at the request of the applicant, at the recommendation of the Planning Director, or at the recommendation of the PZC at the time of CP approval.
- 7) **Section F. Final Development Plan**  
The Final Development Plan (FDP) presents final development, architecture, landscaping and engineering information regarding a proposal. It replaces the former Site Plan. The FDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The FDP may be combined with the PDP, as noted earlier.
  - 8) **Section G. Minor Project**  
The Minor Project (MP) process is not proposed to change, but the list of eligible projects has been reduced to eliminate all new construction, other than accessory structures that are 1,000 square feet or smaller (the MP list retains additions to existing buildings). The Administrative Review Team (ART) remains the required reviewing body. ART may forward a MP to PZC in cases where there is a need for new infrastructure or in cases of community wide impact.
  - 9) **Section H. Administrative Departures**  
There are no substantive changes proposed to this section.
  - 10) **Section I. Waiver**  
There are no substantive changes proposed to this section.
  - 11) **Section J. Master Sign Plan**  
This is a new section that provides much more detail relative to Master Sign Plans (MSP) relative to purpose and applicability, review procedure, submittal requirements, and review criteria. PZC is the required reviewing body.
  - 12) **Section K. Administrative Approval**  
Formerly called Minor Modifications, there are no substantive changes proposed to this section.
  - 13) **Section L. Other Approvals**  
There are no substantive changes proposed to this section.
  - 14) **Section M. General Provisions**  
There are no substantive changes proposed to this section other than some restructuring. Also, Appeals was moved to this section and simplified to the standard appeals provisions of the zoning code (Board of Zoning Appeals).

### 3. Criteria Analysis

#### A. Review Considerations

The Zoning Code does not provide for specific review standards for Zoning Code text amendments. However, there are certain considerations that are appropriate when considering an application for these amendments. These are provided below, along with

relevant analysis. The Administrative Review Team is not limited to these considerations, and may choose to give each its weight as part of the deliberations for a recommendation to the Planning and Zoning Commission.

## **B. Zoning Code Amendment Analysis**

- 1) **Intent and Purpose: Whether amendment is consistent with the intent and purpose of this Chapter and the Community Plan.**  
Criteria Met. The amendment is consistent with the intent and purpose of this Chapter and the Community Plan, including the Bridge Street District Special Area Plan.
- 2) **Error or Omission: Whether the change is the result of an error or omission in the original text.**  
Criteria Met. The amendment was not the result of errors or omissions, but reflects changes in policy.
- 3) **Area Effects: The potential effects on the areas that are most likely to be directly affected by the change.**  
Criteria Met. By adopting the language, the processes will reflect changes in policy as directed by City Council, in consultation with the Planning and Zoning Commission.
- 4) **Creation of Nonconformities: Whether the change might result in the creation of significant nonconformities on properties in the city.**  
Criteria Met. The amendment does not create any nonconformities, as it modifies processes that have yet to be applied. All existing legally approved uses, buildings, and structures are not impacted by this amendment.

## **4. Recommendation**

### **ART Recommendation**

The proposed amendment is consistent with all of the applicable review criteria. **Approval** is recommended.



# RECORD OF DETERMINATION

## Administrative Review Team

Thursday, September 20, 2018

The Administrative Review Team made the following determination at this meeting:

**5. Bridge Street District, Phase I - Review and Approval Procedures and Criteria  
18-005ADMC Administrative Request – Code Amendment**

Proposal: Amendments to Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin.

Planning Contact: Vince A. Papsidero, FAICP, Planning Director

Contact Information: 614.410.4682, vpapsidero@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/18-005

**REQUEST:** Recommendation of approval to the Planning and Zoning Commission for an Administrative Request – Code Amendment to address the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions.

**Determination:** This application was forwarded to the Planning and Zoning Commission with a recommendation of approval to be forwarded for review and approval by City Council.

### STAFF CERTIFICATION



---

Vince A. Papsidero, FAICP  
Director of Planning



Ms. Burchett said a recommendation of approval to the Architectural Review Board for the Fee-in-Lieu of Open Space is recommended:

- 1) Based on the square footage of the proposed use, a total of 29 square feet of publicly accessible open space is required. Code permits a Fee-in-Lieu of Open Space if the open space requirement is less than the minimum required for the smallest open space type. At 29 square feet, this is less than the minimum of 300 square feet required for a pocket plaza. With its relatively minimal dedication requirement, the applicant is requesting approval of a Fee-in-Lieu of Open Space.

Ms. Burchett stated the applicant is bringing forward a Parking Plan as 24 parking spaces are required but 14 parking spaces total are being proposed for both uses. She reported Staff reviewed the type of use for the shared parking arrangement and found it compatible for 14 spaces. She noted the new parking garage is being constructed nearby. Historically, she noted, it is hard to provide more parking on a small site.

Ms. Burchett said a recommendation of approval to the Architectural Review Board for a Minor Project Review is recommended with a Parking Plan and four conditions:

- 1) That the applicant receives approval of a demolition request, prior to building permit approval;
- 2) That the applicant pay a Fee-in-Lieu of open space, prior to building permit approval;
- 3) That the applicant provides required bicycle parking on site; and
- 4) That should any archeological resources be identified during excavation, aside from the relocation of the existing stone wall, the applicant shall make a reasonable effort to record, protect, and preserve those resources.

Ms. Burchett pointed out the existing stone wall and its relocation proposed as a detail along the parking area.

Vince Papsidero asked if the applicant or the applicant's representative had anything to add and they declined as they said Ms. Burchett already did such a great job presenting their case.

Ms. Burchett reported the third-party consultant had expressed concerns about the size of the addition on 30 S. High Street. ART members had noted that since this proposal is such an improvement to the properties and the applicant responded well to the ARB's requests, this will certainly enhance the area.

Mr. Papsidero asked if there were any questions or concerns for this proposal. [Hearing none.] He called for a motion to approve the Administrative Departure. Donna Goss motioned, Colleen Gilger seconded, and the one Administrative Departure was approved, as written.

Mr. Papsidero called for the vote on the five Waivers and were all recommended for approval to the Architectural Review Board.

Mr. Papsidero called for the vote on the recommendation of approval for the Fee-in-Lieu of Open Space and the Parking Plan as part of the Minor Project Review with four conditions to be recommended for approval to the ARB for their meeting on September 26, 2018. The recommendation for approval passed unanimously.

## **5. Bridge Street District, Phase I - Review and Approval Procedures and Criteria 18-005ADMC Administrative Request – Code Amendment**

Vince Papsidero said this is an application for a proposal for amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline



the process and ensure submittal requirements are consistent with other Zoning Code provisions. He said this is a request for a review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Claudia Husak said the ART has authority to review and provide recommendations for Code Amendments.

Mr. Papsidero said there are provisions that allow for alteration of any existing Zoning Code Section or to establish new requirements within the Zoning Code but it requires the Planning and Zoning Commission's recommendation to City Council who will review the request through two required public hearings and final action before going into effect after the 30-day referendum period.

Mr. Papsidero presented the proposed process changes as follows; first, the Planning and Zoning Commission will be the Required Reviewing Body for all steps except Concept Plan's when a development agreement is associated in which case City Council will become the Required Reviewing Body. He stated second, the Administrative Review Team will no longer make recommendations to other boards and commissions. Third, he said, that no other major administrative changes are proposed.

Mr. Papsidero illustrated the specific steps for the process with and without a development agreement. He presented the existing submittal requirement steps compared to those proposed. He presented additional changes such as Minor Projects eligibility being reduced to eliminate all new construction, except for accessory structures less than or equal to 1,000 square feet, Master Sign Plans containing more detailed criteria and requirements, Minor Modifications being retitled to Administrative Approvals, and the Appeals section being replaced with the "standard" Board of Zoning Appeals process.

Ms. Husak said Council is currently reviewing the fee schedule for 2019. She said this will impact concurrent application reviews as applicants would be charged for all applicable fees as opposed to the greatest of the application types. She said this aligns with the new process being put into place and will improve record keeping moving forward.

Mr. Papsidero said the application meets all the criteria and staff recommends approval of the amendment.

Ms. Husak said the ART will make a recommendation to the Planning and Zoning Commission today and the intention is for the PZC to review in October and City Council to review in November.

Aaron Stanford asked if concurrent applications were at Staff's discretion. He stated that an applicant could propose concurrent applications and Staff could then determine whether or not it was appropriate given the size of the project. Ms. Husak said that could be reviewed further with the adoption of the fees ordinance.

Mr. Papsidero said Staff held a Stakeholders meeting to discuss the proposed amendments and none of the stakeholders were present.

Mr. Papsidero reported that on June 20<sup>th</sup> of this year, Council removed the Architectural Review Board from the BSD Code; they no longer have to abide by a Form-based code. He said that change is on a parallel track to the changes being proposed today. He said Staff is in the process of writing Code for the ARB and it will be very similar to the previous Code.

The Chair asked if there were any comments from the public. James Peltier, EMH&T, asked if there was a preliminary time line of when this amendment goes into effect. Ms. Husak answered based on the current schedule it will go into effect on January 3, 2019.

Mr. Papsidero asked if there were any other questions or concerns for this proposal by the ART. [Hearing none.] A vote was taken and passed so the result is the Administrative Request for a Code Amendment is recommended for approval to the Planning and Zoning Commission with final authority given to City Council.

**6. Bridge Street District Street Network Map Code Amendment  
18-053ADMC Administrative Request – Code Amendment**

Claudia Husak said this is an application for a proposal for amendments to Zoning Code Figure 153.061-A Bridge Street District Street Network Map to address street connections based on recent developments in the Bridge Street District. She said this is a request for a review and recommendation of approval to City Council for proposed amendments to the Community Plan under the provisions of Zoning Code Sections 153.232 and 153.234.

Ms. Husak explained several development approvals and other policy decisions have been made that have impacted the adopted Thoroughfare Plan Map, as well as the Bridge Street District Street Network Map. She said the results of these actions are modifying both documents. However, this specific submittal addresses changes that only affect the Bridge Street District Street Network Map.

Ms. Husak presented the existing BSD Street Network Map to illustrate the block size and connectivity requirements in Zoning Code Section 153.060 and is representative of a general development pattern created for the BSD. She added this map was not intended to represent all requirements or actual development, nor was it intended to designate the precise locations for specific street types. She noted the existing and potential street types are illustrated as advised by City Council.

Ms. Husak presented the same map but with areas marked for change as a result of this amendment, which include the reconfiguration and/or removal of roadways to reflect as-built conditions of the road network since the map was adopted. She explained these correlate to recent developments such as Bridge Park, Bridge Park West, Tuller Flats, Penzones Grand Salon, and the Columbus Metropolitan Library – Dublin Branch. Specifically, she said two neighborhood connections have been removed – one through the Penzones campus and the other being the extension of Darby Street through the CML-Dublin Branch. Additionally, she noted the removal of a Rock Cress Parkway, extending from the future extension of Shawan Falls Drive on the west side of Indian Run to the existing terminus of Rock Cress Parkway on the east adjacent to the City garage in the Historic District, as directed by Council.

Ms. Husak explained the Street Network Map will identify the existing portion of Rock Cress Parkway until future extensions are identified and analyzed. She said a minor change will involve the relocation of a potential neighborhood street connection from Stoneridge Lane to W. Dublin-Granville Road. She said this change is a result of the review of a previous development application, Echo Hospital, involving an undeveloped site on the south side of W. Dublin-Granville Road.

Aaron Stanford inquired about Block D. Ms. Husak said there is limited access and the alleys/service streets are not represented on the map.

Vince Papsidero said a recommendation of approval to the Planning and Zoning Commission with final approval by City Council for an Administrative Request of a Code Amendment is recommended.

Mr. Papsidero asked if there were any other questions or concerns for this proposal. [Hearing none.] A vote was taken and passed so the result is the Administrative Request for a Code Amendment is recommended for approval to the Planning and Zoning Commission with final authority given to City Council.



# 118-005ADMC – BSD AMENDMENT

**Reviewing Board**

Administrative Review Team

**Site Location**

Bridge Street District

**Proposal**

To amend Section 153.066 Review and Approval Procedures and Criteria

**Property Owners**

Various owners of the 1,000 acres in the district

**Applicable Land Use Regulations**

Bridge Street District, Section 153.066

**Staff Recommendation**

Review and recommendation by the Administrative Review Team for amendments to Section 153.066 of the City of Dublin Zoning Code.

**Contents**

1. 1 Cover TOC.....	2
2. 1 Cover TOC .....	3
3. 1 Cover TOC.....	4

**Case Manager**

Vince Papsidero, FAICP, Director of Planning  
614-410-4682  
[vpapsidero@dublin.oh.us](mailto:vpapsidero@dublin.oh.us)

**Summary**

An amendment to Section 153.066 of the Bridge Street District Code to streamline the development application review and approval process, and to improve consistency among application submittal types.

**Zoning Map**

INSERT MAP

**Next Steps**

Upon the review and recommendation of the proposed amendment by the Administrative Review Team, a request for review and recommendation will be scheduled with the Planning and Zoning Commission. Following a recommendation by the Commission, the amendment will be scheduling for review and adoption by City Council. The amendment will require two readings before Council and will be in effect after the 30-day referendum period following the second reading.

## 1. Overview

### A. Background

In late 2016, the City initiated a project to update the Bridge Street District (BSD) zoning code, based on five years of experience administering the code. The City hired Clarion Associates to assist with this project, supported by Codametrics (both assisted with drafting of the original BSD code).

As part of the analysis phase, Clarion interviewed stakeholders and city staff to identify issues related to the code and the Bridge Street development process. This resulted in a February 20, 2017 memo that provided a record of the feedback. As a follow up to that task, Clarion prepared an independent assessment of the code and city procedures, issuing a March 2, 2017 memo.

Taken together, these tasks concluded that the administrative process for the BSD Code was too cumbersome and would benefit from certain efficiencies. In addition, there was a desire to streamline the application types, because of confusion that was generated between unique BSD applications and the “typical” applications required under the PUD district (aligning these documents would also serve as the basis for alignment with revisions to the West Innovation District and the proposed Metro-Blazer District).

Staff and consultants presented these findings to a joint work session of City Council and the Planning and Zoning Commission on April 17, 2017. General support was voiced for the proposed direction. Two initial priorities of this update were completed (sign code amendment affecting pre-existing commercial development and the Historic South District). The project was placed on hold due to other pressing projects through the fall of 2017. Beginning in 2018, staff and the consultants restarted the project and drafted this amendment, which was the subject of a Council work session and three joint sessions of the Planning and Zoning Commission and Architectural Review Board. At the June 20, 2018 work session, City Council directed staff to remove the Historic District from the BSD code. This separate project is underway.

### B. Proposal

The proposed amendment seeks to streamline the development review and approval process, while promoting consistency among application types. Among the changes are the following, which are described in more detail in the next section.

- Formalization of a non-binding Informal review step, at the request of the Planning and Zoning Commission.
- Creation of a Concept Plan submittal that replaces the Basic Plan, which is reviewed and approved by the PZC unless it is accompanied by a development agreement, then the CP is approved by City Council (PZC provides a recommendation).
- Creation of a Preliminary Development Plan that replaces the Development Plan, which is reviewed and approved by PZC. It may be combined with the Final Development Plan.
- Creation of a Final Development Plan that replaces the Site Plan, which is reviewed and approved by PZC.

- The role of the Administrative Review Team (ART) is reduced to review and approval of Minor Projects (which was also reduced in scope).

## 2. Details

The following provides a detailed review of the proposed changes. Both a “clean” and a “redlined” version of the proposed amendment is included with the staff report.

### 1) Section A. Intent

Minor edits are proposed to clarify the text.

### 2) Section B. Required Reviews

Major changes are presented on Table 153.066-A Summary Procedure Table, which reflect the core changes to the BSD process. The major revisions are the following (details are provided in subsequent subsections):

- Planning Director has been added to reflect the staff review and recommendation function, while the Architectural Review Board has been removed per Council direction.
- The Informal review has been introduced as recommended by the Commission at their informal review of this proposal.
- The former Basic Plan has been replaced with the Concept Plan, which is reviewed and approved by PZC, except when projects are proposing a development agreement; in those cases PZC will provide a recommendation and City Council will review and approve the CP.
- The former Development Plan is replaced with a Preliminary Development Plan, which is reviewed and approved by PZC. The PDP may be combined with the Final Development Plan, as discussed further.
- The former Site Plan is replaced with a Final Development Plan, which is reviewed and approved by PZC. Again, it can be combined with a PDP.

### 3) Section C. Pre-Application

Clarifications are proposed relative to purpose and applicability, and review procedure.

### 4) Section E. Informal Review

As requested by the PZC, an applicant may request a non-binding Informal review of a development concept. The submittal is to include material sufficient to describe the concept, as determined by the applicant. The intent is to provide feedback by PZC to the applicant, prior to submitting a formal Concept Plan. Staff will provide a brief analysis.

### 5) Section D. Concept Plan

The Concept Plan (CP) provides a detailed conceptual overview of a proposed project. The submittal requirements incorporate the former Basic Plan and additional clarity is provided regarding submittal requirements and review criteria. The CP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body, unless a development



agreement is associated with a CP. In those cases, City Council is the required reviewing body and the PZC provides a recommendation.

**6) Section E. Preliminary Development Plan**

The Preliminary Development Plan (PDP) presents preliminary development, architecture, landscaping and engineering information regarding a proposal. It replaces the former Development Plan. The PDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The PDP may be combined with the FDP at the request of the applicant, at the recommendation of the Planning Director, or at the recommendation of the PZC at the time of CP approval.

**7) Section F. Final Development Plan**

The Final Development Plan (FDP) presents final development, architecture, landscaping and engineering information regarding a proposal. It replaces the former Site Plan. The FDP is a mandatory requirement. The Planning Director issues a staff report with a recommendation. The PZC is the required reviewing body. The FDP may be combined with the PDP, as noted earlier.

**8) Section G. Minor Project**

The Minor Project (MP) process is not proposed to change, but the list of eligible projects has been reduced to eliminate all new construction, other than accessory structures that are 1,000 square feet or smaller (the MP list retains additions to existing buildings). The Administrative Review Team (ART) remains the required reviewing body. ART may forward a MP to PZC in cases where there is a need for new infrastructure or in cases of community wide impact.

**9) Section H. Administrative Departures**

There are no substantive changes proposed to this section.

**10) Section I. Waiver**

There are no substantive changes proposed to this section.

**11) Section J. Master Sign Plan**

This is a new section that provides much more detail relative to Master Sign Plans (MSP) relative to purpose and applicability, review procedure, submittal requirements, and review criteria. PZC is the required reviewing body.

**12) Section K. Administrative Approval**

Formerly called Minor Modifications, there are no substantive changes proposed to this section.

**13) Section L. Other Approvals**

There are no substantive changes proposed to this section.

**14) Section M. General Provisions**

There are no substantive changes proposed to this section other than some restructuring. Also, Appeals was moved to this section and simplified to the standard appeals provisions of the zoning code (Board of Zoning Appeals).

### 3. Criteria Analysis

#### A. Review Considerations

The Zoning Code does not provide for specific review standards for Zoning Code text amendments. However, there are certain considerations that are appropriate when considering an application for these amendments. These are provided below, along with relevant analysis. The Administrative Review Team is not limited to these considerations, and may choose to give each its weight as part of the deliberations for a recommendation to the Planning and Zoning Commission.

#### B. Zoning Code Amendment Analysis

**1) Intent and Purpose: Whether amendment is consistent with the intent and purpose of this Chapter and the Community Plan.**

The amendment is consistent with the intent and purpose of this Chapter and the Community Plan, including the Bridge Street District Special Area Plan.

Criteria Met.

**2) Error or Omission: Whether the change is the result of an error or omission in the original text.**

The amendment was not the result of errors or omissions, but reflects changes in policy.

Criteria Met.

**3) Area Effects: The potential effects on the areas that are most likely to be directly affected by the change.**

By adopting the language, the processes will reflect changes in policy as directed by City Council, in consultation with the Planning and Zoning Commission.

Criteria Met.

**4) Creation of Nonconformities: Whether the change might result in the creation of significant nonconformities on properties in the city.**

The amendment does not create any nonconformities, as it modifies processes that have yet to be applied. All existing legally approved uses, buildings, and structures are not impacted by this amendment.

Criteria Met.

### 4. Recommendation

#### Staff Recommendation

The amendment is introduced to the Administrative Review Team for review and recommendation. Following a recommendation by the Team, the amendment will be submitted to the Planning and Zoning Commission for recommendation. Following that action, the amendment will be scheduled for public hearing and final action by City Council.



## RECORD OF DISCUSSION

# Planning & Zoning Commission

Thursday, August 23, 2018 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

**3. Bridge Street District Code Amendment, Phase I**  
**§153.066 Review and Approval Procedures and Criteria**  
**18-005ADMC Administrative Request – Code Amendment**

Proposal: Amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions.

Request: Introduction and discussion for proposed amendments prior to a future request for review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin.

Planning Contact: Vince A. Papsidero, FAICP, Planning Director

Contact Information: 614.410.4682, [vpapsidero@dublin.oh.us](mailto:vpapsidero@dublin.oh.us)

Case Information: [www.dublinohiousa.gov/pzc/18-005](http://www.dublinohiousa.gov/pzc/18-005)

**RESULT:** The Commission reviewed and provided feedback on the proposed code amendment to the Bridge Street District Review and Approval Procedures. Commission members commented on the intent of the Concept Plan for informal feedback and ensuring the review process encourages collaboration between the developers and Commission. The Commission was generally supportive of the proposed amendment with minor revisions requested to the review intent and level of detail for each application type.

**MEMBERS PRESENT:**

Victoria Newell	Yes
Stephen Stidhem	Yes
Jane Fox	Yes
Bob Miller	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
William Wilson	Yes

**STAFF CERTIFICATION**



---

Logan Stang, Planner I



**2. PUD – I-270/Tuttle Road, Subarea A – Veeva Sign 5555 Parkcenter Circle  
18-052AFDP Amended Final Development Plan**

The Chair, Victoria Newell, said the following application is a proposal for an 88-square-foot wall sign for an existing office building along I-270. She said the site is west of Parkcenter Circle, approximately 1,200 feet west of the intersection with Blazer Parkway. She said this is a request for a review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050. She stated the Commission has final authority on this application so witnesses will have to be sworn in.

The Chair swore in the witnesses.

Logan Stang affirmed there were no conditions.

The Chair called for a motion of approval.

**Motion and Vote**

Mr. Stidhem moved, Mr. Fishman seconded, to approve the request for Amended Final Development Plan with no conditions. The vote was as follows: Ms. Newell, yes; Mr. Miller, yes; Ms. Kennedy, yes; Mr. Wilson, yes; Ms. Fox, yes; Mr. Fishman, yes; and Mr. Stidhem, yes. (Approved 7 - 0)

**ADMINISTRATIVE CASES**

**3. Bridge Street District Code Amendment, Phase I  
§153.066 Review and Approval Procedures and Criteria  
18-005ADMC Administrative Request – Code Amendment**

The Chair, Victoria Newell, said the following application is a proposal for amendments to Zoning Code Section 153.066 addressing the procedures for development approval and the related submittal requirements to streamline the process and ensure submittal requirements are consistent with other Zoning Code provisions. She said this is a request for an introduction and discussion for proposed amendments prior to a future request for review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Vince Papsidero said this is the first step in updating the Bridge Street District Code administrative process. He said he intended to provide a brief summary of the proposed major changes, all of which have been discussed in the past, except for a minor change regarding development agreements. He noted there is a public meeting scheduled with stakeholders next week. The goal is a shorter and more efficient process. Stakeholders were not concerned about submittal requirement changes. He reported Staff has had support from the Commission, the Architectural Review Board, and City Council on the direction Staff has been taking.

Mr. Papsidero noted that the Commission will become the required reviewing body for all major steps in this process except for when there is a development agreement, which will always be determined by Council with recommendations from the Commission. He stated the Administrative Review Team (ART) will no longer provide a recommendation to any of the reviewing bodies, shortening the process, which is a major change. He said there are no other major administrative changes proposed but will note any administrative changes that are of some consequence.

Mr. Papsidero presented a flow chart representing the process changes and identified the changes between the current and proposed process. He said currently, if a development agreement is not required, Staff provides a recommendation to the ART who then provides a recommendation to the PZC on all applications. He said similarly, if a development agreement is required, then Staff provides an informal review for the PZC who then provide a recommendation to the ART, who then provide a formal recommendation to Council for final approval.

Mr. Papsidero noted that support was expressed during the work sessions for a non-binding Concept Plan. However, he noted that with Council retaining their authority to approve development agreements, Staff felt that the Concept Plan had to be likewise approved as a part of that decision-making process. As a result, staff is recommending that the Concept Plan likewise be a formal submittal and approved by the Commission, when a project does not require a development agreement. Formalizing the Concept Plan puts an onus on all parties to negotiate an approval that would lead to a Preliminary Development Plan.

Steve Stidhem asked if that change would put more of a burden on the applicant. Mr. Papsidero answered it would require the applicant to do more work ahead of time but the way the Concept Plan is written, it is not really any different than what is being done today, in some respects. He reported Mr. Stang drilled into the actual submittal requirements to restructure those so they would align with the intent.

Mr. Stang said the intent of the Concept Plan is for it to be very illustrative. He said it would detail what the Commission would be looking for and it is actually supposed to be less defined than the Basic Plan. He explained Staff has been experiencing developers bringing in an already "baked plan", which creates challenges in negotiating revisions. He said the Concept Plan should be more general and similar to an Informal Review.

Mr. Papsidero affirmed that change was consistent with the Commission's direction as well as Council's direction of what the first step ought to be. He added Staff would administratively limit the amount of information in a Concept Plan. He explained that when too much information is provided by the applicant so early, it almost locks the Commission in from a negotiation standpoint and that is not beneficial to the process.

Jane Fox indicated she would want to see things early on to ensure the plans are appropriate and meet guidelines, intent, and principles. She said it appears Staff has removed the days in which the applicant would expect to obtain an answer about their project. She asked Mr. Papsidero if this will provide a true efficiency, make things go faster, and be more predictable. Mr. Papsidero answered the process will go faster because Staff is proposing to remove the ART step, saving a month or two. He said, in general, this is an improvement, particularly if we stay disciplined in terms of what each submittal truly should include. As proposed, aspirational architecture is submitted with the Preliminary Development Plan. He said some people will push renderings on Staff in order to get them pushed onto the Commission. He explained one step should be taken at a time by working through an application efficiently. In some respects, he noted, that creates a longer process because if the details need to be negotiated, the applicant has to redesign their plans. He said renderings should not be shown until the final step, along with the applicant's material specifications.

Ms. Fox said she would love to hear from the architects on this Commission about what makes the process the best from their view. Ms. Newell said, as an architect, she said she likes the non-binding, preliminary review process. She explained if she has a client that asks her to design a building, she comes up with a concept for that building fairly quickly. She said she can even generate a 3-D model of that quickly so that there is something to show without having a lot of detail. She restated she likes having the feedback to know if she is going in the right direction before spending a lot of time within that design process.



Ms. Fox asked if architectural concepts would be appropriate for the Concept Plan - details and architectural styles, etc. Ms. Newell answered, most of the time, an architect wants to look at the building floor plan arrangement with some concept of the elevation that could be as simple as one sample elevation, not something that is completely thought through that included all four sides. She said she would anticipate the plans might change as they went forward.

Ms. Newell asked Mr. Papsidero if he is going to provide suggestions of what someone might want to present for each of the phases. Ms. Newell said some commissions have expected, when an application is submitted, there will be a very lengthy list of items all delineated. She said the City has done that in the past. She said sometimes the lengthy checklist was also used to keep the applicant from coming in front of the PZC because the list for the City of Dublin was at one time, very extensive. She said it is good to have some guidelines but not to have significantly detailed types of requirements; the checklist would truly be a "suggestion" of what could be included in the application and presentation.

Mr. Papsidero said there are detailed checklists Staff uses for application forms; they were developed three or four years ago for Bridge Street and refined over time. The checklists, he said, have been very useful but they need to be modified for this proposed amendment. He said the revised lists will be presented to the Commission to obtain feedback before they are completed. He indicated judgement is used to determine if an application is complete or not and Staff is allowed flexibility as appropriate.

Mr. Papsidero said, in terms of the Concept Plan, Staff's initial direction was an informal submittal. He said they wrote it that way but during the work session where they briefed Council on the direction Staff was taking, Council was clear in terms of what their role should be relative to development agreements. He said Council wanted the Concept Plan to be even simpler but because Staff is trying to keep the zoning process efficient, it made sense to use the same submittal regardless of the review stream. He said this can be discussed further if the Commission is not comfortable with having the Concept Plan approved whether it stays with the Commission or not.

Mr. Stidhem said he was concerned about the Commission approving the Concept Plan, as that could potentially put more burden on the applicant. He said if the applicant is expecting an approval, it locks them in and he did not know what level of detail is being considered. He said he agreed that the Commission has seen more than one application early on that have been way too detailed. He said he is concerned if the informal is being changed into something that the Commission actually votes on, if it is making the submittal tighter.

Mr. Papsidero said regardless, Staff would always recommend an informal submittal when a project is complicated. He said it is not written in the Code, it is more of a practice but Staff would never abandon that. He said Staff did not write that in because then a formal piece to a process would be written in for every single application and that would lengthen the process.

Ms. Newell noted that Crawford Hoying has come before the Commission at least twice with an informal review. She said applicants should be encouraged and allowed to bring something in, informally, just to obtain feedback without the Commission voting. She said that would be very beneficial and it could be optional, it would not have to be mandatory.

Mr. Papsidero said Staff can add an informal step to the administrative process and the City may not charge a fee. Ms. Newell said she thought that would clear up the issue of the Concept Plan and having to vote so that applicants can know that they can truly bring something in, informally.

Ms. Fox asked if that was not the Pre-Application Review. Mr. Papsidero said a Pre-Application Review was only with Staff. He explained before filing a formal application, an applicant can come in and sit with Staff prior to submitting a formal application, which almost everyone has done.

Ms. Fox said she agreed with Ms. Newell. She said the applicant should have the opportunity to come before the Commission and get some good ideas and thought that was the original intent. She said the reason Council wanted to be involved in that early piece was because plans were coming to the Commission 'fully baked' not having met the principles or intent, which should have happened. She said there was no other way Council could control it from the beginning unless they had an opportunity to see it early. She indicated Council feels more strongly that the PZC is the body that will do most of the heavy lifting when it comes to these things. She reported Council's fear was that somehow we had the kind of plans where 'the train got so far down the track' that we had no recourse.

Ms. Newell said, from City Council's standpoint, there is financial burden that is not the Commission's responsibility. She said she has always understood that with Council's interest in seeing a development. She said it is not the same as a Planned Unit Development.

Warren Fishman said he agreed with Ms. Newell - at an informal review, Staff and the Commission should also require as little detail as possible because it works both ways. He said he has seen where a developer comes in for an informal and states they are going to use a specific brick but then maybe the brick is not available or they want to use something else and the developer comes back and the Commission has already made a determination. He said if the developer comes in and the Commission supports the 'concept' and then the developer returns later with intended materials, there is no extra burden. He concluded an informal review should really be an informal - this concept looks good to the Commission and the Commission will not make the developer make all these detailed commitments for the brick, or other items.

Ms. Newell indicated, as an architect, not very often in an informal review would she bring in the specific materials unless she had one selected because she was concerned it might not get accepted. In that instance, she said, she would bring in the materials. She suggested that should be at the discretion of the applicant of what they are going to submit at that informal. She noted this Commission has come across that situation in the past.

Mr. Fishman said that is okay but sometimes the Commission commits to details such as the shape of a cupola and then at the next stage of the review, the Commission changes its mind and says it's not appropriate.

Mr. Stidhem highly encouraged not charging a fee to provide informal feedback on a project. He said that would make it easier for small businesses to be successful and that is important.

William Wilson said it is a great idea to have an informal review but there has to be some kind of outline for the applicant to follow so that everyone is on the same page. He said as the Commission explains this to all the applicants, they have to be with the mindset to be open and receptive to what the Commission provides. He indicated people want to know what they can do in a specific area and having this dialogue is a good venue to have that conversation.

Kristina Kennedy said from the engineering world, there are design checklists and she appreciates that the City provides checklists to meet basic requirements. She asked if the City shares winning examples of projects as the applicant works through this process, projects that have come to our Council that have passed on the first try or if that was a matter of public record. She asked if she was a new applicant

coming in, would the City be able to provide her with an example of a project that went through on the first try or if not, what type of feedback Staff would provide.

Mr. Papsidero said one good example is the Master Sign Plan (MSP) for Bridge Park. He said Staff has used it as an example with other applicants for a submittal because of the document's depth of knowledge and detail. He added that there is an expanded section on Master Sign Plans in the proposal to provide depth and clarity.

Mr. Stang said usually Staff will explain the process that an applicant has to go through during the discussion about their initial application and the concept. He added Staff will refer them to previous applications on the website, if complementary to their proposal. He said Staff would also guide the applicant towards a case where the applicant did a good job with the submittal requirements, they laid it out very well, and it went very smoothly through the process. He noted all current active cases are accessible to the public as well as archived cases going back to 2013.

Mr. Papsidero said when applicants are struggling to submit applications, Staff will work with them. Ms. Kennedy said she was glad to hear the City was providing that service.

Ms. Fox requested a more definitive review criteria for Concept Plans. She said Council and the Commission are looking for the general foundational purpose, scope and intent like found in the BSD Code that could be the definitive standards. She said when the Concept Plans come forward, the Commission is looking at the plans from an architectural standpoint (building mass and footprint) but instead should be looking at foundational principles including the purpose of placemaking. The applicants need to know exactly what Staff and the Commission are looking for so they can go forward in their design because the design is not the end point, the end point is meeting the principle.

Mr. Papsidero continued with his presentation and noted that Staff is modifying the existing requirements for the Basic Plan, Development Plan, Site Plan, the proposed Concept Plan, Preliminary Development Plan, and Final Development Plan. He said this is consistent terminology with the PUD requirements and will provide clarity.

Mr. Papsidero stated Minor Projects are reviewed by the ART but Staff has reduced the scope of the ART and its authority by limiting the number of eligible items from the current list, mainly new construction, which includes a new single-family home on a single lot or multi-family buildings or any units in one building, etc. He stated a 20% change in an elevation and accessory structures were kept in their purview, if the accessory structure is 1,000 square feet or less.

Mr. Papsidero said Minor Modifications have been renamed to Administrative Approvals for consistency.

Mr. Papsidero indicated Staff has suggested that the Appeals Section in the Code be changed and replaced by our "standard" appeals process, which goes to the Board of Zoning Appeals. Ms. Newell requested clarity regarding the appeals process because if PUDs are denied, the applicant can appeal to City Council to vote. Mr. Papsidero said he would research PUD appeals further.

Mr. Papsidero concluded his presentation by stating the Public Open House was scheduled for August 28th (4-6 pm).

Mr. Papsidero said next steps are draft documents to be mailed to stakeholders and posted on the web; stakeholder comments will be considered along with additional questions. He said the PZC recommendation to City Council is scheduled for September 24<sup>th</sup> for Council's review and final action in October/November.

Mr. Miller asked if the Concept Plan will be formal or informal as he did not think that was made clear. Mr. Papsidero said the review will be formal but Staff has suggested amending the Code to allow an informal submittal as an option prior to the Concept Plan. Ms. Newell said she thought that would be advantageous to applicants.

Mr. Fishman said he would like the no-charge fee option for an informal review for non-binding feedback. Ms. Newell thought a minimal fee should be established so the option privilege is not abused. Mr. Papsidero indicated from a Staff perspective, they would only prepare a simple memo rather than a full Planning Report to frame this correctly.

Ms. Fox restated purpose, principles, and intent are important for the Concept Plan and should be defined as expectations. She believed the review criteria for Concept Plans is vaguer than she would like to see. She wants the expectations to be clear for the applicant so they know what to concentrate on and have a strong sense of direction so those points would not have to be argued each time. She said the current language is for a big picture overview. She indicated some developers know this process backwards and forwards but there are many that do not. She indicated architecture can come later because those standards are all listed specifically in the Zoning Code.

Ms. Newell said she thought there was a good set of review criteria but thought what was confusing for applicants is the ability to ask for Waivers along the process. She said there have been some legitimate reasons for granting Waivers and requests should still be judged for appropriateness on a case by case basis.

Mr. Papsidero said the direction of the Design Guidelines has a lot of language and detail that reiterates what is in the Vision Plan. He indicated the Commission will find the draft to be a richer presentation and the criteria always begins with references to the Community Plan, Bridge Street District Special Area Plan, and the BSD Design Guidelines, as well as any other adopted plan. He said the new application forms that are being developed will have a section where an applicant has to write a narrative explaining how they are meeting the intent of the Design Guidelines and a similar narrative could be added for how the applicant is meeting the intent of the Vision Plan. He said the applicant's own words can be taken into account for the review. Ms. Fox said it would help the Commission to see the revised application forms. She said process can be created but then if it is burdensome to implement, then nobody wants to follow through. She indicated she has heard from developers that the City sometimes gets in their own way by bogging the process down. She concluded she wanted clarity on these items.

Ms. Kennedy said she agreed with Ms. Fox. She recalled the common theme or line of questioning with certain applicants tended to be walkability and green space. She indicated knowing there is a vision that we are asking the applicants to tie to, but then have them say it in their own words as has been suggested, will be very helpful for the Commission and she would love to see that added to the process. Ms. Newell said a request for narration is common on some applications in other jurisdictions and not out of the ordinary.

**4. Community Plan – Thoroughfare Plan Map  
18-051ADM**

**Administrative Request - Other**

~~The Chair, Victoria Newell, said the following application is a proposal for amendments to the Community Plan and the Thoroughfare Plan Map to address street connections based on recent developments. She said this is a request for an introduction and discussion for proposed amendments prior to a future request for review and recommendation of approval to City Council for proposed amendments to the Community Plan under the provisions of Zoning Code Sections 153.232 and 153.234.~~