



March 10, 2008

Ms. Sadicka White  
The City of Gahanna  
200 South Hamilton Road  
Gahanna, Ohio 43230

Re: **Gahanna Downtown Vision Update**

Dear Ms. White,

Bird Houk Collaborative is pleased to submit this proposal for preparing an update to The Landings of Gahanna Conceptual Development Plan (Urban Spaces Gahanna Riverwalk Charrette May 19-23, 1997). We believe that this next year of planning is critical in the long term success in developing, re-developing and revitalizing Downtown Gahanna. Bird Houk Collaborative will study the above referenced plan to understand the general direction of the recommendations and visions of the 10 year old plan understanding that the economic, political, market and physical conditions have changed significantly since the adoption of the plan. By taking direction from the previous plan, understanding what has transpired in the last 10 years, accounting for current trends in real estate development and projecting likely scenarios into an overall plan, Gahanna can "plan" responsibly for the growth of its downtown.

Our Assumptions, Scope of Work, and Fee Proposal are outlined below:

**A. Assumptions**

1. The Client will be the City of Gahanna. The Consultant is to be Bird Houk Collaborative, Principal-in-Charge: (James Houk, AICP, ASLA.) (Tony Slanec, Urban Designer.) (Gary Sebach, AIA, Project Architect.) Justin Bird, MBA, Economic Analysis Specialist
2. The Client shall assist in arranging meetings with commissions, steering committee, and public/property owners as needed. The Client shall also supply relevant city service, utility information, provide historical context.
3. The following Scope of Work is based upon our current understanding of work to be completed. Any additional services that may be required can be identified and additional fees can be authorized accordingly.
4. If necessary, the Client shall retain other consultants such as civil engineering, legal, traffic, etc., to address specific infrastructure, development, land use law, parking, and/or street improvement and design issues.
5. The Downtown Gahanna Master Plan study covers an area outlined in yellow (see map below).

**EXHIBIT A**



## B. Scope of Work

As an outline of work, the scope provides a detailed methodology for our approach to the Gahanna Downtown Vision Update. We have organized the project tasks required to complete the Vision Plan Update/Master Plan. The descriptions of these tasks and their associated work products are detailed below.

The Vision Plan/Master Plan is designed to be the framework for future physical changes to Downtown Gahanna. This vision will be integrated into a larger Downtown Gahanna Plan, and will be the blueprint both for on going planning efforts and for future development projects. This framework approach is a comprehensive planning approach. It treats downtown as a series of subsystems—land use, streets, parking and urban design—and seeks to organize the subsystems to meet overall development and design goals and objectives. Policies and projects are then identified to achieve the subsystem plans. These projects will be carried out by a broad array of public and private parties including civic organizations, property and business owners, developers, and future entities attracted to this dynamic and vibrant city. The primary purpose of the visioning process is to develop a vision statement, community goals, and objectives that best articulate the desires of citizens regarding the future of Gahanna's downtown development / redevelopment.

***Vision Gahanna!*** will be the guiding image of what Downtown Gahanna would like to become, and the vision statement is the formal expression of that vision. It depicts in words and images what the downtown seeks to become – how it would look, how it would function, how it might be different and better. ***Vision Gahanna!*** is seen as the starting point for the further development and implementation of a strategic action plan that can help the community mobilize to achieve its vision over time.



Currently, Gahanna is experiencing tremendous growth in the heart of Olde Gahanna. With the advent of Creekside, major changes are on the horizon for the downtown district and its surrounding neighborhoods. Redevelopment opportunities are rising to the surface and the success of Creekside will further spark interest from the development community. The key to the visioning of Downtown Gahanna is to determine where do we go from here? Once a direction is

determined, how does Gahanna set the stage for successful and appropriate growth?

Bird Houk Collaborative has adopted a Community Visioning Model and has modified it into a comprehensive process. Each step focuses on a *driving question*, involving different activities and results in specific planning products. The model allows for change and is flexible. The process is outlined below:

### **Step One: Profiling the Community**

The first step is to profile the community as it exists in the present. This involves identifying and describing key characteristics of the area, such as geography, natural resources, population, demographics, the local economy and labor force, political and community institutions, housing, transportation, education resources, land uses, commercial corridors, urban design, and cultural and recreational resources.

An assessment of community strengths and weaknesses is prepared through a SWOT Analysis. This step also typically includes the development of a statement of community values that articulates core beliefs shared by

community members through a stakeholder meeting. The Stakeholder Meeting is an assemblage of citizens, and appointed/elected political figures that the city designates. It is assumed that the Stakeholders will be individuals from City Council, Planning Commission, O.G.C.P., Chamber of Commerce, C.I.C., city administration, Olde Gahanna residents, and Parks Commission/Advisory Board.

**Driving question:** *"Where are we now?"*

**Tasks:**

- Research and data collection, compilation and analysis of:
  - current land-uses
  - transportation
  - building conditions
  - land ownership and value
  - current user and occupant demographics
  - market conditions/expectations
- S.W.O.T. Analysis: (Strengths, Weaknesses, Opportunities, Threats) within and outside the study area.
- Stakeholder "wants and needs" documented, *(2 meetings, same meeting format on two separate dates to allow for participant flexibility)*
- Key property owner "wants and needs" documented, *(2 meetings, same meeting format on two separate dates to allow for participant flexibility)*

**Products/Deliverables:**

- **Community profile:** (Community profile includes current information on location (maps), quality of life (demographics, population, labor force, education, history, recreation), to economic indicators (utilities, transportation, taxes, land, businesses, buildings, development). A community profile is usually the first piece of information that a potential firm (prospect) or a site-location consultant will obtain regarding a community's potential suitability as a location for facility/business. The community profile is used to accomplish the following steps in the site-selection process.
  - 1) The firm or their consultant requests community and site profiles for each viable community within the geographic area of the site search.
  - 2) Information provided through the community profiles will then be reviewed to determine which communities the firm wishes to include in the initial pool of potential project locations.The information in the community profile is used by the prospect to assess the impact of doing business in a particular community, based on various factors important to the firm. Those local officials who have prepared an informative, concise, and clear community profile can only increase their vicinity's potential of being selected by the prospect for additional review. **(Report Format).**
- **S.W.O.T. Analysis:** (Strengths, Weaknesses, Opportunities, Threats) The consultant will perform a SWOT analysis that will study both within the community and outside the community issues that will affect Gahanna's Downtown Development / Redevelopment. **(Report Format).**
- **Stakeholder Forum "wants and needs"** documented results *(2 meetings, same meeting format on two separate dates to allow for participant flexibility).* **(Report Format)**
- **Key property owners Forum "wants and needs"** documented results *(2 meetings, same meeting format on two separate dates to allow for participant flexibility).* **(Report Format)**

- **Community Web-based Survey:** (A web-based survey will be generated to gather additional community input in the form of questions and a itemized rating system based on information/input gathered from both the stakeholder and key property owner 'wants and needs' meetings.

## **Step Two: Analyzing the Trends (Bird Houk Economics)**

The second step is to determine where Gahanna is headed if current trends and activities continue. It involves analyzing research to determine current and projected Real Estate and Economic trends, and their potential impact on Downtown Gahanna.

**Driving question:** *"Where are we going?"*

### **Tasks:**

Determination of current and projected Real Estate and Economic trends, assessment of their future impact on Downtown Gahanna. Identify PDA (Priority Development Area) analysis and designation.

*Definition of PDA's:* A Priority Development Area (PDA) is a locally designated area where growth and/or redevelopment is to be especially promoted in order to maximize development potential, efficiently utilize infrastructure, revitalize existing cities and towns, and contribute to restoration and sustainability.

Purpose of PDA's

- *Provide a direction whereby private developers and planning staff may coordinate future development in a mutually efficient and complementary manner.*
- *Encourage a pattern of efficient and contiguous development.*
- *Encourage preservation and adaptive reuse of urban infrastructure.*
- *Protect agricultural and forest lands, scenic areas, and other natural resources.*
- *Identify areas where urban services are being or will be provided.*
- *Encourage growth where infrastructure capacity is available or committed.*
- *Reduce the costs of providing urban services.*
- *Guide state and local policies and investments that influence the location of development.*

### **Products/Deliverables:**

- **Trend Statement. (Report Format)**  
A trend statement identifies the regional influences putting pressure on the local real estate market from a political, market, economic, geographic and demographic standpoint and the affects that these influences will have on the City. The goal behind the trend statement is to identify how the local real estate market is likely to react to these changes and how best to position land uses within the city to take advantage of these trends. Regional influences on the city will alter the demands that future residents and businesses will have on the current real estate environment and on its services. A master plan that is responsive to regional influences allows the city to create re-development opportunities that are market driven; leading to the greatest creation of value and future revenue.
- **Future Impact Analysis/Plan (Priority Development/redevelopment Area identification, PDA's) (Report Format accompanied by a PDA Plan/Map).**

### **Step Three: Creating the Vision**

The next step involves the actual creation of a vision for the future, describing what Gahanna seeks to maintain and become. Based on identified community values and desires, a "preferred scenario" is developed to describe what the community will look like if it responds to emerging trends and issues in a proactive manner.

While developing the vision statement involves imagination and creativity, the process is also firmly grounded in **realities** of real estate development, market conditions, existing/future land-use designation and political will. By basing the preferred scenario on concrete facts and trends identified through the visioning process, a vision is created that is both realistic and achievable.

**Driving question:** *"Where do we want to be?"*

#### **Tasks:**

- Creation of a final Vision Statement. (one meeting with Stakeholders)
- Study and Evaluate existing Land-Uses within the study area and determine potential changes that would facilitate growth and strengthen economic development within the area.

#### **Products/Deliverables:**

- Vision Statement (one meeting with Stakeholders)
- Downtown Gahanna Land-Use Plan (*Draft*)

### **Step Four: Development of the Vision Plan\***

Documenting and understanding the 'vision' through community profiling, real estate trend analysis, and community wants and needs positions the consultants and the city to embark on the creation and development of The Vision Plan. The Vision Plan will illustrate (much like a master plan does) the preferred direction of development and redevelopment within the study area focusing on preferred land-use designation, vehicular and pedestrian linkages from the downtown to recreation areas / neighborhoods / schools / civic areas / etc., priority development areas (PDA's), and green space / park space delineation, structured / surface parking. Coupled with the plan will be a series of renderings that illustrate the 'vision' as to how it will look and feel within the downtown district. The renderings are a very useful tool in communicating graphically the intent of the plan, and what it will accomplish through implementation. Typically the renderings build community consensus, are used to advertise to both the general public and potential developers, and to market the city as a whole.

**Driving question:** *"How do we get there?"*

#### **Tasks:**

- Identification of goals, strategies, implementation agendas and development priorities (one meeting with Stakeholders) and (one meeting with key property owners)
- Finalize Downtown Land-Use Plan (one meeting with Stakeholders)

#### **Products/Deliverables:**

- Vision Plan\* (see definition below) (Downtown Gahanna Master Plan)
- Downtown Gahanna Land-Use Plan (Final)
- Vision Plan Artist Renderings (3)
- Presentation of the goals, strategies, implementation agendas and development priorities and finalized Gahanna Downtown Land-Use Plan (one meeting with Stakeholders)

## **\*Vision Plan**

### **The Definition and Purpose of the Vision Plan document:**

- To guide elected and appointed officials in evaluating proposed public, private, or public/private projects in the downtown core of the City of Gahanna. Specifically, these evaluations will use the Vision Plan (coupled with the forth-coming Downtown Gahanna Design Standards) (see Step 5 thru 10) to determine project worthiness.
- To inform and guide property owners as well as prospective property owners and potential developers as to what is needed, desired and likely to be approved for the downtown, by the City Staff, Planning Commission and City Council.
- To measure progress and effectiveness in the development and re-development of Downtown Gahanna. Projects should have synergetic qualities that strengthen the downtown as a whole. They should encourage an overall healthy mix of businesses and activities. While the Vision document is meant to be broad and general in overall character, there are many specific projects, goals, and policies that will be identified. Included within the Vision Plan text will be a Work Program Matrix which will be used as a checklist for, and a means to, measure effectiveness, development quality and tax base improvements, as well as provide a basis for future citizen survey.

### **Components of the Vision Plan:**

- **Executive Summary:** (Key images from the body of the report and summary conveying the 'Big Ideas' of the plan.
- **Report Summary and Purpose Statement**
  - Qualities of the Vision to which Gahanna Aspires
  - Content/Background
  - Study Area definition
  - Regional Context
  - Community Context
  - Downtown Identification/Analysis
- **Visioning**
  - Overview of the Process by which the Vision Plan was created.
  - Overview of Recommendations ("needs and wants" assessment from Stakeholder and Key Property Owner Meetings)
- **Land Use Plan:** General distribution, location and characteristics of the current and future land-uses and urban form. The Land-Use Plan illustrates land-use policy, showing how existing patterns might change to meet development objectives. Uses to be identified within plan:
  - residential
  - commercial
  - industrial
  - institutional
  - open space
  - recreational
  - agricultural
  - mixed use
- **Urban Design Plan**

Urban design is a strong strategic planning tool. Unfortunately, many cities and developers approach development on a project-by-project basis, often in isolation from adjacent uses and without a comprehensive view of all the forces impacting or impacted by the project. It has been demonstrated that the new ideas and approaches that emerge from an urban design planning process can add significant value to a development/property values and appreciably ease and shorten the public approval process. The components of the Urban Design Plan are as follows:

- **Circulation/Parking Analysis and Plan:** (Circulation plans show street and transit-related improvements. Parking Plans show the location of new or improved parking facilities. Pedestrian and bicycle circulation plans show proposed bike routes and paths, public-private pedestrian circulation routes, and new pedestrian gathering places.
  - **Street Framework Plan/Linkages Plan:** (The streets framework plan identifies existing and new streets. It includes cross sections of streets indicating sidewalks, on-street parking, travel lanes, and medians. The elements in the plan will identify specific circulation problems. Plans will include recommendations for improving sidewalks, reducing vehicles or vehicle speed, creating bicycle lanes and improving access to transit. The elements and policies will promote the connection and flow of all transportation forms to serve people of all ages and abilities.
  - **Open Space Framework Plan:** (The open space framework plan illustrates parks, trails, and "green streets" which are streets designated for enhanced landscape planting and pedestrian amenities, plazas, public space and the connections between them).
  - **Summary of Issues:** (During the planning process, stakeholders and property owners in focus groups and public meetings defined through a S.W.O.T. analysis the strengths, weaknesses, opportunities and threats of the study area and the communities vision of the future. The issues and opportunities that arisen from these meetings are summarized in both narrative and diagrams.)
  - **Program Development**
  - **Perspective Drawings/Renderings:** (Three-dimensional perspective drawings are essential in conveying the sense of place of the urban design plan. Often the general public cannot easily interpret plan drawings; however, eye level and bird's eye view perspectives are often more readily understandable.
- Recommendations / Action Plan
  - Implementation and Phasing Plan: (The implementation section details the mechanisms to make a plan a reality. Among the tools typically included in public and private partnerships, funding sources, regulatory issues, conceptual budgets and a phasing plan with early action and long-range projects described.

**Timeline:**

<b><u>Step One: Profiling the Community</u></b>	<b><u>~ 1-45 days (upon contract approval)</u></b>
<b><u>Step Two: Analyzing the Trends</u></b>	<b><u>~ 46-90 days</u></b>
<b><u>Step Three: Creating the Vision</u></b>	<b><u>~ 91-135 days</u></b>
<b><u>Step Four: Developing the Vision Plan</u></b>	<b><u>~ 136-180 days</u></b>

**Step One thru Four completion: 6 months from contract approval.**



**Consultant Fee:**

**Profile, Analysis and "Vision" Creation of Downtown Gahanna**

Step One: Profiling the Community

Step Two: Analyzing the Trends (Bird-Houk Economics)

Step Three: Creating the Vision

Step Four: Developing the Vision Plan

Fee: Step One thru Four \_\_\_\_\_ \$ 60,000

# **Vision Gahanna!**

## **Vision Plan Implementation**

### **City of Gahanna Downtown Design Standards**

The visioning process yields a "shared vision" of the future of Downtown Gahanna beginning its journey into becoming a reality. Downtown Gahanna's first step in this journey is to set the stage for successful development/redevelopment by implementing a set of Downtown Design Standards that will govern the aesthetics (architecture, signage, landscaping and general site design and the overall function) of the downtown environment.

#### **Step Five: Visioning (revisited)**

Purpose: To define the study area/corridors, design objectives, design goals, schedules, and to review the findings and recommendations of Vision Gahanna!

#### **Assemblage of City of Gahanna Downtown Design Standards Steering Committee**

The Consultant will work with the City of Gahanna staff and with a designated Steering Committee. It is the City's responsibility to appoint members to this committee, but it is expected to be no larger than nine (9) members. Members *could* include: representatives of property/business owners, appointees of the Mayor, and/or the various boards/commissions.

- Development of Design Components

The Design Guidelines/Standards phase will commence with a Steering Committee meeting to review data collection efforts and to establish the Goals and Objectives of the Design Guidelines/Overlay Standards and also to review, discuss and understand what the ultimate 'Vision of Gahanna' will be in the future. This aesthetic vision shall directly reflect and incorporate the established Vision Gahanna! recommendations. This meeting is very important in establishing an aesthetic framework from which the Design Guidelines will be built around.

- Study Area Survey:

Define the boundary of the City of Gahanna Design Guidelines/Overlay Standards. As further groundwork for the guidelines, we will explore the study area by taking walking tours, photographs, and analyzing the context within which the guidelines/overlay will be created.

#### **Project Tasks:**

- Compile base information/maps.
- Meet with City of Gahanna staff and Steering Committee to define study area / collect data / refine and approve the schedule.
- Investigate/inventory study area.
- Prepare Goals and Objectives in collaboration with City staff

#### **Products:**

- Document Goals and Objectives
- Base information of study area

## **Step Six: Draft Design Standards**

Purpose: Create (Draft) City of Gahanna Downtown Design Standards

### **Preliminary Draft of Proposed Urban Patterns:**

The Consultants will create a set of Design Standards for the study area, taking cues from the study areas current character, 'vision' of the future, land-use, real estate values, marketability, and current economic environment. The foundation of the draft guidelines will be based on the Consultants knowledge of elements that are critical to a successful urban and commercial development and redevelopment as well as aesthetics. Development of the guidelines is intended to be primarily a graphic guide, illustrative with visual examples of preferences and recommendations and augmented by text. Specific elements and site planning principles that will be covered by the guidelines are:

- Structures – building types – recommendations for evaluating structure modifications, façade treatments, existing building aesthetic modification, out-buildings, mechanicals, and building controls.
- Frontage Types – diagrams of typical frontage types – recommendations for permitted types, build-to lines, public space, parking screening, etc.
- Signage – contributing sign matrix – recommended types, sizes, locations, colors
- Parking – required parking spaces – recommendations for location, configuration, maximum parking requirements, concepts for clustered/shared parking
- Streets – street classifications – typical type, width, cross-section, on-street parking
- Sidewalks – sidewalk classifications – typical type, paving material, width, cross-section, ADA requirements for sidewalks, curbs, and ramps, etc.
- Lighting – identification of appropriate parking and exterior lighting – recommended fixtures, needs, locations, and intensities.
- Screening – design controls for screening – recommended landscape, wall, and fencing screening types for parking lots, alleys, mechanical units, dumpsters, etc.
- Urban Forestry – landscaping types – planting recommendations for tree lawns, front yards, entry/forecourt areas, corners, etc.
- Urban Accessories – identification of compatible street furnishings – design recommendations for benches, bike racks, mailboxes, newspaper bins, trash receptacles, tree guards, bollards, street/parking lighting, etc.

### **Draft Guidelines Presentation:**

One week prior to the Steering Committee presentation a 'draft' copy will be emailed to the Client to be distributed to all committee members for review. Following the week of review a meeting will be held with the Steering Committee to present the draft guidelines for comment. This meeting will formal introduction of the guidelines focusing on issue areas and any needed corrections or modifications to the draft. Note that this process will consist of one presentation and will include one (1) color draft copy and one digital file (compatible with city software) for the city to reproduce for distribution. Any additional presentation meetings requested by the Client prior to the Final Draft meeting will be billed as an additional fee based on staff time.

### **Project Tasks:**

- Create draft of the City of Gahanna Downtown Design Standards
- Meet with the Steering Committee to present the Downtown Design Standards.

### **Products:**

- One (1) color draft copy and digital file of the Draft Design Standards.
- Internet-based display of work products.

### **Step Seven: Code Review**

Purpose: To review Gahanna Downtown Code and compare it with the recommendations of the Draft City of Gahanna Downtown Design Standards.

#### **Comparison of City of Gahanna Downtown Design Standards with Gahanna Planning and Zoning Code:**

The recommendations contained within City of Gahanna Downtown Design Standards will be guiding principles for maintaining and improving the appearance and vitality of the downtown. In order to make the guidelines strictly enforceable, they must be adopted as part of Gahanna Code. To achieve this, the consultants will first review the existing Code and identify areas requiring updating to become compatible with the recommendations of the Downtown Design Standards. This process will involve meetings with the Client to review problem areas (1 meeting). It is expected that the Client will provide a copy of the most current Code to the Consultant (digital format if possible).

#### **Identification of Conflicting Requirements:**

Gahanna Planning and Zoning Code may need to be modified to make it permissible to accomplish the various Downtown Design Standard recommendations. The City of Gahanna will identify those sections of the Gahanna Code that specifically prohibit or tangentially inhibit the application of the Downtown Design Standards. A list will be generated identifying areas of the Code requiring modification.

#### **Project Tasks:**

- Review Gahanna Code.
- Meet with The City of Gahanna to compare Gahanna Planning and Zoning Code with the Downtown Design Standards

#### **Products:**

- Summary memo outlining Code requirements that conflict with the implementation of the City of Gahanna Downtown Design Standards.

### **Step Eight: Public Open House**

Purpose: To build public consensus, obtain public feedback.

#### **Public Open House**

The Consultants will assemble data collected and created through Task II: Draft City of Gahanna Downtown Design Standards to present in a public forum (1 meeting). Displays will illustrate through words, sketches, and photographs the intent of the Draft. A questionnaire will be developed and made available at the open house along with an announced internet based site for further comment. Public input will be documented and made available to the Steering Committee in digital format for review.

#### **Project Tasks:**

- Create Displays for Public Open House
- Develop questionnaire

#### **Products:**

- Display boards for presentation.
- Questionnaire
- Summary document of public input.

### **Step Nine: Enabling the City of Gahanna Downtown Design Standards**

Purpose: To enable the City of Gahanna Downtown Design Standards

#### **Identification of the City of Gahanna Downtown Design Standards Implementation Method:**

The Consultants will examine the City's existing enabling legislation methods for codifying the City of Gahanna Downtown Design Standards. The Consultant shall devise and recommend the best method to codify the Downtown Design Standards. The standards shall be practical, enforceable, and encourage compliance. These standards will probably take one or more of the following forms: a new design standard section, a design standard matrix of requirements, and/or an overlay zoning district for the study area. In addition, the Code could be modified to indicate what is not permitted. The results of this investigation will be shared with the City staff, and together, the Consultant and Client will choose the preferable method(s) for updating the Code.

#### **Project Tasks:**

- Meet with City of Gahanna staff to review Code issues/concerns.

#### **Products:**

- Summary memo outlining recommended Downtown Design Standards format.
- Create Development Checklist to aid in the submittal process

### **Step Ten: Final City of Gahanna Downtown Design Standards**

Purpose: To consolidate the comments, corrections, and changes into the preferred final City of Gahanna Downtown Design Standards.

#### **Revise Design Guidelines**

The Consultants will receive written comments from the Client, Steering Committee and public input to incorporate into the final Draft. The final draft of the Design Guidelines/Overlay Standards will respond to the input from the presentation of the draft. The final draft will be created, illustrating the preferred architectural design controls, site design controls, signage design controls and incentives (if any). The Design Standards will be organized into an 8.5 x 11-inch laser-printed document and will also be provided in digital format.

#### **Presentation of the Final Design Guidelines**

One meeting will be held for the Consultants to present the final City of Gahanna Downtown Design Standards to the Steering Committee. This includes one (1) color copy and one digital file for the city to reproduce for distribution. Any final corrections necessary prior to recommendation to Gahanna City Council will be made during this time. Prior to adoption, the Consultants will be available to answer questions before the following City bodies: Planning Commission and City Council. However, any of these additional presentation meetings requested by the Client beyond the Planning Commission and the City Council Presentations will be billed as an additional fee based on staff time.

#### **Recommend Adoption of Design Guidelines**

The Consultant will attend a City Council meeting for the purpose of supporting and recommending the adoption of the final City of Gahanna Downtown Design Standards (1 meeting). The Consultants will be available to present to the Council and answer specific questions. This includes one (1) color copy and one digital file (compatible with city software) of the final guidelines for the city to reproduce for distribution. Any additional presentation meetings requested by the Client after the City Council meeting will be billed as an additional fee based on staff time.

**Project Tasks:**

- Create final City of Gahanna Downtown Design Standards.
- Meet with Steering Committee to present the Final Design Standards
- Meet with the Planning Commission to receive recommendation to approve an amendment to Zoning Code to codify the Design Standards
- Meet with the Gahanna City Council to present for adoption the Design Standards (one meeting).

**Products:**

- One (1) color copy and one digital file of the final draft of the Design Standards in 8.5 x 11-inch format, produced on laser copy for the Client to reproduce for the Steering Committee.
- One (1) color copy and one digital file of final Design Standards in 8.5 x 11-inch format, produced on laser copy for the Client to reproduce for the City Council and the City staff.
- Internet-based display of work products.

**C. Project Schedule**

Bird Houk Collaborative expects to complete this project within six months from authorization to proceed. This assumes the meeting schedule as described above. Meeting postponement, project tabling at public meeting(s), additional meeting requests, or heavy revision requests could lengthen this project timeline.

**Development of the City of Gahanna Downtown Design Standards**

Step Five:	Visioning
Step Six:	Draft Downtown Design Standards
Step Seven:	Code Review
Step Eight:	Public Open House
Step Nine:	Enabling Downtown Design Standards
Step Ten:	Final City of Gahanna Downtown Design Standards

**Fee: Step Five thru Step Ten**\_\_\_\_\_ **\$ 75,000**

## **2008 Terms and Conditions of Agreement**

**By and between Bird Houk & Associates, Inc. D/B/A Bird Houk Collaborative and City of Gahanna as provided in the proposal dated 03-10-08 for City of Gahanna Downtown Design Standards**

**FEES AND EXPENSES** See attached Proposal.

**HOURLY RATE SCHEDULE** Work performed on a hourly basis (as defined in the Scope of Services) will be billed out per the following rate schedule:

MANAGING PRINCIPAL	\$150/HR.
PRINCIPAL	\$120 - \$135/HR.
ASSOCIATES	\$ 90 - \$95/HR.
SENIOR PROFESSIONAL	\$ 80 - \$90 /HR.
PROFESSIONAL STAFF	\$ 65 - \$80 /HR.
ADMINISTRATION	\$ 45 - \$55/HR.
INTERN	\$ 30 - \$45 /HR.

**ADDITIONAL SERVICES** If the Scope of Services is revised and not covered in this Agreement, we will advise you as to the changes needed. Additional Services not covered in the attached Scope of Services will be billed on an hourly rate per the above Hourly Rate Schedule. These services will not be undertaken without the authorization of the Client.

**INVOICES & PAYMENT** Invoice's will be sent on a monthly basis based on work completed. Payment shall be due from the Client within thirty days of the invoice date. **Commencing sixty days after the date of invoice, payments due under this Agreement will be charged a service charge fee at a rate of one and one-quarter (1-1/4%) percent per month.** If payment has not been received within ninety (90) days after invoice date, we reserve the right to stop work on the project and retain all documents. In the event of non payment of fees and expenses due under this agreement, the Client agrees to pay all customary and reasonable attorney fees, collectors' fees, court costs, and interest incurred until time of payment.

**SATISFACTION WITH SERVICES** Payment of services will be taken to mean that the Client is satisfied with our services to date of payment and is not aware of any deficiencies in those services. Bird Houk will take all measures to insure that our services performed are consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

**SUSPENSION OF SERVICES** If the Client fails to make payments when due or otherwise is in breach of this Agreement, Bird Houk may suspend services upon seven (7) days written notice to the Client. Bird Houk shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client. Upon payment in full from the Client or settlement of the breach in Agreement to the satisfaction of Bird Houk, we shall resume services under this Agreement. The time schedule compensation shall be reviewed and adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for Bird Houk to resume performance.

**TERMINATION OF AGREEMENT** This Agreement may be terminated by either party, upon seven (7) days written notice with or without cause. In the event of termination not initiated by Bird Houk, we shall be compensated for all services performed to the date of termination, together with reimbursable expenses then due.

**DISPUTED INVOICE** If the Client objects to any portion of an invoice, the Client shall notify Bird Houk in writing within fifteen (15) days of receipt of the invoice. The Client shall identify in writing the specific cause of the disagreement and the amount in dispute and shall pay the portion of the invoice not in dispute in accordance with the other payment terms of this Agreement. All efforts shall be used to resolve the disputed amounts in an equitable and fair manner.

**RETAINER** The Client shall deposit a retainer of       \$0       with Bird Houk prior to commencement of professional services. Said retainer shall be credited off fees as outlined in this Agreement.

**REIMBURSABLE EXPENSES** Unless otherwise stated in the attached Scope of Services, Direct Project Expenses incurred by Bird Houk in connection with the performance of the work shall be reimbursable at cost plus 10%. Expenses include but are not limited to travel, printing and reproduction (excluding those for internal use), courier and overnight services etc., incurred during the performance of professional services for the project. If any review fees or permit fees are required during the course of project development, this fee will also be paid directly by the Client unless separate arrangements have been made with Bird Houk.

**USE OF DOCUMENTS** The documents, reports, specifications, calculations, electronic files, field data, notes and other documents and instruments prepared by Bird Houk are instruments of service for use solely with respect to this project. Bird Houk shall retain all common law, statutory, and other reserved rights, including the copyright. The Client shall not reuse or permit the reuse of Bird Houk documents except by mutual agreement in writing.

**ELECTRONIC DATA** Electronic data transferred to the Client shall be used solely for the purpose of the coordination and expediting of work, for the current project and for no other purpose. Except for the preceding purpose, no alterations shall be made whatsoever to said electronic data without the written consent and at the direction of Bird Houk. Bird Houk, makes no warranty either expressed or implied, as to the quality or content of information contained in said electronic data. Further, said electronic data shall not be assigned to any other party.

Bird Houk cannot be guaranteed electronic data to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, incomplete, or contain viruses. The Client agrees that all electronic files are instrument of services rendered by Bird Houk. By accepting electronic data, the Client acknowledge these risks and agrees to waive any and all claim.

**PROPRIETARY INFORMATION** The Client agrees that the technical methods, design details, techniques and pricing data contained in any material submitted by Bird Houk pertaining to this Project or this Agreement shall be considered confidential and proprietary. This information shall not be released or otherwise made available to any third party without the express written consent of Bird Houk.

**CHANGED CONDITIONS** If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to Bird Houk are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks or other material terms of this Agreement, Bird Houk may call for re-negotiation of appropriate portions of this Agreement. Bird Houk shall notify the Client of the changed conditions necessitating re-negotiation. Bird Houk and the Client shall promptly and in good faith enter into re-negotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement, in accordance with the Termination provision hereof.

**INSURANCE LIABILITY** Bird Houk shall carry and maintain General Liability Insurance of at least \$1,000,000 each occurrence and \$2,000,000 general aggregate. Bird Houk shall care and maintain Professionals Liability Insurance of at least \$2,000,000 each claim and \$2,000,000 aggregate. Bird Houk will carry Worker's Compensation insurance as required by law.

**LIMITATION OF LIABILITY** The Client understands that all planning studies, zoning documents, conceptual or schematic design studies and contract document progress prints are not to be used for construction. In as much, the Client agrees to indemnify and hold harmless Bird Houk, the design professional, due to the consultant professional negligent acts, errors or omissions, against any and all claims, damages, awards and cost of defense which may arise out of the use of these documents for construction.

The Client understands that there may be misinterpretations of the design professional's plan and specifications during construction, which may lead to errors and subsequent damage. If the Client has elected to proceed with the work without Bird Houk providing construction review services, the Client agrees to indemnify and hold-harmless Bird Houk Collaborative and the design professional against any and all claims, damages, awards and cost of defense, which may arise out of the acts of the contractor performing work not in compliance with the intent of the documents.

**AGREEMENT**

- This Agreement will supersede all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Client and Bird Houk.
- Bird Houk has been commissioned by the Client to provide professional services which are independent of whether the project for which they are provided is executed or not. The Client shall compensate Bird Houk for services provided in accordance with the Project whether it is executed or not.
- Please sign this agreement and return one copy to our office.

ACCEPTED  
BIRD HOUK ASSOCIATES, INC.

ACCEPTED

---

---