



PLANNING REPORT

Planning and Zoning Commission

Thursday, September 7, 2023

SHIHAB LAW OFFICE 22-150FDP/23-020PP

www.dublinohiousa.gov/pzc/22-150

www.dublinohiousa.gov/pzc/23-020

Case Summary

Address	PID: 273-004511
Proposal	A preliminary plat and final development plan for the construction of a one-story, 10,525-square-foot, law office building.
Request	Request for review and approval of a Final Development Plan (FDP) under the provisions of Zoning Code Section 153.055, and review and recommendation of approval of a Preliminary Plat (PP) under the provisions of the Subdivision Regulations.
Zoning	PCD – Planned Commerce District, Thomas Kohler, Subarea C
Planning Recommendation	<u>Approval of the Text Modification.</u> <u>Approval of the Final Development Plan with Conditions.</u> <u>Approval of the Preliminary Plat with Conditions.</u>
Next Steps	Upon approval of the Final Development Plan, the applicant may file for building permits through Building Standards.
Applicant	Gene McHugh, Design Collective
Case Manager	Zachary Hounshell, Planner II (614) 410-4652 zhounshell@dublin.oh.us

Site Location Map

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- Site Features**
- 1 Undeveloped land
 - 2 Existing shared-use path
 - 3 Tree line



1. Background

Site Summary

The 2.86-acre site is located northwest of the intersection of Woerner-Temple Rd (\pm 374 feet of frontage) and Emerald Parkway (\pm 265 feet of frontage). The vacant site is comprised of one parcel (PID 273-004511) and is 2.86 acres in size. The existing lot contains a row of mature trees and an existing shared-use path along the west property line. A 75-foot landscape and bike path easement and a 30-foot utility easement are along the western property line. A City of Dublin 30-foot utility easement run along the eastern and southern property lines.

Development History

In 1996, the Planning and Zoning Commission (PZC) forwarded a positive recommendation to City Council to approve a rezoning of the site from Rural District and R-1, Restricted Suburban Residential District to Planned Commerce District (PCD) for the proposed uses of office and retail. City Council approved the rezoning in 1996. The site is located within Subarea C within the Thomas-Kohler Planned District, which encompasses approximately 120 acres.

In September 2022, the Planning and Zoning Commission reviewed and provided feedback on an informal review application for the Shihab Law Office. The Commission provided the following comments:

- Support for the proposed uses, architecture, and signs
- Concern about the site layout
- Concern about the viability for future development of the northern parcel
- Concern about the site access and site parking
- Concern over future vehicle-oriented uses occupying the site

Updates

Since the Informal Review application, the applicant has provided the following updates to the plan to address Commission and Staff comments:

- Modifications to vehicular circulation and parking locations
- Conceptual site capacity study of northern parcel
- Modification to location of dumpster enclosure
- Modifications to proposed signs
- Building material updates and changes

Process

Approval for the development of a PUD/PCD is a three-step process, which includes:

- 1) Informal Review (Optional Step)
- 2) Concept Plan (CP)
- 3) Preliminary Development Plan (PDP)/Rezoning
- 4) Final Development Plan (FDP)

The FDP is the final review step for development of a PUD/PCD. At this stage of review, the PZC makes a determination based on conformance with the PDP and the approved development text. The FDP provides final design details including building, landscape and sign design.

The project also includes a Preliminary Plat (PP), which requires a recommendation to City Council for the final determination. A Final Plat (FP) is the final step in the platting process, which will be submitted at a future date.

2. City Plans and Policies

Future Land Use

The Community Plan identifies the future land use as *Standard Office and Institutional*, which includes areas with frontage along major collector streets with secondary visibility and access. Gross densities do not typically exceed 12,500-square-feet per acre. The existing Thomas Kohler PCD development text established in 1996 conforms to the Community Plan recommendation, and the proposed development will be required to meet the regulations outlined in the text.

Interim Land Use Principles

As Envision Dublin, the City's Community Plan update, is developed, City Council has adopted Interim Land Use Principles to guide development during this transition. The goal was to provide a clear policy document to supplement adopted plans and accepted planning practices in the interim. These principles are to be utilized similar to the recommendations of the Community Plan, as both are guiding policies and principles for the City. These policies were not established to supersede Zoning Code requirements. The following principles apply to this request:

1. Focus Growth
The project furthers the development of the Emerald Parkway corridor as a premier office location.
2. Be Distinctly Dublin
The proposed building provides high quality architectural design and building materials that contribute to Dublin's identity.

3. Project

Proposal

The applicant is proposing to split an existing single parcel into two parcels for the construction of a single-story, approximately 10,380-square-foot law office and fitness center on the southern proposed parcel.

Use

The applicant is proposing a professional office and fitness center building. Both uses are permitted uses in the development text. The Commission expressed concern over the potential for the site to be utilized by a vehicle-oriented business in the future, due to the proposed attached garage for the business. The development text and Community Plan do not permit vehicular-oriented businesses in subarea C of the Thomas Kohler PCD. The text modification is not required to address a use that is not permitted.

Site Layout

The building is located in the southeast corner of the parcel with parking to the west and north (rear) of the building. The western portion of the building will contain the law office, with the main building entrance in the middle, and the northern portion of the building will contain the fitness center. A patio is provided in the northwest corner of the building, with the dumpster

location directly north of the patio. The applicant has removed all vehicular circulation and parking forward of the building. Access is proposed from Emerald Parkway adjacent to the northern property line (right-in / right-out), and on Woerner-Temple Rd at the western end of the site (full access in / right out). The applicant has worked with Staff to solidify these access locations, of which Staff is supportive. Finally, a detention pond is located in the northwest corner of the site, between the existing shared-use path and proposed development.

Setbacks and Lot Coverage

The site requires a 50-foot building setback and a 30-foot pavement setback on Emerald Parkway and Woerner-Temple Rd. A minimum 75-foot building and pavement setback is required on the western boundary of Subarea C. Side and rear yards are required to have a setback of 12.5 feet for both buildings and pavement setback along the northern property line. The proposal meets the requirements. With the creation of the second lot, a text modification is proposed to allow for the pavement and building setbacks to be decreased to 0 feet. This text modification would allow for the drive aisle and parking to be located in their current configuration. This would only be applicable to the shared property line of the 2 created lots.

The maximum lot coverage permitted within Subarea C is 70 percent of the total lot area, which the proposal meets at 48 percent. The maximum permitted density in Subarea C shall not exceed 10,000 sf/ac for office and retail uses. With the proposed lot split, the applicant is proposing a 10,380-square-foot building on a 1.820-acre site. The density requirement is met.

Parking

Code requires 1 parking space per 250 square feet for general office and fitness centers, which requires 42 parking spaces for a 10,380-square-foot building which is met, as shown on the plans. Parking is shown to the side and rear of the proposed building and along the Emerald Parkway and Woerner-Temple Road frontage. 2 of the 42 spaces are located within an attached garage, accessed to the rear of the structure.

Architecture

The building is comprised of two wings and a rotunda. The proposed architecture uses primarily red brick and stone, with soldier brick coursing to add visual interest. The roof design accommodates a combination of hip and gable roofs with a bronze standing seam metal. The gables and rear of the building are proposed as beige stucco to complement the earth tones of the stone veneer. The applicant is proposing to hide any rooftop mechanical units via the building's architecture and pitched roofs. Other features, including light fixtures, roof coping, window framing, etc., will be bronze to match similar features in surrounding development. Both main entrances into the building are emphasized by bronze metal canopies on the southeast and north facades of the building. The proposed materials are permitted in the development text, and the building design is complementary to existing buildings in the development.

Landscaping

Landscape treatments along Emerald Parkway will conform to the Emerald Parkway Landscape Plan, as shown in the PDP, in addition to the requirements noted in the development text and the Dublin Zoning Code. The site contains a 75-foot landscape buffer and bike path easement, which the applicant is proposing to meet. Landscape screening is proposed for vehicular use

areas including parking and the dumpster enclosure. The applicant should work with Staff to finalize the landscape plan.

Signs

The applicant is proposing 2 wall signs on the proposed building. The first sign is 18.5 square feet in size and located on the southeast corner of the building. The sign is attached to the canopy above the main office entrance, at a maximum height of 13 feet. The sign is constructed of internally-illuminated white channel letters. The second sign is 11.3 square feet in size and located on the northeast corner of the building. The sign is mounted to the east façade of the building at a maximum height of 12 feet, adjacent to the fitness center entrance on the north façade. The sign is constructed of internally-illuminated white channel letters.

Preliminary Plat

The applicant is proposing to split the existing lot into 2 separate lots. Per the plans, Lot 1 is 1.82 acres in size and located south of the 2 lots. Lot 2 is 1.037 acres in size and is the northern lot. The applicant is proposing to develop Lot 1 with this proposal, allowing Lot 2 to be developed in the future. No plans are currently in place to develop Lot 2. The plat identifies the location of private shared access easements for both lots, drainage easements for underground stormwater storage, a 75-foot landscaping and bike path easement along the west property line, and additional building line and easement information. The applicant should work with Staff to update any minor technical changes prior to submitting to City Council.

At the previous Commission meeting in 2022, the Commission expressed concern over the development potential of Lot 2. With this submittal, the applicant has provided a conceptual site capacity study with the application to demonstrate the ability to develop the site under current zoning regulations. The exhibit provides conceptual locations of buildings and parking, with shared access to the Lot 1 access drives. Staff is comfortable with the proposed lot split and viability of Lot 2 to be developed in the future.

4. Plan Review

Minor Text Modifications: Section 153.053(E)(2)(b)(4)(b)

Criteria

- 1) The Planning and Zoning Commission determines that, for this Planned District, the code compliance is not needed in order to ensure that the Planned District is consistent with the Community Plan and compatible with existing, approved, or planned adjacent development;
- 2) The Planning and Zoning Commission determines that the proposed modification does not significantly alter the list of permitted or conditional uses, cause an inappropriate increase in density or cause inconsistencies with the Community Plan;
- 3) The proposed modification results in a development of equivalent or higher quality than that which could be achieved through strict application of the requirement(s);
- 4) The principles of §153.052(B) are achieved; and
- 5) The development, as proposed on the final development plan, will have no adverse impact upon the surrounding properties or upon the health, safety or general welfare of the community.

Request	Review
1. To modify the development text; under the Thomas Kohler PCD: Section C3.06, Setback Requirements, to permit a pavement and building setback of 0 feet along the shared property line of Lots 1 and 2, as indicated on the preliminary plat for PID:273-004511 (Case #23-020PP).	Criteria Met: The proposed text modification retains consistency with the recommendations of the Community Plan and allows the development to operate in an orderly and efficient manner. The modification allows for shared access between the 2 created lots, and minimizes the locations and coverage of impervious area between the sites.

Final Development Plan

Criteria	Review
1. The plan conforms in all pertinent aspects to the approved Preliminary Development Plan.	Criteria Met with Text Modification: The proposed office and fitness building is consistent with the approved development plan with the approval of the Text Modification.
2. Adequate provision is made for safe and efficient pedestrian and vehicular circulations within the site and to the adjacent property.	Criteria Met: The proposal provides safe and efficient circulation through the site, and accommodates pedestrian access to the existing sidewalk and shared-use path network.
3. The development has adequate public services and open spaces.	Criteria Met: The proposal has access to necessary utilities and does not negatively impact current open space.
4. The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in the Code.	Criteria Met: The proposal does not impact existing natural characteristics of the site. Existing vegetation and trees along the shared-use path will be preserved with the development.

5. The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.

Criteria Met: The proposal provides lighting that is consistent with the requirements of the development text.

6. The proposed signs are coordinated within the PUD and with adjacent development.

Criteria Met: The proposed signs meet the requirements of the development text, and are designed complementary to the adjacent properties.

7. The landscape plan will adequately enhance the principle building and site; maintain the existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate.

Criteria Met with Conditions: The applicant has proposed the required landscaping for the site, but should work with Staff to finalize the landscape plan for planting locations and selections.

8. Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in the Code and any other design criteria established by the City or any other government entity which may have jurisdiction over such matters.

Criteria Met with Conditions: The applicant will continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances.

9. If the project is to be carried out in progressive

Not Applicable: The development will take place in one phase.

stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.

10. The proposed development is compliant with other laws and regulations. **Criteria Met:** The proposal meets all other applicable laws and regulations.

Preliminary Plat/Final Plat Criteria

Criteria	Review
1. Plat Information, Zoning Code, and Construction Requirements	Criteria Met: The applicant has provided all required technical information on the plat.
2. Lots, Street, Sidewalk, and Bike Path Standards	Criteria Met: All necessary standards have been provided as part of the plat.
3. Utilities	Criteria Met: The plat identifies or establishes all necessary easements for the construction and maintenance of all utilities.
4. Open Space Requirements	Not Applicable: open space requirements are not applicable to commercial/office development in the Subdivision Regulations.

Recommendation

Planning Recommendation: Approval of Minor Text Modification to modify the development text; under the Thomas Kohler PCD: Section C3.06, Setback Requirements:

- 1) The pavement and building setback shall be 0 feet along the shared property line of Lots 1 and 2, as indicated on the preliminary plat for PID:273-004511 (Case #23-020PP).

Planning Recommendation: Approval of Final Development Plan with conditions:

- 1) The applicant work with Staff to finalize the landscape plan; and,
- 2) The applicant continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances.

Planning Recommendation: Approval of the Preliminary Plat with conditions:

- 1) The applicant should work with Staff to update any minor technical changes prior to submitting to City Council.