



To: Planning and Zoning Commission
From: Vince Papsidero, FAICP, Planning Director
Date: May 17, 2018
Initiated By: Devayani Puranik, Senior Planner
Re: DCAP - Neighborhood Meeting on April 4, 2018

Summary

On April 4, 2018, Planning staff hosted a neighborhood meeting with representatives from Llewellyn Farms, Waterford Village, and Mid-Century Modern neighborhoods to discuss their concerns regarding the Dublin Corporate Area Plan. Approximately 18 residents attended the meeting held at the Dublin Chamber of Commerce. Staff attendees were Vince Papsidero, Tammy Noble, Devayani Puranik, JM Rayburn, and Richard Hansen.

The focus of this meeting with residents was two-fold: first, to address pending concerns identified in a February 17, 2018 letter addressed to the Planning and Zoning Commission by the Llewellyn Farms HOA and second, to reach a consensus on next steps for the Dublin Corporate Area Plan planning process for review by Planning and Zoning Commission and review and adoption by City Council.

The meeting format followed a roundtable discussion format rather than a PowerPoint presentation. Staff prepared two informative handouts and distributed them to residents at the meeting. One handout illustrated the Planning Process Overview that highlighted the difference between a Community Plan, a Special Area Plan, and Zoning.

The second handout was a 10-page document that provided a staff response to the concerns identified in the Llewellyn Farms HOA letter. Each neighborhood concern included a staff response and a reference to the Zoning Code section, where applicable (please refer to attachment).

Neighborhood concerns included the following:

- Development standards for sites 10 and 11 (DCAP draft, page 33);
- Rezoning to Planned Unit Development;
- Open space allowance;
- Building heights;
- Building setbacks;
- Lighting and windows;
- Hours of operation for nearby businesses;
- Tree preservation;
- Landscape buffering;
- Landscape screening;
- Fencing;
- Protection of Cramer Creek;
- Building materials and architectural design; and
- Commercial trash collection.

The majority of discussion focused on the difference between plans as policy documents and development standards that are regulated within the Zoning Code, in each with a focus on the level of detail that is addressed within the specific document. It was noted by staff that zoning has legal authority that supersedes adopted plans, which are policy.

In addition, site 11 on Cramer Creek Court was discussed relative to developability, stream protection, tree preservation, buffering of residential properties, and character of new development. The constraints for new development due to existing zoning standards, stream corridor protection requirements, and tree preservation requirements were discussed in detail.

The general discussion among attendees resulted in support for proceeding with the plan in its current draft form without changes. Residents expressed clear support of the proposed comprehensive rezoning of the planning area as conceived in the plan, as first step of implementation upon adoption (this process would address a majority of the residents' concerns). It was noted that the rezoning project would be a long term and intensive process of engaging all commercial property owners in the 990 acres, as well as adjacent neighborhoods.

The meeting concluded with a group consensus in support of moving forward with the final review and adoption of the Dublin Corporate Area Plan by City Council in its entirety.

Recommendation

Info only.

Neighborhood Meeting Handout

PLANNING PROCESS OVERVIEW

WHAT IS A COMMUNITY PLAN?

A Community Plan is the City's policy document that informs growth and development decisions. The Community Plan:

- Establishes the long term vision and goals for land use, transportation, utilities, recreation, open space and aesthetics.
- Provides a long range vision for the next **20 to 30 years**.
- Ensures development occurs in a predictable and compatible manner.
- Provides guidance when reviewing rezoning and development applications.
- Provides an essential resource for staff, boards and commissions, and City Council.

WHAT IS A SPECIAL AREA PLAN?

A Special Area Plan provides additional detailed policy guidance for specific parts of the City. A Special Area Plan:

- Provides a schematic representations of potential development options.
- Identifies conceptual locations of streets, buildings, parking, open space and circulation to inform private development decisions.
- Defines a character that fosters a sense of place and establishes community identity.
- Has a long term implementation span of **20 to 30 years**.

WHAT IS ZONING?

Zoning is a legal mechanism that is used to govern land development. Zoning:

- Implements the vision and goals established in the Community Plan and Special Area Plans through the creation and administration of regulations.
- Defines permitted uses, setbacks, building height, densities, parking, lot coverage, landscaping, buffering, and open space requirements.
- Varies by location or district; requirements are based on the desired character envisioned for the area.

Community Plan



Special Area Plan



Zoning





Dublin Corporate Area Plan

The Dublin Corporate Area Plan was initiated in 2016 to revitalize Dublin's legacy office parks by providing amenities and services to the City's workforce and nearby residents. It is a policy document and includes broad principles and general policies upon which development in the City will be regulated through the zoning process. The plan itself has no direct, legal authority; its adoption does not regulate or change the use of land. The Zoning Code establishes the legal basis upon which development and redevelopment is regulated, thereby implementing the plan's broad policies.

The plan includes a Future Land Use Map that reflects the City's land use policy for specific parcels, typically grouped together into districts. The planning horizon reflects a vision for development over the next several decades. The Zoning Code includes a Zoning District Map that classifies properties by zoning district. Each district has its unique set of permitted or conditional uses, as well as related development standards.

The Future Land Use Map is not intended to be immediately translated into zoning. Rather, the concepts and policies associated with the Community Plan are intended to be implemented over time. Along with the rezoning of individual properties, another way to implement the plan is to amend zoning districts and development regulations within the Code.

In order to address pending concerns identified in the letter by Llewellyn Farms HOA, dated February 2, 2018, the concerns and relevant draft plan recommendations and Zoning Code references are listed in the attached document. In general, the Code addresses a majority of the noted concerns.

Key:

Black: Reference to the Letter from Llewellyn Farms HOA

Green: Response by staff

Gray: Reference to Zoning Code section

Sites 10 and 11 and Development Standards

Neighborhood Concern: Concerns were raised regarding the future development of Sites 10 and 11, as illustrated in the draft plan. The plan doesn't provide sufficient detail regarding development standards, specifically:

- use allowances,
- parks/open space,
- building height,
- building setbacks,
- lighting/windows,
- hours of operation/lights-out hours,
- parking lot lighting,
- landscaping/buffering/fencing,
- environmental protections,
- materials & building design, and
- trash collection.

Staff Response: The Dublin Corporate Area Plan is a policy document with broad development recommendations and concepts to guide future development and redevelopment. The details listed above are regulated through Zoning Code.

Rezoning to Planned Unit Development

Neighborhood Concern: Creation of a Planned Unit Development ("PUD") for all parcels within the newly created (MUR-4 Llewellyn Farms Office District), per adoption of DCAP. PUD to incorporate more stringent resident protections (including zoning and development standards) for parcels East of Frantz Road.

Staff Response: The use of the Planned Unit Development district is intended for vacant parcels or special cases because it establishes zoning rights with the approval of the Preliminary Development Plan. PUD District applied "retroactively" to developed sites present significant challenges. If Council decided that such a mechanism was appropriate, a new PUD "2" district would have to be created. This would be a legislative process involving the Planning and Zoning Commission and City Council.

If Council adopted such a PUD "2" district, then the next step would be for the City to apply the new district to individual properties through the rezoning process. This would require negotiations with each individually affected property because their current package of development rights could be impacted by new PUD rezoning (which would have its own development standards). This would take time and resources to accomplish prior to submittal of a rezoning for each parcel to the Planning and Zoning Commission and City Council.

Open Space

Neighborhood Concern: These concerns related to the provision of open space, especially within private commercial development sites.

Use Allowances:

1. Parks/open space; and,
2. Neighborhood-scale office (like existing one-story office buildings south of Cramer Creek) (for example IACE Travel Agency located at 201 Bradenton Avenue).

Parks/Open Space:

1. Parks have not been incorporated into any of the existing commercial development abutting neighborhoods.
 - a. The DCAP hints at incorporating these features but does not provide any specific recommendations.
 - b. Residents would like to offer feedback on incorporating park space into future development/redevelopment.

Staff Response: In terms of open space, the Zoning Code includes various requirements for the provision of publicly accessible open space, but not directly within private commercial sites (other than in the Bridge Street District). However, the Code limits the amount of private property that can be covered with buildings and parking (thereby creating privately owned open space), and landscape and buffer requirements that provide aesthetic enhancements to private property while buffering adjacent properties.

In addition, active public parks are located strategically within the City of Dublin easily accessible for neighborhoods surrounding the parks. Llewellyn Farms Park and the Field of Corn are the active parks within the area, while environmentally sensitive areas such as stream corridors are either protected as open spaces or stream corridor protection zones as required by City's storm water manual.

In terms of the Zoning Code, park dedication is required for all residential subdivisions under the Final Plat requirements, Open Space Requirements (§152.086). The Bridge Street District has provisions for commercial development to provide parkland or publicly accessible open space because of the urban nature of that development pattern.

Building Heights

Neighborhood Concern: Several concerns were raised regarding building heights. Specifically the plan reference to a two-story height limit adjacent to neighborhoods and the basis upon which the height would be measured. And that the two-story height limit didn't reflect the

predominant pattern in the Cramer Creek office park. The preference expressed was for one-story and 15 feet.

Staff Response: The plan has height restrictions that permit one- to two- story buildings within close proximity of single-family neighborhoods in order to provide appropriate transition between these uses.

The policy recommendation for a two-story height limit is in response to earlier neighborhood comments and provides a policy balance between these neighborhood concerns and private property rights, particularly given the pattern in Cramer Creek. This is compounded by the fact that the current zoning of the specific parcel in question does not have a height limit, per Code. The plan will not define how a story is measured, as that is addressed in the Zoning Code and Building Code for consistency across the City.

Building Setbacks

Neighborhood Concern: The plan does not address building setback requirements relative to the vacant parcel in the Cramer Creek office park.

Staff Response: Identifying setback standards is beyond the Plan's scope because plans are policy documents that present broad concepts and policies. Building setbacks and other development standards are codified (and regulated) in the Zoning Code. The Code requires parking and building setbacks from front, side, and rear property lines. The front yard setback is based upon the right-of-way width of the adjacent road (a 100-foot-wide right-of-way requires a building to be placed no closer than 100 feet as measured from the road centerline). In the Suburban Office and Institutional District, side and rear yard setbacks are calculated by a formula that takes into account the height and width of the associated building. As buildings increase in height and width, the setback requirements increase proportionally. As a result, the vacant parcel in Cramer Creek is automatically constrained in terms of the height of a building because the parcel is narrow and the associated side and rear setbacks automatically constrain the development of the property (an illustration of these constraints is provided in the attachment).

Lighting and Windows

Neighborhood Concern: Restrictions should be included the plan that regulate the amount of transparency, placement and number of windows on the second floor of a building on the vacant parcel in Cramer Creek.

Staff Response: The Zoning Code regulates exterior lighting using footcandles as a means of measuring the intensity of such light. The purpose is to prevent light trespass onto adjacent

properties. The City does not regulate light levels inside buildings. Below is the specific Code requirements for exterior site lighting:

Exterior Lighting Requirements (§153.149 (C)(3)(b))

Light originating on a site shall not be permitted beyond the site to exceed the following values when measured at grade, 10 feet beyond the property line for the following adjacent properties:

- Residential: 0.3 footcandles
- Industrial/warehouse: 1.5 footcandles
- Multi-family: 0.5 footcandles
- Office/commercial: 1.0 footcandles

Hours of Operation

Neighborhood Concern: The neighborhood requests that future office tenants on the vacant parcel on Cramer Creek limit their hours of operation and blinds must be used to reduce light shining onto adjacent neighbors.

Staff Response: A special area plan will not address such a definitive issue, whether for one parcel or an entire district. Hours of operations can be addressed through the Zoning Code (e.g. Historic District South) or as part of a negotiation with a developer (rezoning with a development text) or as a good neighbor agreement (private contract).

Parking Lot Lighting

Neighborhood Concern: Parking lot lighting should have downward facing fixtures.

Staff Response: The Zoning Code requires light fixtures that are downward cast and do not reflect lighting beyond a designated distance (footcandle). This requirement is reviewed at the building permit stage. Below is the specific Code requirement:

Exterior Lighting Requirements (§153.149)

(C)(2)(b) Except as otherwise provided below, light fixtures shall be no higher than 20 feet (measured from the ground to the top of the fixture) and shall be provided with light cut-off fixtures that direct light downward.

(C)(3)(c) Parking lot illumination for parking lots exceeding 150 spaces constructed after the effective date of this amendment shall be reduced by 50% of full lighting levels at 10:00 p.m. or within one hour after the use for which the parking is used closes, whichever is later, subject to the following:

1. Lighting levels may be reduced either by turning off 50% of the fixtures or by reducing the lighting level of all fixtures, or an appropriate combination of techniques.
2. At the option of the property owner to enhance security, full lighting may be maintained for all spaces within 150 feet of the main entrance.

Tree Preservation

Neighborhood Concern: Existing tree lines should be protected and expanded for neighborhoods abutting the DCAP area.

Staff Response: The Zoning Code includes tree preservation requirements that require the preservation of healthy trees over six inches in caliper, and if approved to be removed, are replaced on an inch by inch basis. By Code and practice, tree removal in sensitive areas (floodplains, existing tree rows) are highly discouraged from removal. The Code also requires landscaping buffers between incompatible land uses, parking lot screening and perimeter buffering. Below is the Code reference:

Tree Preservation Requirements (§153.140)

- (A) *Purpose.* The purpose of this chapter is to conserve and protect to the greatest extent possible the city's existing trees, wooded areas, and fence rows; to enhance and promote the community image; to enhance and preserve economic property values and the quality of life in the city; to aid in the alleviation of erosion, siltation, and other harmful effects of land disturbing activities; to aid in controlling the quantity and intensity of stormwater runoff; to alleviate air pollution and non-point source water pollution; to conserve energy; to protect and promote the use of existing vegetation as noise and visual buffers; to preserve the environmental and ecological benefit of trees on air pollution and carbon dioxide levels as well as dust filtration; to reduce energy consumption through the wind break and shade effects of trees when they are properly placed on a site; to preserve and enhance nesting areas for birds and other wildlife and to preserve movement corridors for wildlife; and to promote the public health, safety, and welfare through the preservation and replacement of trees while allowing for the reasonable development of lands in such a manner that implements the stated goals, objectives, policies and standards of the city.

Landscape Buffering

Neighborhood Concern: The plan should recommend a 50-foot tree/lawn buffer between residential property and commercial development.

Staff Response: The Zoning Code addresses these requirements, as noted below:

Minimum Landscape Requirements (§153.133)

- (A)(4) *Property Perimeter Requirements.* Property perimeter requirements provide buffering between different land uses and along certain rights-of-way. See Appendix A.

Appendix A: Property Perimeter Requirements

	A. When the following	B. ...adjoins the following, or vice versa:	C. The minimum landscape within a buffer zone of this average width (3 ft. as the least dimension) is required.	D. Which will contain this material, to achieve opacity required.
1	Any residential	Mobile home park	10 ft. adjacent to all common boundaries including street frontage	1 tree/40 ft. of lineal boundary, or fraction thereof, plus continuous 6 ft. high planting, hedge, fence, wall, or earth mound
2	Any residential	Any office zone	6 ft. adjacent to all common boundaries except street frontage	Same as 1.D. except use only Group A or B
3	Any residential	Any business zone	10 ft. located as above (2.C.)	Same as 2.D.

Coniferous/Evergreen Screening

Neighborhood Concern: For parcels abutting the DCAP planning area, coniferous/evergreen landscaping should be the required standard.

Staff Response: The City has landscape inspectors on staff that review landscaping plans upon submission of a building permit. As part of this process, the City works with developers, builders, and homeowners to recommend plant species that promote the appropriate screening on a site specific basis, taking into account the conditions of the site. The City always emphasizes year round vegetation adjacent to residential areas. Please see previous response for Property Perimeter Requirements.

Resident Consultation on Landscape Buffering

Neighborhood Concern: Mechanisms should be provided to require developers to consult with residents on adequate landscape buffering.

Staff Response: The City cannot mandate an applicant to work with adjacent property owners regarding any aspect of their proposal. However, staff strongly encourages applicants to present proposals to affected neighborhoods and to resolve any issues raised prior to consideration of an application before a board or commission.

Fencing

Neighborhood Concern: Privacy fencing should be required of commercial properties when adjacent to residential parcels.

Staff Response: The Zoning Code only permits solid fences that are no higher than four feet, although taller solid fences have been negotiated through the rezoning process as buffers adjacent to residences. In commercial areas, the City requires landscaping to be planted either in place of, or in addition to, fencing to adequately screen uses above this height. Below is the Code reference:

Fences (§153.080)

(B) *Permitted Fencing.* Fences shall be permitted as follows, except as otherwise specifically permitted herein.

- (2) *Solids Fences.* Solid fences shall be permitted in all zoning districts only in rear yards. Solid fences shall be no greater than four feet in height, unless otherwise permitted herein, and shall not be used to enclose the entire perimeter of the property. Such fences shall be located within the buildable area of the lot and only be used to enclose a deck or patio. Solid fences shall not be located within a required side and rear yard and shall be of an approved type.

Protection of Cramer Creek

Neighborhood Concern: Development restrictions should be included to protect Cramer Creek.

Staff Response: The City has some of the strongest environmental protections in Central Ohio. The Zoning Code regulates any construction activity within the designated floodplain and has further adopted Stream Corridor Protection zoning standards that require a designated distance of protection (dependent upon location, stream type, etc.) from the banks of the designated waterway. Below is the Code reference:

Floodway (§151.22)

(A) *Areas with floodways.* The following provisions apply within all delineated floodway areas:

- (1) Prohibit encroachments, including fill, new construction, substantial and other improvements, and other development unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practice demonstrates proposed encroachments would not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If division (A)(1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of §§151.20 and 151.21.
- (3) Any encroachment within the floodway that would result in an increase in base flood elevations can only be granted upon the prior approval by the Federal Emergency Management Agency. Such requests must be submitted to the City Engineer to the Federal Emergency Management Agency and must meet the requirements of the national Flood Insurance Program.

Building Materials and Architectural Design

Neighborhood Concern: Building material and architectural design standards must be consistent with the neighborhood aesthetic and traditional Dublin building standards.

Staff Response: The City has high standards for building materials and aesthetics, as well as requirements regarding compatible development. The plan provides architectural and scale guidelines for any new development and redevelopment within the planning area, while the Zoning Code section for Residential Appearance Standards (§151.190) addresses the requirements for residential development.

Commercial Trash Collection

Neighborhood Concern: The plan should require commercial deliveries and refuse collection can only occur between 8 am and 5 pm.

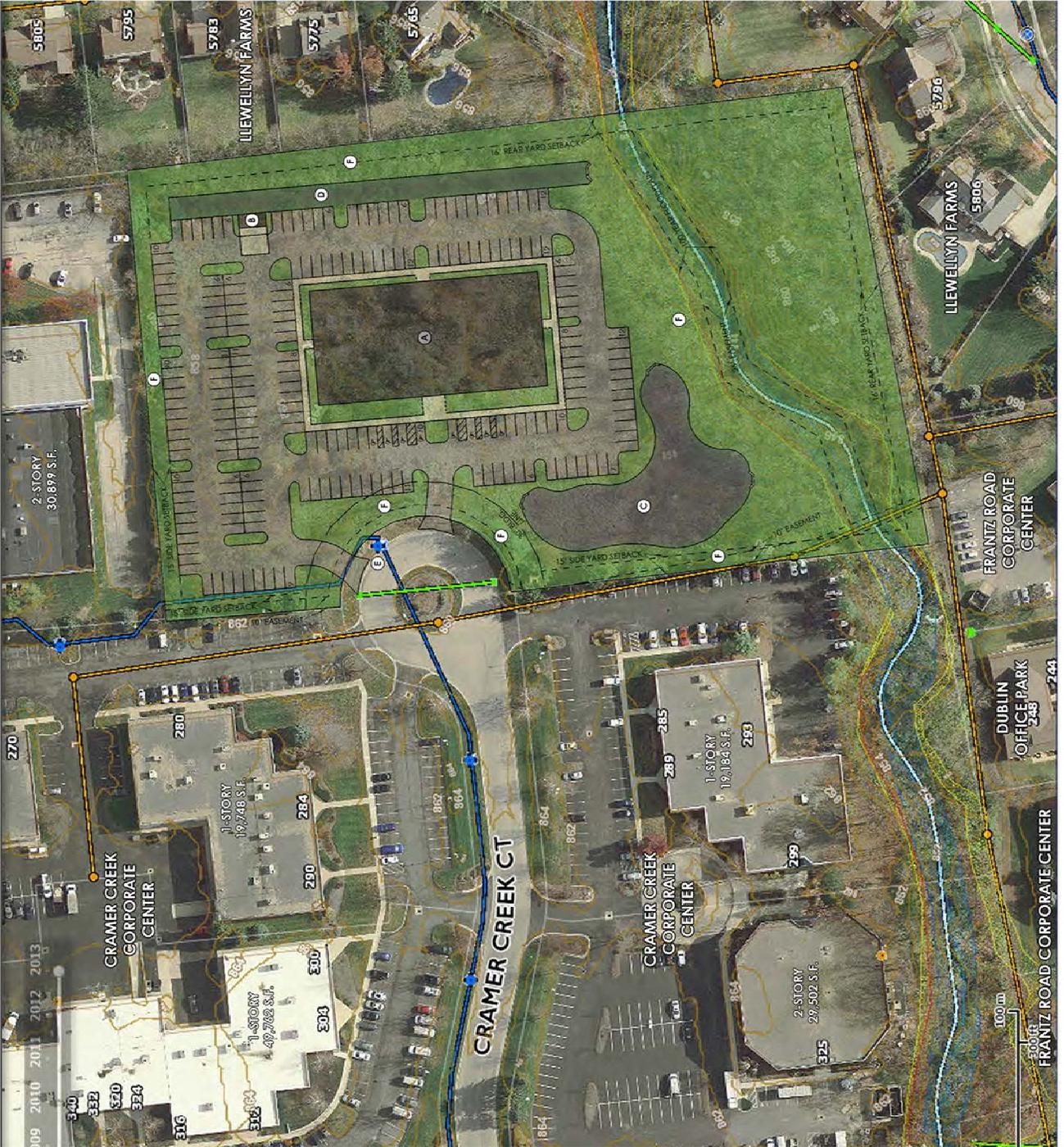
Staff Response: The Zoning Code enforces these requirements. Below is the Code reference:

Disorderly Conduct (§132.03)

(A) No person shall recklessly cause inconvenience, annoyance or alarm to another, by doing any of the following:

(6) Creating or causing the creation of noise so as to disturb or disrupt the peace and quiet of any reasonable person of normal sensitivity, including but not limited to the following:

(b)(4) The loading and/or unloading of commercial waste receptacles between the hours of 7:00 a.m. and 9:00 p.m. within 500 yards of any residentially zoned property.



Cramer Creek Court Capacity Study Notations

- A 40,000 s.f. General Office (100' x 200' x 2 Stories)*
- B Refuse/Recycling Enclosure
- C Conceptual Stormwater Management Location--Conventional Retention Pond
- D Conceptual Stormwater Management Location--Filter Strip
- E Existing Fire Hydrant
- F Preserve Existing Tree Rows/Tree Stands to Maximum Extent Practicable. Tree Survey must be conducted to determine exact location, size, and condition of existing trees.

*Note: Alternate Site Layouts are feasible which include multiple (two to three) smaller 2-story buildings totaling approximately 36,000 s.f. of General Office parked at approximately 5.2 spaces per 1,000 s.f.

Cramer Creek Court Capacity Study Site Data

Total Site Area:	±5.79 acres
Existing Zoning:	S.O. Suburban Office and Institutional District
Future Land Use:	Neighborhood Office/Institutional
Subdivision Name:	Cramer Creek Corporate Park
Business Neighborhood:	Blazer Research District
Proposed Use (s.):	General Office (40,000 s.f.)
Parking Required:	4 per 1,000 s.f. = 160 Spaces (6 Accessible)
Parking Provided:	5.59 per 1,000 s.f. = 223 Spaces (8 Accessible)
Lot Coverage Permitted:	70%
Lot Coverage Proposed:	38.2% (±56,180 s.f. Impervious Cover)
Density:	±6,908 s.f./acre



Note: For Conceptual Site Planning Purposes Only.
Additional detailed analysis is required to further advance this concept.