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Memo

To: Members of the Planning and Zoning Commission
From: Jennifer M. Rauch, AICP, Director of Planning
Date: November 4, 2021
Re: Dublin Corporate Area Plan (DCAP) – Mixed Use Regional 4 (MUR-4) Zoning Code (19-117ADMC) and Area Rezoning (21-087Z)

Summary

The proposed Zoning Code requirements, Design Guidelines and Area Rezoning for the MUR-4 Zoning District were reviewed at the September 23, 2021 Planning and Zoning Commission meeting. The Commission provided feedback on the proposed documents and revisions have been incorporated in the updated draft Code. Staff requests the Commission review the draft Code and make a recommendation of approval to City Council.

Background

The Dublin Corporate Area Plan (DCAP) was adopted in September 2018, by City Council, as a Special Area Plan within the City of Dublin Community Plan, which included the creation of four new Zoning Districts: MUR-1 (Metro/Blazer District), MUR-2 (Tuttle/Rings District), MUR-3 (Emerald District), and MUR-4 (Llewellyn Farms Office District). The goals behind the development of the DCAP plan were to:

- Reposition the “legacy” office sites within the planning area for success
- Create a walkable, mixed use environment
- Identify under-served markets
- Establish a strategy to “refresh” the Frantz Road streetscape
- Recommend mechanisms to ensure additional development along Frantz Road does not adversely impact neighborhoods.
- Recommend zoning tools to ensure successful implementation
- Introduce consistent and compatible architectural and site design guidelines

Following plan adoption, staff analyzed various options to effectively implement the plan’s recommendations and zoning strategies. Staff and consultant, Greg Dale, McBride Dale, presented the implementation options and strategies to the Community Development Committee (CDC) on March 4, 2019, and the Committee recommended a phased approach that included starting with the MUR-4 District. (A detailed history of the DCAP is included in the packet.)

Each of the four areas within the DCAP plan included area specific recommendations, and those for MUR-4 (Llewellyn Farms Office District) identify a different character given the proximity to existing residential neighborhoods. The plan outlines lower density office uses for vacant and redevelopment sites within the MUR-4 District with building heights limited to two stories, and when development occurs adjacent to residential uses significant setbacks and landscape buffers should be used. Recommendations for undeveloped sites within the planning area are also included in the plan,

specifically identified as Site 11, which is located within MUR-4 and adjacent to the Llewellyn Farms neighborhood. The site specific recommendations include lower density office with building heights not to exceed 2 stories with a flat roof and 1.5 stories with a sloped roof, and additional buffering requirements to minimize potential impacts of new development.

MUR-4 Development Process (Phase 1)

Throughout the past year and a half, the implementation process included crafting appropriate zoning regulations and design guidelines for MUR-4 that implement the goals and vision of the DCAP Plan. The intention has been to create a balance between providing viable redevelopment options for the existing commercial property owners with appropriate consideration to adjacent residential properties. Staff conducted a series of meetings with the Llewellyn Farms Civic Association as well as the commercial property owners within the proposed MUR-4 area to review the proposed zoning requirements and design guidelines, as well as explain the review and approval process to adopt these proposed documents. As part of these discussion, the Llewellyn Farms Civic Association raised concerns regarding the proposed language in the Code and Guidelines, particularly as it relates to future office development adjacent to residential properties.

One particular challenge emerged in this process regarding the only undeveloped parcel (Site 11) in MUR 4, owned by Nationwide Realty Investors (NRI) on Cramer Creek. NRI has owned this particular property since 2006. Staff and the consultants have conducted multiple meetings with both the residential neighbors and the commercial property owner (NRI) to understand both perspectives. The proposed draft zoning regulations have been updated through multiple reiterations and is based on the DCAP recommendations, site capacity and existing conditions analyses, NRI's and the neighbors' input. A significant number of items have been addressed through our meetings, which include:

- Minimum lot size and frontage
- Increased side, rear, and front yard setbacks
- Maximum building height
- Increased landscaping and buffering
- Architectural building design and window placement
- Uses and use specific standards
- Site design guidelines including parking lot locations
- Stream corridor protection
- On-site storm water management
- Public review process through Planning and Zoning Commission

During previous reviews, the Llewellyn Farms Civic Association representatives had outlined a list of unresolved issues that were narrowed down to three main outstanding issues: maximum building height, minimum building setbacks, and the width of the required landscape buffer. NRI had expressed concerns that the MUR-4 Code imposed more restrictive requirements for maximum building height, minimum building setbacks, and width of the landscape buffer than their current Suburban Office zoning requirements.

As part of their review of the draft Code and Guidelines on July 8, 2021, the Commission heard significant public comment from the Llewellyn Farms Civic Association and residents, as well as representatives from the adjacent commercial property owner, Nationwide Realty Investors (NRI).

The Commission requested staff work with Llewellyn Farms Civic Association and the commercial property owner (NRI) to determine whether resolution of the outstanding items could be resolved related to building and pavement setbacks, building height, and landscape buffering for properties abutting residential.

Following the July 8, 2021 Planning and Zoning Commission review, staff held several meetings with the Llewellyn Farms Civic Association representatives and residents, and NRI and their representatives. This resulted in a successful solution regarding setbacks, building height and landscape buffer and is represented in the draft Code.

A revised draft Code, Guidelines and Area Rezoning were presented to the Commission on September 23, 2021. Additional public comment was provided from the Llewellyn Farms Civic Association and residents and NRI as part of this review. The Commission provided the following feedback on the proposed Code and staff has noted all changes which are listed below. The Commission also provide additional comments regarding the Guidelines, which will be reviewed at a future meeting to ensure a more comprehensive document for the DCAP area.

153.045

- Add language about consideration and sensitivity of development to adjacent properties and uses (change incorporated)

153.046

- Clarify existing uses provisions (change incorporated – permit only uses existing as of the effective date of the ordinance)
- Review when compliance with new standards are triggered (no change – site compliance required when redevelopment occurs)
- Verify language about construction trailers permitted only while under construction (no change – existing Code provisions limit use)
- Provide benchmarking of day care uses adjacent to residential (no change – consistent with existing daycare requirements)
- Review screening requirements regarding solar panels (change incorporated – requiring architectural integration and maintenance of building height)
- Review sign provisions for vehicle charging stations (change incorporated – removal of additional sign provision)

153.047

- Clarify the height restrictions (change incorporated – included not to exceed language to clarify)
- Clarify parking location language (change incorporated – language clarified)
- Add roof type allowances and review roof pitch examples (change incorporated – permitted roof types included; roof pitch unchanged to ensure architectural diversity)
- Clarify primary materials use and applicability (change incorporated – language added to limit EIFS to upper stories)

- Add language about selecting variety of tree sizes to provide maximum opacity within the landscape buffering requirements (change incorporated – intent language added, provision about the use of small and medium trees to provide mid-level screening added, and preservation area of existing trees at the drip line included)
- Add shared parking provision allowance (change incorporated – provision added allowing shared and phased parking under the Parking Plan)
- Review required vehicle charging space requirements – (change incorporated – provisions changed from 1 charging station/200 parking spaces to 1 charging station/50 parking spaces)
- Review loading area language (change incorporated – requirements requiring loading areas orientation away from residential areas)
- Remove concrete base allowance for light poles (change incorporated)

153.048

- Review minor project language regarding projects abutting residential (no change)

Staff had the opportunity to meet with several members of the Llewellyn Farms neighborhood on October 21, 2021 to review the proposed amendments and answer outstanding questions. Any comments or outstanding comments regarding the proposed draft will be provided to the Commission as part of their review. Additionally, staff had the opportunity to review the proposed amendments with representatives from NRI. Each party has been provided a copy of the draft Code. As highlighted at the September 23, 2021 meeting, NRI continues to raise concerns about the screening of mechanicals and solar panels relative the permitted building height. They are requesting clarification of the provisions “view at ground level” to mean on the parcel in which the structure sits, and further discussion about the integration of solar panels, which can be discussed as part of the Commission review. Staff will provide some additional background to illustrate these topics.

Proposed Amendments

The following outlines the proposed Zoning Code requirements and Area Rezoning:

MUR-4 Zoning Code

The proposed zoning requirements are a new section within the Zoning Code and when complete will include standards for all for MUR Zoning District. The proposed language includes only those standards that apply to proposed MUR-4 District. The requirements within the proposed zoning districts follow a similar document layout and format as the Bridge Street District and Historic Districts Code sections.

153.045 Purpose and Intent

This section outlines the purpose for the proposed amendment, which is to implement the Dublin Corporate Area Plan. Applicability standards and explanation for how the proposed zoning regulations should be used in conjunction with the proposed design guidelines are also included.

153.046 Uses

The use section includes permitted, conditional, size, time limited, and accessory uses for the MUR-4 District, as well as use specific standards. The section also outlines how existing uses and the expansion of existing uses shall be handled. For MUR-4, the proposed permitted uses include office uses (medical and general), professional and technical training, research and development, banks, day care, government services and parks and open spaces. These uses match those outlined in the DCAP and also align with the existing uses within the MUR-4 district. The proposed regulations include a number accessory and temporary uses, which would only be permitted in conjunction with a permitted use or approved conditional use.

Use specific standards are also included with the proposed Code for day care uses, banks and professional and technical training, as well as for a number of the accessory uses. These standards are intended to provide additional development standards to ensure compatibility with the surrounding uses, development pattern and desired site design.

153.047 Site Development Standards

The proposed Code includes requirements for site development standards, architectural design, landscaping and tree preservation, parking, circulation and access, signs, lighting and utilities. The site development standards include requirements for lot size, width and coverage; building heights; setbacks (building and pavement); and parking location. The proposed standards provide requirements for building heights and setbacks based on location and adjacency to residential.

153.048 Review and Approval Process

The proposal includes a review and approval process similar to those in the Bridge Street and Historic Districts with a variety of application types. The Code outlines the review process based on the scope and scale of the application type. The required reviewing body for the application type includes limited staff approvals, with a majority of applications being reviewed by the Administrative Review Team and Planning and Zoning Commission. City Council reviews would occur when a development agreement is involved.

MUR-4 Area Rezoning

The proposed MUR-4 Zoning District includes 27 parcels currently zoned Community Commercial, Suburban Office and Institutional and Planned Unit Development Districts. The area rezoning proposes a change from these existing zoning classifications to MUR-4. An area rezoning to MUR-4 will allow for the implementation of the proposed Zoning Code requirements and Design Guidelines. Staff recommends the area rezoning approach to provide clear expectations for the existing commercial property owners and adjacent residents regarding the requirements and guidelines for redevelopment and development of these parcels. An updated zoning map has been created for review and an area rezoning of the properties will be included with the Zoning Code amendment, which align with the new MUR-4 Zoning District.

Recommendation

Staff requests the Planning and Zoning Commission review the proposed Zoning Code and Area Rezoning and make a recommendation of approval to City Council.