



City of Dublin

Office of the City Manager

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Memo

To: Members of Dublin City Council
From: Dana L. McDaniel, City Manager
Date: November 9, 2021
Initiated By: Megan D. O'Callaghan, PE, Deputy City Manager/Chief Finance and Development Officer
Jennifer M. Rauch, AICP, Planning Director

Re: Ord. 87-21
A rezoning of 27 parcels from Community Commercial District (CC), Suburban Office and Institutional District (SO) and Planned Unit Development (PUD) to Mixed Use Regional District 4 (MUR-4). (Case# 21-087Z)

Summary

Ordinance 87-21 is a request for review and approval of a rezoning of properties to align with the recommendations of the Dublin Corporate Area Plan (DCAP) and the proposed accompanying Zoning Code amendment.

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 districts 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.

Case History

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, as well as an accompanying area rezoning of the properties within proposed MUR4 District. 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. The proposed Area Rezoning was reviewed by the Planning and Zoning Commission on July 8, 2021 and September 23, 2021, and recommended for approval on November 4, 2021.

Proposed Amendment

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. A zoning map is provided outlining the proposed properties to be rezoned that align with the accompanying Zoning Code amendment.

Recommendation of the Planning and Zoning Commission

At the November 4, 2021 meeting, the Planning and Zoning Commission reviewed and recommended approval to City Council of the proposed area rezoning.

City Council Recommendation

Recommendation of approval of Ordinance 87-21 at the second reading/public hearing on December 6, 2021.

RECORD OF ORDINANCES

Ordinance No. 87-21

Passed _____, 20____

REZONING 27 PARCELS FROM COMMUNITY COMMERCIAL DISTRICT (CC), SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT (SO), AND PLANNED UNIT DEVELOPMENT DISTRICT (PUD) TO MIXED USE REGIONAL 4 DISTRICT (MUR-4). (CASE# 21-087Z)

WHEREAS, it is consistent with the Dublin Community Plan and the Zoning Code,

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

Section 1. That the following described real estate (parcel numbers) situated in the City of Dublin, State of Ohio, and shall be subject to the regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances), the City of Dublin Zoning Code and amendments thereto:

273002703, 273002704, 273002705, 273005001, 273000375, 273002707, 273003160, 273003161, 273003163, 273003164, 273003165, 273003166, 273003167, 273004292, 273004293, HOA379944, 273004566, 273004567, 273004568, 273004569, 273001723, 273010201, 273010866, 273004570, 273004571, 273005003, 273005366 is hereby rezoned Mixed Use Regional 4 District (MUR-4);

Section 2. The application includes the list of affected property owners, the rezoning map and the recommendations of the Planning and Zoning Commission, are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance therewith.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2021.

Mayor - Presiding Officer

ATTEST:

Clerk of Council



City of Dublin
OHIO, USA

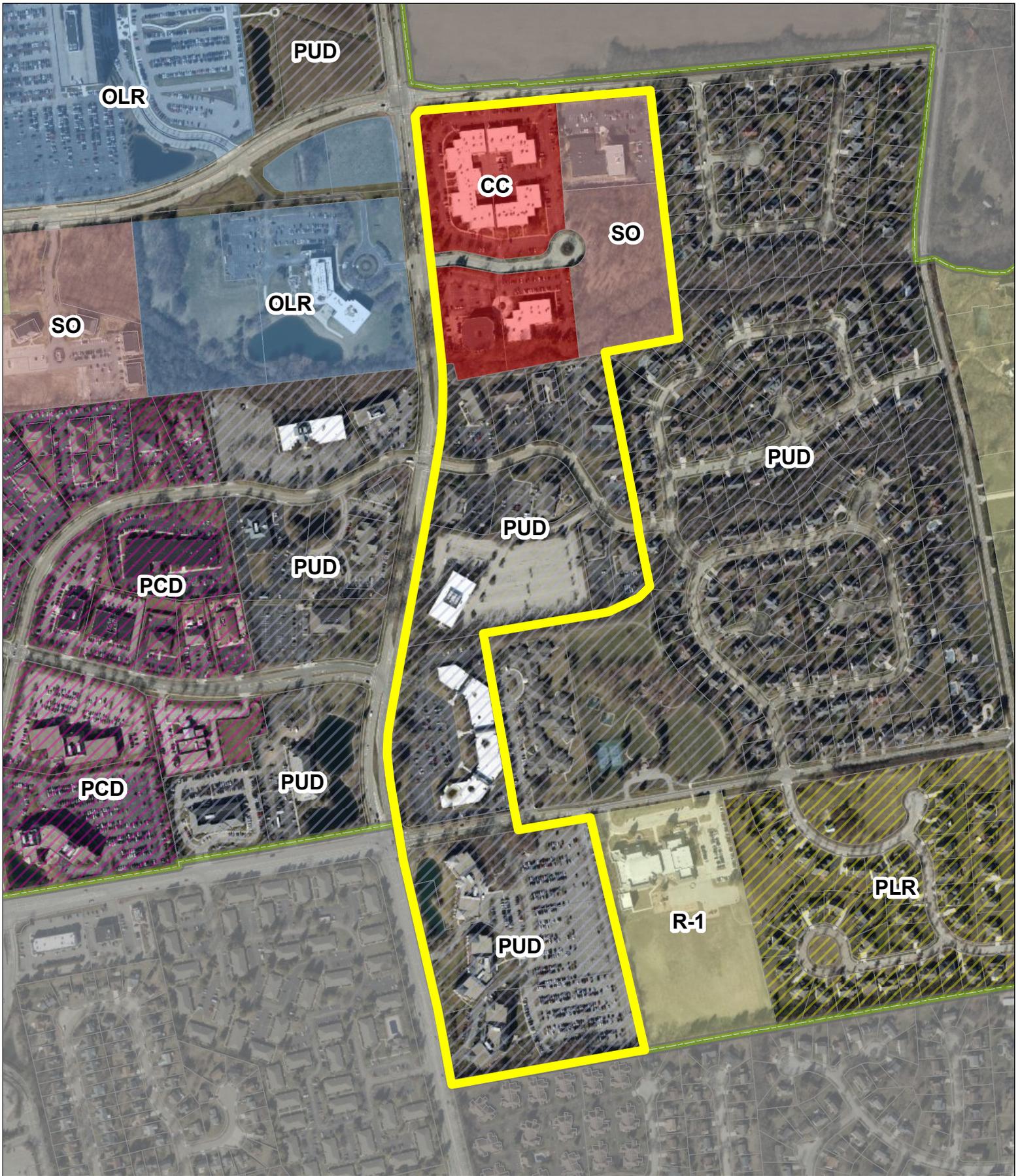
Dublin Corporate Area Plan MUR-4 Context Map

Legend

-  MUR-4 Boundary
-  DCAP Boundary

0 0.05 0.1 0.2
Miles



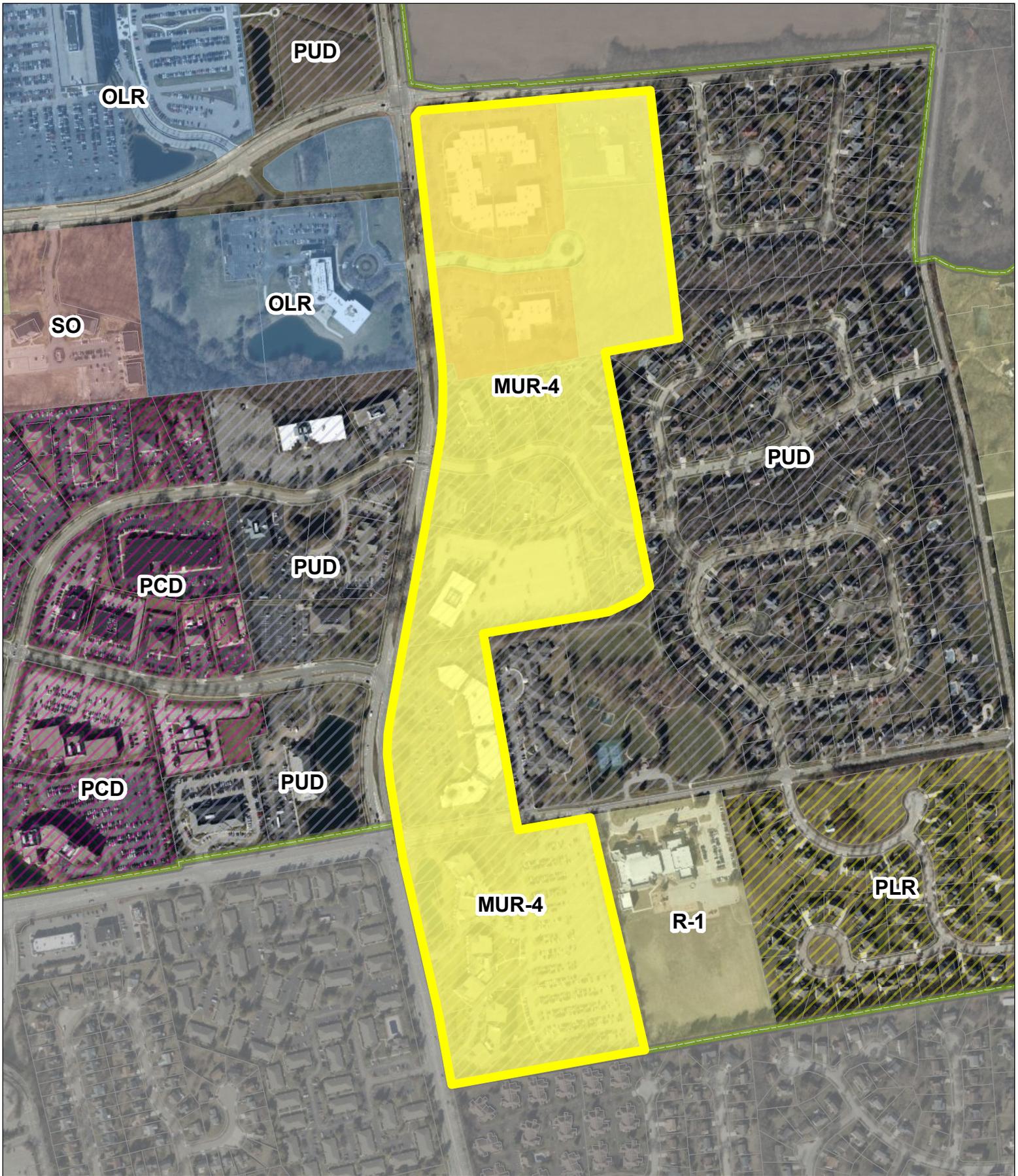


DCAP MUR-4 Existing Zoning Map

Legend

 MUR-4 Boundary

0 0.025 0.05 0.1 Miles 



DCAP MUR-4 Proposed Zoning Map

Legend

MUR-4 Boundary

0 0.025 0.05 0.1 Miles

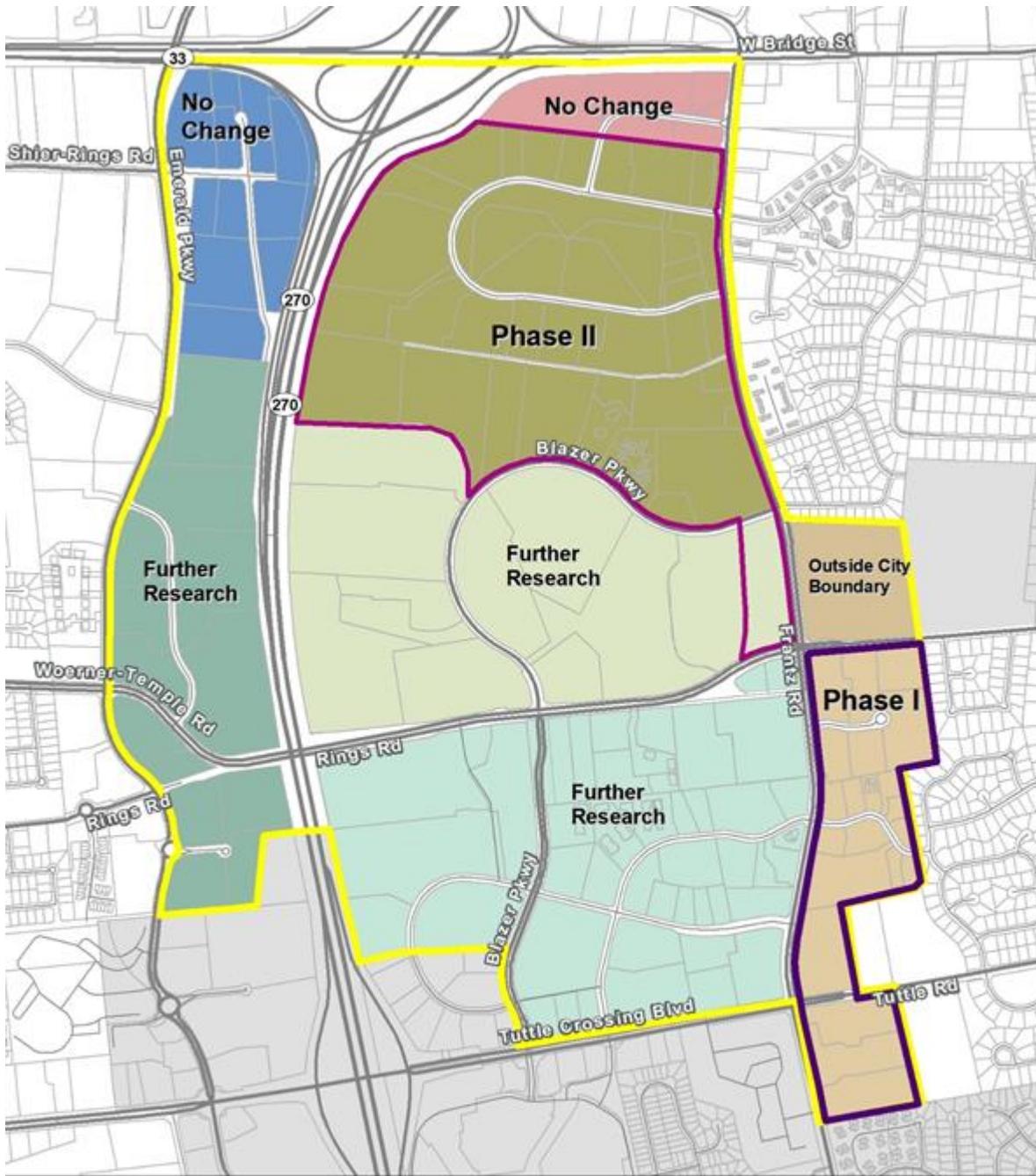
Proposed Rezoning Parcel List

Community Commercial District (CC) to MUR-4 Llewellyn Farms Office
273002703, 273002704, 273002705, 273005001

Suburban Office and Institutional District (SO) to MUR-4 Llewellyn Farms Office
273000375, 273002707

Planned Unit Development District, Llewellyn Farms (PUD) to MUR-4 Llewellyn Farms Office
273003160, 273003161, 273003163, 273003164, 273003165, 273003166, 273003167,
273004292, 273004293, HOA379944, 273004566, 273004567, 273004568, 273004569,
273004570, 273004571, 273005003, 273005366

Planned Unit Development District, SE Corner Tuttle and Frantz Roads (PUD) to MUR-4
Llewellyn Farms Office
273001723, 273010201, 273010866





RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, November 4, 2021 | 6:30 pm

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

4. **DCAP Area Rezoning, MUR-4 21-087Z**

Rezoning Request

Proposal: Area rezoning of 27 parcels to MUR-4, Mixed-Use Regional 4 District in conjunction with Zoning Code amendments.

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

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

Planning Contact: Jennifer M. Rauch, AICP, Director of Planning

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/21-087

MOTION: Mr. Grimes moved, Mr. Fishman seconded, to recommend approval to City Council for the Area Rezoning request from Community Commercial District (CC), Suburban Office and Institutional District (SO), and Planned Unit Development District (PUD) to the Mixed Use Regional 4 District (MUR4), as clarified.

VOTE: 6 – 0

RESULT: The Area Rezoning was recommended for approval and forwarded to City Council.

MEMBERS PRESENT:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Absent
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP, Director of Planning





Planning Division
5200 Emerald Parkway • Dublin, OH 43017
Phone: 614.410.4600 • Fax: 614.410.4747

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.



RECORD OF ACTION

Planning & Zoning Commission

Thursday, September 23, 2021 | 6:30 pm

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

**1. Dublin Corporate Area Plan (DCAP) Code Amendments, MUR-4
19-117ADMC Administrative Request**

Proposal: Amendments to the City of Dublin Zoning Code to establish the MUR-4, Mixed Use Regional – Llewellyn Farms Office District, which includes the creation of a new zoning district and associated development standards.

Request: Informal Review and non-binding feedback under the provisions of Zoning Code §153.066.

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

Planning Contact: Jennifer M. Rauch

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/19-117

MOTION: Mr. Supelak moved, Mr. Schneier seconded, to table this case as one of three DCAP cases:

VOTE: 7 – 0.

RESULT: All three DCAP cases were tabled in one motion.

RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planning Director





RECORD OF ACTION

Planning & Zoning Commission

Thursday, September 23, 2021 | 6:30 pm

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

**2. Dublin Corporate Area Plan (DCAP) Design Guidelines
21-086ADMC**

Administrative Request

Proposal: Design guidelines to complement the proposed MUR-4, Mixed-Use Regional – Llewellyn Farms Office, Zoning District requirements.
Request: Informal Review and non-binding feedback under the provisions of Zoning Code §153.066.
Applicant: Dana L. McDaniel, City Manager, City of Dublin
Planning Contact: Jennifer M. Rauch
Contact Information: 614.410.4690, jrauch@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/21-086

MOTION: Mr. Supelak moved, Mr. Schneier seconded, to table this case as two of three DCAP cases:

VOTE: 7 – 0.

RESULT: All three DCAP cases were tabled in one motion.

RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planning Director





RECORD OF ACTION

Planning & Zoning Commission

Thursday, September 23, 2021 | 6:30 pm

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

3. Dublin Corporate Area Plan (DCAP) Area Rezoning, MUR-4 21-087ADMC **Administrative Request**

Proposal: Area rezoning accompanying the creation of the MUR-4, Mixed-Use Regional – Llewellyn Farms Office, Zoning District.
Request: Informal Review and non-binding feedback under the provisions of Zoning Code §153.066.
Applicant: Dana L. McDaniel, City Manager, City of Dublin
Planning Contact: Jennifer M. Rauch
Contact Information: 614.410.4690, jrauch@dublin.oh.us
Case Information: www.dublinohiousa.gov/pzc/21-087

MOTION: Mr. Supelak moved, Mr. Schneier seconded, to table this case as three of three DCAP cases:

VOTE: 7 – 0.

RESULT: All three DCAP cases were tabled in one motion.

RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

Jennifer M. Rauch, AICP
Planning Director





SPECIAL MEETING MINUTES

Planning & Zoning Commission

Thursday, September 23, 2021

CALL TO ORDER

Mr. Supelak, Vice Chair, called the meeting to order at 6:30 p.m. and welcomed everyone to the September 23, 2021 Planning and Zoning Commission meeting. Tonight's meeting can also be accessed at the City's website. Public comments on the cases are welcome. To submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. Questions and comments will be relayed to the Commission by the meeting moderator. The City desires to accommodate public participation to the greatest extent possible.

PLEDGE OF ALLEGIANCE

Mr. Supelak led the Pledge of Allegiance.

ROLL CALL

Commission members present: Warren Fishman, Mark Supelak, Kim Way, Jane Fox, Leo Grimes; Lance Schneier; Rebecca Call arrived at 7:30 pm.
Staff members present: Jennifer Rauch, Nichole Martin, Thaddeus Boggs

ACCEPTANCE OF DOCUMENTS AND APPROVAL OF MINUTES

Mr. Grimes moved, Mr. Way seconded acceptance of the documents into the record.

Vote: Mr. Fishman, yes; Mr. Way, yes; Mr. Supelak, yes; Mr. Grimes, yes; Ms. Fox, yes; Mr. Schneier, yes.

[Motion approved 6-0.]

Mr. Supelak stated that the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property are under consideration. In such cases, City Council will receive recommendations from the Commission. In other cases, the Commission has the final decision-making responsibility. Anyone who intends to address the Commission on administrative cases must be sworn in.

Mr. Supelak stated that there are three cases on tonight's Special Meeting agenda. Because they are all associated with the Dublin Corporate Area Plan (DCAP), they will be heard together.

VII. NEW CASES

1. 2. 3. DUBLIN CORPORATE AREA PLAN (DCAP)

19-117ADMC, Administrative Request – Code Amendments, MUR-4

A request for amendments to the City of Dublin Zoning Code to establish the MUR-4, Mixed Use Regional – Llewellyn Farms Office District, which includes the creation of a new zoning district and associated development standards.

21-086ADMC, Administrative Request – Design Guidelines

A request for Design Guidelines to complement the proposed MUR-4, Mixed-Use Regional – Llewellyn Farms Office, Zoning District requirements.

21-087ADMC, Administrative Request – Area Rezoning, MUR-4

A request for an Area Rezoning accompanying the creation of the MUR-4, Mixed-Use Regional – Llewellyn Farms Office, Zoning District.

Staff Presentation

Ms. Rauch stated that tonight’s discussion would be an Informal Review, so no Commission action will be requested. The Dublin Corporate Area Plan (DCAP) was adopted by City Council in 2018. This area is comprised of four districts. These cases focus only on the MUR-4 District, the Llewellyn Farms Office District. The DCAP provides for low-density office uses. Because this area is adjacent to residential, the Plan looks at building height limitations, increased setbacks and landscape buffering. There is one undeveloped parcel within the MUR-4 District – Site 11. The plan provides more specific recommendations for that site to provide buffering for the adjacent residential neighborhood from the low-density office, including building height and additional buffering requirements. Amendments are proposed to the Zoning Code language, Design Guidelines, and an Area Rezoning is requested. These cases were introduced at the June 17 PZC meeting. An Informal Review was conducted by the Commission on July 8, 2021, and tonight, is a second Informal Review. Depending on tonight’s discussion, these cases could be scheduled for PZC review and recommendation to City Council for their final review and approval. Since the July meeting, staff, the Llewellyn Farms neighborhood representatives and representatives for NCR, the Site 11 property owner, have been working on a resolution of the concerns.

- 19-117ADMC, Administrative Request – Code Amendments, MUR-4

The draft zoning regulations have been modified to reflect the resolution proposed by those discussions. A significant number of items have been modified per previous discussions, including:

- 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

Ms. Rauch presented an overview of the amended Zoning Code sections, including:

153.045 Purpose and Intent: This section outlines the purpose for the proposed amendment, which is to implement the goals within the Dublin Corporate Area Plan (DCAP). Applicability standards and explanation for how the proposed zoning regulations should be used in conjunction with the proposed design guidelines are also included. 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. A number of accessory and temporary uses are included, which would be permitted only in conjunction with a permitted use or approved conditional use.

153.046 Uses: The use section includes permitted, conditional, size, time limited, and accessory uses for the MUR4 District, as well as use specific standards. The section also outlines how existing uses and the expansion of existing uses shall be handled. Updates must ensure that properties are not made non-conforming based on their uses, as that has financial implications to property owners.

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 address lot size, width and coverage; building heights; setbacks and parking.

153.048 Review and Approval Process: The review process is based on the application type. The required review body for the application type includes limited staff approvals, with the majority of the review is handled by the Administrative Review Team (ART) and Planning and Zoning Commission (PZC).

Ms. Rauch stated that the proposed MUR-4 Design Guidelines focus on general building and site design elements to supplement the Code requirements, as well as sub-district specific guidelines. The proposed MUR-4 Area Rezoning recommends that 27 parcels currently zoned Community Commercial, Suburban Office and Institutional and Planned Unit Development Districts be rezoned to MUR-4. The Area Rezoning would allow for the implementation of the proposed Zoning Code requirements and Design Guidelines.

During previous reviews, the Llewellyn Farms Civic Association representatives had outlined a list of unresolved concerns regarding maximum building height, minimum building setbacks, and the width of the required landscape buffer. NRI, the owner of the only remaining undeveloped property within the District, expressed concerns that the proposed Code would impose more restrictive requirements for maximum building height, minimum building setbacks, and width of the landscape buffer than their current Suburban Office zoning requirements. NRI had requested previously to be removed from the MUR-4. Per the Commission's direction at its July 8 meeting, staff has worked with neighborhood and NRI representatives to resolve the outstanding issues, which are represented in the proposed draft Code and Guidelines.

A chart was included in the meeting packet, which compares the development standard issue with the current Code provision; the July 8 proposed change; and the new change proposed tonight. No changes were made to the front yard setback, so it remains 15 feet. The primary issues were the side and rear yard building setbacks, which correlate to the building height. The proposed resolution is that in the areas where property is abutting residential for Subarea C (the NRI property), a one-story building at a height of 22 feet would be located at a 75-foot setback; a two-story building could be a height of 32 feet with a minimum setback of 95 feet. Between the 75-foot setback and the 95-foot setback, the building height could be increased up to 32 feet at the following ratio - for every one foot of building height, the building must be set back two feet. When a commercial property boundary does not abut residential, the setback could be 10 feet, because there would be adjacent like uses. The agreement

was that a building could not exceed two stories nor a height of 32 feet, whichever is less. For Subarea D, in the area of Bradenton Road that abuts residential, the existing setback requirements would be maintained.

Ms. Fox inquired when the one-to-two foot ratio would be used.

Ms. Rauch clarified that it would be a factor only between the 75-foot and 95-foot setbacks.

Ms. Rauch stated that the side and rear pavement setbacks were revised from the previous proposal of 35 feet to 25 feet when abutting residential and 10 feet, if abutting non-residential.

Mr. Supelak requested clarification of the 15-foot or a quarter of the sum of the building requirement. Is it the lesser or greater of the two?

Ms. Rauch responded that per the current Code, it would be 15 feet. In most instances, it will be greater than that due to the building height and length.

The resolution of the remaining four issues of concern were:

- Landscape buffer – 25 feet of an augmented landscape buffer with opaque screening six feet in height.
- Building height – tied to the setbacks.
- Permitted and conditional uses – retention of the current MUR-4 Code uses; no additional uses were added.
- Office parking – parking requirements for office and medical office will be consistent with the rest of the Code.

Per the Commission's July 8 discussion, provisions were added to ensure that mechanical screening would not artificially increase the building height. The screening must be within the height requirement. There was also some concern about Minor Project thresholds. The previous draft stated that a 10,000-sq. ft. building would have been reviewed by only ART. That number has been reduced to 3,500 sq. feet. Because larger projects would have greater impact on the surrounding character, they would be reviewed by the Commission. Also included in the meeting packet were a list of the responses provided to the concerns raised by the neighbors.

Tonight's review will be for input on the proposed amendments; no action is requested.

Public Comments

Ms. Rauch stated that the following email was received and included in the meeting packet.

"We are not in agreement with this settlement concerning Llewellyn Farms, Phase 1. This is not good for our neighbors. It is being forced on those who are trying to help. Very few in Phase 1 are in favor of this. They should build with the restrictions they currently have. The people pushing to make a change must have a hidden interest and getting something out of this."

- T. L. Darling

Mr. Supelak inquired if there were also meeting attendees, who wished to comment.

Sven Christiansen, 5765 Settlers Place, Dublin, OH stated that the changes that have been made address many of the concerns the residents raised. In the MUR-4, there are that many locations where residential and commercial uses are in close proximity, and those are some of the more difficult issues to address. They appreciate the response staff has provided to the list of concerns raised by the neighborhood. There are some landscape clarifications that need to be addressed to ensure the landscape buffer/landscaping achieves the primary intent of the screening. We look forward to the final draft, and eventually, to the refresh of this part of Dublin.

Mr. Supelak swore in the next speaker (Mr. Daney).

Clay Daney, 5775 Settlers Place, Dublin OH stated that he would like to provide some context for the landscaping concerns he and many of his neighbors share. A 25-foot landscape buffer is not very deep and limits how many large trees can be placed in that space. Residents supported the original proposal of a 35-foot landscape buffer, which could allow two rows of trees. If left with 25 feet, residents request the language be strengthened to achieve the maximum amount of plantings possible within that buffer. In Llewellyn Farms, there are legacy trees that are 100 – 125 feet in height. The foliage on the trees does not occur, however, until approximately 40 feet up. The trunk of the tree provides no line of sight coverage. He would request the lower areas be filled in with supplemental plantings to buffer the views. [Presented a drawing depicting the concern.] Another issue is that the DCAP Code language regarding permitted and conditional issues is ambiguous. It states that “all uses and buildings that were permitted or conditionally permitted under the zoning applicable to the property immediately prior to its rezoning into the MUR-4 zoning district shall continue to be allowed as permitted or conditionally permitted on the property, including the follow...” Ms. Rauch has clarified that if there is no existing use on the property, once the MUR-4 Zoning Code is in effect, the new MUR-4 Code takes precedence. However, the wording could be misinterpreted. The term, “permitted” can mean to grant. It also is a legal term, which indicates a formal permit for an action. Could a different term be used to reduce the potential for future misconception? The “whichever is less” terminology in the building height language also carries the potential for misconception. Could a statement be included that, “in no situation or circumstance can this building exceed 32 feet. In no circumstance may it be three stories?” Addition of that statement would avoid misinterpretation.

Mr. Boggs requested that Mr. Daney provide a copy of the drawing that he had shown to the Commission, to the Clerk, as well, so it could be included in the record.

Commission Discussion

Mr. Fishman requested confirmation of the statement that the proposed Code provides for PZC to approve waivers to development standards including building height.

Ms. Rauch confirmed that the draft code included an allowance for waiver requests or administrative departures, depending on the specifics of the request.

Mr. Fishman stated that this is an agreement that has been painstakingly reached by the commercial developer and the residents. Future Commissions would not understand that. He would prefer to delete the opportunity to request a waiver. Typically, waivers are not good for the residents.

Ms. Rauch inquired if he was opposed to waivers for any purpose.

Mr. Fishman responded that he was specifically concerned about building height, due to all the discussions that have occurred between the residents and the landowner (NRI) regarding that issue.

Mr. Supelak inquired if waivers are a common element of the Code language.

Ms. Rauch stated that removing the waiver option would be a deviation from what the Code typically permits. There would be criteria by which the Commission would grant the waiver. However, if the Commission feels strongly about building height specifically, we could look at a way to craft that language. This draft language is meant to apply to all the MUR Districts, not just the MUR-4.

Mr. Fishman noted that if there were some significant reason, the applicant could request a rezoning.

Ms. Rauch responded that this will be a standard zoning district, not a PUD. The goal is to establish the standards needed. A waiver is a mechanism by which to request something different than the Code permits.

Mr. Grimes stated that he believes the language of the standards will be quite clear. Requesting a waiver would be an administrative process. The likelihood of the request being approved is very unlikely,

because of the clarity of the standard language. Not allowing a property owner to be heard, although probably denied, might appear too inflexible. The waivers appears to be typical Code language. Perhaps Mr. Boggs would like to comment on this.

Mr. Boggs responded that there is value in providing that flexibility. As in the BSD Code, for example, the waiver procedure is available, and often occurs, to improve projects, subject to approval. He believes it would work in the DCAP Code in a similar fashion, although with a different set of criteria. A waiver has a different set of criteria and standards than a variance. The variance opportunity would continue to be an option, in the event of a unique hardship. Variance requests are heard by the Board of Zoning Appeals (BZA). Their purpose is not to improve the project, as a whole, they are an option for a property owner unable to work with a difficult piece of property within Code requirements. The waiver, on the other hand, is an intermediary step, subject to Planning-related criteria, which is heard by PZC.

Ms. Fox stated that the City has limited abutting residential and commercial development, and historically, Council has treated these areas sensitively to ensure the neighborhood is not negatively impacted. The DCAP amendment process has been arduous, because we have empowered the neighborhood to attempt to work out the issues. To retain the history of this particular area for future Commissions, the description needs to describe exactly what it means to be sensitive to abutting residential. The required setbacks, heights and landscape buffering should not be easily waived. Personally, she believes no waivers should be granted unless there is agreement of the abutting property owner to increase the height, setback or impact a landscape buffer. If the abutting residential is not in agreement, no change should be made solely because the developer has a site with constraints. A second issue is, the language regarding roofs indicates a roof pitch of 6/12 or 12/12. On a 2-story building, a roof with 12/12 pitch is too high. She believes either a 1-story with a 6/12 (perhaps a 12/12) roof or 2-story flat roof should be required. It is important to remember that height is measured from grade to the middle of the eave. Typically, 2-story commercial buildings have flat roofs. She would recommend elimination of the 12/12 roof option. It is important to ensure that it is not possible to exceed a height of 32 feet. Finally, in regard to the landscape buffer, the City's landscape architect has indicated that a width of 35 feet is necessary to achieve an adequate buffer. If existing trees are retained but parking lots are extended up to the buffer, would the root line of existing trees be destroyed? Those three issues need further consideration: waivers adjacent to abutting residential; flat roofs (for 2-story commercial); and width of landscape buffers.

Mr. Supelak inquired if building height is measured to the top of the roof.

Ms. Rauch responded that it would depend on the roof type. A pitched roof is to the mid-point.

Mr. Way stated that he believes there is a benefit to pitched roofs, particularly adjacent to residential areas; they provide a more residential feel. A flat roof would have a totally different feel. Therefore, he would support having both a 6/12 and 12/12 pitch. The difference between the two does not impact height greatly. The sloped roof looks more residential.

Ms. Fox stated that the Mezzo building is 2-story with a very steep roof. On its corner site, it appears to soar in height. Observing that most commercial buildings have flat roofs, she believes the flat roofs address the height issue. Do Lewellyn Farms residents believe the transitional look or a 32-foot height limitation is important?

Mr. Christiansen responded that he believes retaining a capped height would be beneficial. NRI has indicated that is consistent with their inventory.

Ms. Fox requested confirmation that he is stating that the residents' preference would be a flat roof versus a hipped roof for a building height of 32 feet.

Mr. Christiansen responded affirmatively.

[Ms. Call, Chair, arrived at 7:30 pm.]

Mr. Schneier stated that in regard to the waiver, because it is a process ingrained into administrative law, he would prefer to avoid creating an exception. He would be interested in having staff's opinion regarding the language revisions suggested by Mr. Daney.

Mr. Supelak noted that a list of changes made in response to residents' requests was also provided in the packet.

Ms. Rauch stated that in terms of the comments concerning Existing Uses, she would recommend retaining the draft language as presented. It is very consistent to other Zoning Code amendments, including the Bridge Street District and the Historic District. There are financial implications to the property owners, if Code changes make their uses non-conforming uses. From a legal perspective, this is how that issue has been addressed.

Mr. Supelak stated that if uses are grandfathered, there are certain triggers that would cause any changes they wished to make to be heard by PZC.

Ms. Rauch responded that if an existing use in a Community Commercial, CC zoning wished to use another use permitted within the CC zoning, they could do so. However, if they wished to redevelop their building or construct a new building, they would need to obtain PZC review and approval. If it were a Conditional Use, any changes proposed would need to be heard by the Commission. However, the existing CC uses and the DCAP Code uses are not significantly different.

Mr. Supelak inquired if there were existing uses that would need to be "grandfathered in," if this Code were to be adopted.

Ms. Rauch stated that she would pull up the list. Commercially oriented sites would have more differences than Suburban Office.

Ms. Fox inquired if, after adoption of the MUR-4, an existing CC permitted use wished to discontinue that use, they would be able to change to another CC permitted use, assuming there were no changes.

Ms. Rauch responded affirmatively; however, any use-specific standards required by the Code would need to be met. The property owner would be required to mitigate that requirement.

Ms. Fox inquired if there is criteria that would impact either the neighborhood or the intent or purpose of the MUR-4. In addition, would an addition to a structure for a new use require review?

Ms. Rauch stated if it is a Minor Project, the ART provides review and approval of modifications up to 3,500 square feet. Projects exceeding 3,500 square feet are FDPs, would be reviewed and approved by PZC.

Ms. Fox inquired if the proposed amendment would require anything abutting a residential neighborhood to be reviewed by the Commission.

Ms. Rauch read the Minor Project definition, and stated that only projects exceeding the size threshold would come to PZC. The proposed modification would not require that development of any kind that abuts residential must be reviewed by PZC.

Ms. Fox stated that her suggestion would be to make that modification.

Mr. Supelak stated that a permitted use in the CC District is grandfathered in; however, a change of use would trigger the need for review/approval. Could they change from one CC permitted use to another CC permitted use?

Ms. Rauch responded that an existing use could move from one permitted use in the CC District to another use permitted in that District. That is consistent with the Bridge Street District. Typically, these are very minor changes.

Mr. Supelak inquired how the CC uses overlap with MUR-4 uses.

Ms. Rauch responded that CC uses are much more retail oriented. Any site modifications would trigger a review process. Office and Personal Service uses are permitted in the CC zoning. There is also a list of Conditional Uses, which would require a PZC review process.

Mr. Schneier inquired if the word "permitted" is confusing, as noted by the resident. If it is a defined term, a change would not be warranted; otherwise, the point may be well taken.

Mr. Boggs stated that he is unaware if there is a definition for "permitted use" in the General Zoning Code. However, in Planning and Zoning law, a permitted use has a specific meaning, to wit, it is a use allowed as of right. The reason we have developed the existing use type of language, both as it exists and as proposed, is to avoid the alternative, which is an existing use that would become non-conforming upon change of zoning. The intent is that existing uses would remain permitted for purposes of zoning, and would ensure the user's continued ability to obtain financing and invest in that use. The intent is to avoid the hurdles that could be created if the use were nonconforming. From a legal perspective, there is no issue with using this term as proposed. He does not believe it could be successfully interpreted in the general sense of "permitted." There would be concerns with changing the term as it would create inconsistencies with the Bridge Street District Code and result in unintended consequences.

Mr. Schneier stated that the only other resident question concerned the buffer.

Mr. Fishman stated that he concurred with the justification for retaining the right to a Waiver. He also would caution about requiring flat roofs. A sloped, 12/12 pitch roof has a very residential look. In comparison, an area of buildings with flat roofs will have a very industrial feel. The intent is that the commercial sites will blend with the residential areas.

Mr. Christiansen stated that he was under the impression that a sloped roof, measuring the height at the middle point, would result in a building taller than 32 feet. If height were measured at the top, he would agree, as it would be more consistent with the preferred. However, if it could result in a building 38 feet in height, that would not be the preference.

Mr. Way inquired if the measurement is taken from the grade to the middle point of the eave. The grade could be sloping away, so the measurement is a variable based on grade and the type of roof. It is a difficult measurement.

Ms. Rauch stated that the building height is "the vertical distance measured from the grade to the highest point of the coping of a flat roof, to the declivity of a mansard roof, or to the mean height level between the eave and ridge of a gable, hipped, gambrel roof, unless otherwise specified by the chapter."

Mr. Way stated that, concerning the buffer, per the agreement with the residents, the existing Code provision for a six-foot buffer will be increased to 25 feet. Although 35 feet would be better, 25 feet is a reasonable compromise. Mr. Daney also pointed out the lack of opacity of the taller trees. Including the six-foot buffer would provide the desired screening. All trees have a drip line. Many times, a protection is placed at the drip line of trees to protect their root system from new pavement. Is there anything in the City's Landscape Code regarding preservation of the drip lines of trees?

Ms. Rauch responded that she not aware of that specific requirement. However, if there are significant trees involved in a development project, the intent is to accommodate those on the site plans.

Mr. Way recommended that in the language that refers to preservation of existing trees, the language be modified to require preservation of the drip line and root system of the tree. Regarding parking, during the recent pandemic, we have discovered that the role and density of offices will change. The requirement of 4 parking spaces per 1,000 sq. ft. of office is an old standard, and the need for parking spaces likely will diminish further as more people work from home. If the standard parking requirement

is included in the proposed Code, the result could be more surface and parking area than needed. Perhaps there is a newer standard that could be considered.

Ms. Call stated that there are three agenda items to consider. It could be of benefit to review the entire Code, page by page, to ensure all of the input has been taken into consideration.

Ms. Rauch concurred with that approach.

Mr. Supelak stated that a chart was included in the meeting materials that showed alignment of the previous and the current Code drafts on many of the categories. Who participated in that discussion?

Ms. Rauch responded that the discussion was facilitated by herself and the Deputy City Manager with Nationwide Realty Investors (NRI), and the Llewellyn Farms Civic Association Board representatives and community residents. The Llewellyn Farms Civic Association has reviewed the draft Code and indicated support.

Ms. Rauch reviewed the proposed Code by section and Commission members suggested the following additional changes:

- Purpose and Intent. Enhance the language to enable the desired infill development/end product to be visualized; add language that indicates intent to provide appropriate screening for residential and recreational uses.

Ms. Rauch indicated that the recent amendment to the Historic District Code, the associated Design Guidelines included character images. That could be included here, as well.

- Parking spaces. With expansion of a building, parking can be expanded, but should not be more than required for the use. The intent is to have a walkable environment. A Parking Plan permits modification of parking to address the need; it could include phased parking and shared parking.
- Permitted Use Table. Clarify language regarding construction/office trailers, specifically duration (Section 153.097).
- Rooftop mechanicals, including solar energy equipment. Clarify language to require that in areas abutting residential: all rooftop mechanicals must be screened and remain within the required building height; building-mounted renewable energy equipment shall be completely integrated into the architectural character of the principal structures. If not integrated into the architecture, solar energy panels may be mounted, but consistent with other rooftop mechanicals must be screened and remain with the required building height.
- Vehicle charging station - location of sign. Define the term, which would better clarify the location. The intent is that it be physically on the unit or appurtenance to that unit.
- Clarify roofs – what is permitted.
- Building height. In regard to maximum building height of 2 stories, not to exceed 32 feet, replace term “whichever is less” with “maximum of 2 stories, not to exceed 32 feet.”
- Parking Location. Language states that where they can, they serve as a buffer between residential. Replace use of buffer there with another word, so no to confuse with the landscaping buffer.
- Provide clarification of roof pitches and height implications.
- Exterior materials – clarify types of glass and where they may be used.
- Landscape Buffer/Tree Preservation – Incorporate preservation of drip line; combine/consolidate landscape islands to allow a larger grouping of trees in parking lots. [include in Design Guidelines.]
- Parking – Review maximum requirements, ensuring they are appropriate for the use and the area. Considerations: hybridized work trend may impact need for parking; potential redevelopment of large parking lots.
- Parking plans – Include shared parking agreements.

- Vehicle Charging Stations – Consider number of units per parking spaces; engage Ec. Dev. in that determination.
- Loading Docks – Clarify requirements when adjacent to residential areas; if located near, how to mitigate impact to the adjacent residential area; should not be permitted to face any public street.
- Sidewalks/shared use paths - Strengthen language re. access.
- Signs – [Address the preferred character in the Design Guidelines.]
- Light/Light Poles – Remove 3-foot concrete columns.
- Review procedures – most of the changes were made in Minor Projects. Commission indicated they had no objection to the square footage parameters.
- Waiver – Clarify the waiver request/application versus the waiver itself.
- Administrative Approvals – Applications regarding properties abutting residential areas should not be Administrative Reviews; they should be reviewed by the Commission.
- Screening of Daycare Outdoor Recreational Spaces – Re. request to increase from 50% to 100% opacity requirement - determine whether the uses are adjacent to Residential or to Commercial.

Public Comment

John Phillaman, president, Llewellyn Farms Civic Association, 4731 Bellfield Drive, Dublin, OH, inquired about the ability of a property owner to request to increase the height above the required building height of 32 feet. The current language states that the request can be made, although may be denied. In Section I-2, the language states a modification should be no greater than 10% of the building standard related to building dimensions. He requests clarification of the term, "building dimension."

Ms. Rauch responded that building dimensions would include all aspects of the building, including building height.

Mr. Phillaman stated that would seem to state that the height could be greater than 32 feet, potentially 35.2 feet, if 10% were to be requested. He requested clarification of whether any existing use could be grandfathered into the MUR4. When does the 12-month timetable contained in the draft language start/stop?

Ms. Call clarified that the use must first of all be a permitted use. She requested Mr. Boggs to clarify the rules for grandfathering.

Mr. Boggs stated that if the property owner is engaging in a use permitted by their current zoning, they have a property right to continue engaging in that use. If the zoning is changed, so that use is no longer permitted in the new zoning, it would become a nonconforming use, i.e., legally, the use can continue, but it is not a permitted use. As long as these uses are continuous, are not abandoned for a period of 12 months or longer, they are deemed as permitted rather than non-conforming. The intent is to help the property owner to be able to invest in the continuation of that use. That use can continue indefinitely, but should it be stopped for a period of 12 months or longer, then it is no longer a permitted use. going forward, the property owner could engage only a use that is permitted or conditional use under the new zoning.

Mr. Phillaman inquired if the use on the existing property was not in place prior to the rezoning, would the property owner be permitted a different use of the existing zoning.

Mr. Boggs responded that a vacant lot on which there is now no active existing use would be required to comply with all the new rezoning regulations.

Mr. Phillaman inquired if a request for a parking expansion of 25% could be considered as a Minor Project.

Ms. Rauch stated that parking plans that are not associated with a Final Development Plan are considered Minor Project applications and reviewed by the Administrative Review Team. Public notification of that meeting and an opportunity for public comment is permitted. A parking plan associated with a FDP, a larger development project, would be subject to review by the Commission.

Ms. Fox stated that in previous discussions with the neighborhood, she believes there was agreement that any modifications to a property that abutted residential neighborhood would not ever be considered an ART review. That would also be the case with any change that might impact the neighborhood or stimulate resident opinions. She would like the Code to reflect that items that might have neighborhood interest or impact would not have ART review.

Ms. Call stated that she believes better definition of the type of items and the threshold thereof would be needed to identify those items.

Ms. Rauch provided clarification of the reviewing bodies. With an Administrative Review, the Planning Director has the discretion of deciding upon minor improvements, such as lot line adjustments, re-location of elements within a parking lot, minimal building footprint expansions or material substitutions. The next level is a Minor Project, which is reviewed by the ART, a team of directors. The ART reviews applications for revisions to properties 3,500 square feet or less; modifications of not more than 25% of individual building facades; signs, landscaping, parking and other site-related improvements that do not involve the construction of a new principal building; accessory structures and uses; and parking plans, when not associated with an FDP. The next level is a Final Development Plan, which is reviewed by the Planning and Zoning Commission.

Ms. Call stated that for clarification purposes, the ART review involves a public process.

Ms. Rauch confirmed that is confirmed.

Mr. Phillaman thanked staff and the Commission for the clarifications. The Civic Association will continue to work with staff to make additional improvements.

Ms. Call noted that two earlier language clarifications were made to the proposed Code:

- (1) Building height must be two stories or less and not exceed 32 feet.
- (2) Requests for Waivers would be permitted, but would be heard only by the Planning Commission.
Any request for an increase in Building Height would be scrutinized heavily, including all the history, and not necessarily granted.

Mr. Phillaman stated that the residents had a concern with the "whichever is less" language associated with building height. There is a desire to remove any ambiguity regarding the potential height.

Ms. Rauch clarified that there are review criteria for granting waivers. A waiver must meet the spirit and intent of the Community Plan, the Dublin Corporate Area Plan, the MUR Design Guidelines, and applicable Zoning Code requirements. Waivers would be reviewed by the Commission.

Mr. Daney inquired if an existing permitted use in the current SO-Suburban Office zoning, which remains continuous, would be permitted at some point in the future to convert to a different permitted use in the current SO zoning, but not permitted in the new MUR4 zoning.

Ms. Call requested Mr. Boggs to clarify if it might be a consideration of deprivation of property rights, if not permitted to convert.

Mr. Boggs responded that a property owner would not be deprived of property rights if not permitted to make a switch in uses. However, if the Code permits them to switch from one formerly permitted use to another formerly permitted use, as long as the existing use had been continuous, they would be required to abide by the use specific standards of the permitted use to which they were converting. Any expansion of space that would be entailed with the conversion of uses would be reviewed by the Commission.

Ms. Call stated the reason for allowing a non-conforming use is to ensure that the City is not depriving someone of their property rights. If not having the ability to convert from a non-conforming use to a different permitted use would not be depriving them of a property right, then could the Commission request Code language be added that allows the existing non-conforming use to continue, but changing it to a different permitted use would not be permitted.

Mr. Boggs stated that from a legal standpoint, a person is not deprived of their property rights should they want to change from a previously permitted use to a different previously permitted use, but are not allowed to make the change because the use is not permitted within the new zoning. He believes the existing use provisions in the Bridge Street District (BSD) Code, which the proposed MUR4 zoning is based on, were adopted because with the area-wide rezoning for the BSD, a number of property owners were concerned about those changes. The Existing Use provision accommodated those expectations, although the provision may be wider than the legal actionable property right.

Ms. Call stated that the Commission desires to have closer scrutiny of those parcels adjacent to the residential neighborhood. To ensure that a use does not change substantially from something not previously engaged in, it is important to protect the property rights of both the owner and the expectations of the adjacent residential property owners.

Matthew Cull, Attorney, Kephart Fisher LLC, 207 N. Fourth Street, Columbus, OH 43215, representing Nationwide Realty Investors (NRI), stated that approximately one month ago, NRI, the Llewellyn Farms Civic Association and City Planning staff came to an agreement. That agreement eventually was reached after a year of effort. For the first portion of tonight's meeting, he was pleased with the residents' comments. However, during the second half of the meeting, certain components of that agreement have been chipped away, such as those pertaining to solar panels and rooftop mechanicals. He is concerned, also, with the targeting of this property, as opposed to looking at everything as a whole. Because this is the only undeveloped property in the MUR4, these changes will impact primarily this property. He is concerned that at this point, we are further away from what the agreement was.

Ms. Call inquired if, in addition to the rooftop panels and rooftop mechanicals, he believes there are other items in need of clarification.

Mr. Cull stated that until he sees the changes, it is difficult to say. There was discussion about location of loading docks, building setbacks, location of parking lots and amount of landscape buffer. He will review the revised draft when available. However, the flexibility in the compromise they thought had been reached has been slowly disappearing tonight.

Ms. Call stated that the Commission has been attempting to ensure the language reflects what was agreed upon between the neighborhood and NRI. The attempt has been to remove ambiguities.

Mr. Cull stated that what he has heard in this discussion was not just removal of ambiguities. For instance, a height of 32 feet is permitted as the maximum, and if a vent were to exceed that by one inch, a waiver must be requested. Until tonight, the draft Code did not reflect that..

Ms. Rauch clarified that including the rooftop mechanicals in the overall height was an issue that was discussed previously. This draft reflects the earlier discussion.

Mr. Schneier inquired if it was NRI's expectation that they would be able to have rooftop mechanical equipment exceeding the 32 feet of height.

Mr. Cull stated that was their expectation. It was their understanding that the building height would be measured as it is throughout the rest of the Code.

Mr. Schneier inquired if the expectation, following the negotiation with the neighborhood, was that the 32-foot height limitation would not include mechanical equipment or solar panels.

Mr. Cull stated that was the expectation. That is not the only item, however, that has changed since the agreement they thought had been reached.

Mr. Schneier noted that all parties would have another opportunity to review another revised draft.

- 21-086ADMC, Administrative Request – Design Guidelines

Ms. Rauch stated that the proposed Design Guidelines include an overview of the four MUR Districts within the intent and applicability sections, but the majority of the Guidelines focus on general building and site design elements to supplement the Code requirements.

Ms. Call inquired if Commissioners had any questions about the intent and applicability sections before moving into discussion of the building and site design elements.

Ms. Fox stated that with a Code, it is important to have aspirational images that provide a picture of what is intended. Illustrations of a variety of expectations provide character and personality to the Code. The Commissioners are citizens. As such, she has struggled with attempting to interpret Code without initially understanding the end point. She would like the Design Guidelines to give a picture of what the Code intends.

Ms. Call expressed agreement. She would suggest that some of the images be of pitched roofs and smaller buildings. Currently, most of the examples are larger buildings with flat roofs.

Building Design

Ms. Call stated that she would suggest staff incorporate any information from tonight's discussion regarding materials, including inspirational images to depict where those materials would be acceptable.

Ms. Fox stated that it is also helpful to have descriptions from other Master Plan Developments. Just saying that a building design should have four-sided architecture and avoid single-material monolithic wall planes does not paint a picture. It simply tells you what not to do. Descriptions that show what is desired or how to achieve it encourage creative thought.

Mr. Fishman expressed agreement. When Ms. Fox provided images during a previous BSD zoning review of other projects, the images were very helpful. The next generation of planners need to be able to see what is intended.

Mr. Way stated that as an overview, the Design Guidelines capture a good amount of intent, but there is more detail about the subject matter in other materials. The two documents need to be better married. For instance, there are several ways in which to incorporate landscaping within parking lots. There are statements in the Code that are not reflected in the Guidelines, which could be. The Design Guidelines are the graphic depiction of what should be achieved. The imagery currently in the Guidelines is high level. He believes it is possible to include specific examples of what the Code says we want to achieve.

Ms. Call agreed that the Guidelines should provide examples of what we are looking for. The images also ensure consistency among the reviewing bodies as to what should be achieved.

Mr. Schneier stated that his recollection is that the Historic Dublin Design Guidelines provide for specificity and images. Perhaps that document could be used as a template.

Ms. Rauch responded that those Design Guidelines do provide more specificity, due to the nature of that area. However, it is helpful to have the Commission's input on what level of specificity is desired with the DCAP Design Guidelines.

Ms. Call inquired if there was any additional input. [There was none.]

Mr. Supelak moved, Mr. Schneier seconded to table the three DCAP cases.

Vote: Mr. Grimes, yes; Mr. Fishman, yes; Mr. Supelak, yes; Ms. Fox, yes; Mr. Way, yes; Mr. Schneier, yes; Ms. Call, yes.

[Motion approved 7-0]

Communications

Ms. Rauch introduced new City employee, Taylor Mullinax, Planner I.

Ms. Rauch stated that due to the case volume, a special meeting would need to be scheduled next month.

Ms. Martin stated that the tentative Special Meeting date is Tuesday, November 16. Members should check their calendars with the intention that at the next regular meeting on Thursday, October 7, members would confirm if November 16 would be a viable option.

Meeting was adjourned at 10:13 p.m.

Chair, Planning and Zoning Commission

Assistant Clerk of Council



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, July 8, 2021 | 6:30 pm

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

Dublin Corporate Area Plan (DCAP), Mixed-Use Regional (MUR-4) - Informal Review

- 5. **19-117ADMC Code Amendments**
- 6. **21-086ADMC Design Guidelines**
- 7. **21-087ADMC Area Rezoning**

Proposal: Amendments to the City of Dublin Zoning Code to create the MUR-4, Mixed Use Regional – Llewellyn Farms Office District, which includes: creation of a new zoning district and associated development standards; design guidelines; and area rezoning.

Request: Informal review and non-binding feedback for a newly created district: MUR-4, Mixed Use Regional – Llewellyn Farms Office District.

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

Planning Contact: Jennifer M. Rauch, AICP, Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Information – 3 Cases: www.dublinohiousa.gov/pzc/19-117 and *21-086* and *21-087*

RESULT: The Commission conducted an informal review and provided non-binding feedback on the Zoning Code, Design Guidelines and Area Rezoning proposed to implement the MUR-4 District within the Dublin Corporate Area Plan. The Commission discussed the updated materials and graphics that included a detailed history, development standards of adjacent commercial properties that abut residential, potential development capacity studies for site 11, landscape buffering information, comparison of points of impasse, and a response to Llewellyn Farms Civic Association question. The members heard testimony from commercial and residential property owners. 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. The Commission also requested a dedicated meeting to review the proposed Code and Guideline documents in detail.

MEMBERS PRESENT:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Absent
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Yes

STAFF CERTIFICATION

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 Jennifer M. Rauch, AICP, Planning Director



~~Ms. Fox stated that the massing is too large. She would prefer to see a 2-story building along Frantz Road, but the residential building behind it could be more stories. The DCAP document is very important, as that sets the stage for the streetscape. She would not be supportive of a 4-story building along the Frantz Road streetscape.~~

~~Ms. Call noted that Commission support for a higher number of stories along Frantz Road appears to be split. However, the Commission is not requesting a reduction in building square footage, only the massing of that square footage.~~

~~Mr. McCabe stated they would re-think the massing and bring back a future plan that reflects the Commission's guidance.~~

Public Comments

~~No public comments were received on this proposal.~~

~~Ms. Call stated that due to the number of residents present for the DCAP Cases, Cases 5 through 7 would be heard next, followed by Case 3.~~

ADMINISTRATIVE CASES

5. DCAP Code Amendment MUR-4, Informal Review, 19-117ADMC

Feedback on proposed amendments to the City of Dublin Zoning Code to create the MUR-4, Mixed Use Regional – Llewellyn Farms Office District, which includes the creation of a new zoning district and associated development standards.

6. DCAP Design Guidelines, Informal Review, 21-086ADMC

Feedback on proposed design guidelines to complement the proposed MUR-4, Mixed Use Regional – Llewellyn Farms Office, Zoning District requirements.

7. DCAP Area Rezoning, MUR-4, Informal Review, 21-087ADMC

Feedback on a proposed area rezoning accompanying the creation of the MUR-4, Mixed Use Regional – Llewellyn Farms Office, Zoning District.

Staff Presentation

Ms. Rauch stated that the proposed Zoning Code requirements, Design Guidelines and Area Rezoning for the Dublin Corporate Area Plan (DCAP), MUR-4 Zoning District were introduced at the June 17, 2021 Planning and Zoning Commission meeting. The Commission reviewed the materials, provided feedback and requested additional information for future consideration.

Background

Four districts were created when the DCAP was adopted in 2018. The proposal before the Commission this evening is only for the MUR-4, the Llewellyn Farms Office District. The DCAP documents recommend lower density Office use, and when adjacent to residential areas, the building story height is limited, setbacks are increased and landscaping buffering is provided. At the June meeting, the Commission discussed the various limitations and specifically discussed Site 11, the only undeveloped parcel within the District. No numbers, other than building heights, were

included in the DCAP recommendations. An attempt is in process to translate that to Code, holding collaborate discussions among staff, the neighbors and the commercial property owners to find the best balance for all parties. Tonight will be another Informal Review of the DCAP documents; no determinations will be made. There will be future special meetings for detailed review of this plan. The ultimate goal is the Commission's recommendation to City Council for adoption.

The Code and Guidelines have been developed with the goal of implementing the Area Plan recommendations, recognizing the commercial property owner's need to establish a viable development/redevelopment of their site, also taking into account the residential properties that abut the area. The property owners have been very engaged in the process. There are been several meetings with the residential and commercial property owners over the last year, attempting to address the challenges, particularly those for the undeveloped site, Site 11 (NRI, Nationwide Realty Investments property). At this time, NRI has initially requested to be removed from the MUR-4 district. (That letter was included in this meeting packet.)

At the June 17 meeting, the Commission requested the following information to assist their review:

- Detailed history of engagement and public review of the DCAP;
- Comparison of adjacent commercial and residential developments;
- Potential development capacity studies for Site 11 (NRI, Nationwide Realty Investments property);
- Landscape buffering information;
- Comparison chart of outstanding points of impasse;
- Response to Llewellyn Farms Civic Association questions.

Additionally, minor changes have been made to the draft Code and Guidelines for the Commission's consideration. These changes are represented as a redline version document for review. The most notable is the division of the MUR-4 area into four subareas to help clarify the requirements proposed for the different properties within the MUR-4 District. Ms. Rauch reviewed the responsive information provided.

Ms. Call stated that the additional history that was provided was very helpful.

Public Comment

Public comments were provided by the following Llewellyn Farms residents:

Eric Kreidler, 5815 Settlers Place, Dublin, OH, stated that an attempt is being made to address the concerns with the undeveloped site. Would this Code also address redevelopment of a currently developed sites in this District.

Ms. Rauch responded that the Code requirements would address all those instances, whether it be for a building addition, demolition and construction of a new building. A public review process would be required, of which abutting property owners and neighbors would be notified.

Mr. Kreidler clarified that he was attempting to clarify if the Code would be applied uniformly to all property owners within this District

Ms. Rauch responded that they would address existing buildings in the subareas, as well.

Sven Christiansen, 5765 Settlers Place, Dublin, OH stated that building height and setback are the two outstanding items that continue to need work. He inquired if there had been any subdivision of plans in the revised Code. The previous Code proposal would have added approximately 12,000 usable square footage for the NRI site. Does that remain essentially same? Additionally, he would

like to have a copy of staff's responses provided for the Commission's requests from the previous Council meeting. The goal stated is development "compatible with surrounding structures." However, a building that is taller than exists today would be incompatible." He would prefer the word, "consistent." In his neighborhood, what is in harmony is what has been there. With this Code, the residents desire to have security ensured that will not be bypassed.

Larry Darlington, 4209 Haymaker Lane, Dublin, OH stated that we went through this process a few years earlier. The members of their HOA would understand that the City would not reflect any changes between Tuttle Road, Frantz Road and Rings Road with which the association was not in agreement. He has lived in this neighborhood many years, long before Nationwide purchased this lot in 2006. He objects to the need for the residents to "bend" to allow this developer to make money, impacting their neighborhood negatively. None of the residents are in agreement with what is proposed. The residents are also hearing about other real estate transactions occurring in Cramer Creek that are not public knowledge. He would appreciate the City's help in protecting a long-existing community.

Marguerite Thomison, 4656 Bridle Path Lane, Dublin stated if information provided indicated roofline heights of 35 feet adjacent residential areas. Is that residential comparable to Llewellyn Farms, or does it include other residential types, including, condominiums and multi-family. Ms. Rauch stated that in the DCAP, residential refers to single-family homes adjacent to commercial. [Reviewed the sites abutting single-family residential.]

Edward Erfurt, 4212 Haymaker Lane, Dublin OH, inquired if the 35-foot maximum height refers to the ridgeline. What would be eligible to exceed 35 feet – mechanicals, chimneys?

Ms. Rauch responded that where the height is determined depends on the roof type. For a pitched roof, it would be the midpoint of the eave. The draft Code attempts to establish a roof pitch requirement.

Mr. Erfurt responded that there are churches in residential areas that are well above 35 feet, and they have pitched roofs.

Ms. Rauch responded that in this instance, churches are not a permitted use. The height of a flat roof would be measured from the roof deck. Language was added that would limit the roof pitch. Roof height is measured consistently for all buildings within the City.

Mr. Erfurt inquired if illumination is addressed in the proposed zoning.

Ms. Rauch responded that the Code would require that parking lot lighting would be shielded. There are property line limitations to ensure that light trespass is not occurring onto adjacent properties.

Merlina Galbreath, 4203 Hertford Lane, Dublin, OH stated that most existing buildings adjacent to residential are not 35 feet in height. How could that be consistently ensured for their neighborhood, if the proposed 35 feet were to be approved? She is interested in seeing staff's responses to the questions provided by the civic association.

Ms. Rauch reviewed staff's responses provided to the Commission in response to the questions raised by the civic association.

Ms. Galbreath inquired if HVAC could be in addition to the 35-foot maximum height.

Ms. Rauch responded that the two items are considered separately, but the maximum height cannot be exceeded.

Ms. Galbreath stated that the civic association had provided a potential proposition to staff during the attempt to negotiation during this past year. As a good faith effort, they had proposed numerical values for building height and setback, according to their calculations, the developer would be able to increase the size of their development by 32%. Was staff able to verify that their calculations?

Ms. Rauch stated that the parking ratio for MUR-4 is a minimum parking ratio. If the developer desired more parking, the size of the building would need to be reduced.

Ms. Galbreath stated that she would like staff to verify the calculations they had proposed would achieve the beneficial results they indicated.

Ms. Rauch responded that the proposition was provided to NRI, as well, which Mr. Cull may want to respond to.

[No additional public comments were received at this point.]

Matthew Cull, Attorney, Kephart Fisher LLC, 207 N. Fourth Street, Columbus, OH 43215, representing Nationwide Realty Investors (NRI), stated a letter from NRI was provided in the Commission's packet. That letter included a timeline and the position at which they have now arrived. While they were aware of the DCAP recommendations, there was nothing objectionable for this property in Cramer Creek and until they were made aware of what was in the draft Code. At that time, rather than seeking to opt out, or something similar drastic, NRI leadership decided to attempt to work with it. The initial communications with the City, NRI limited their request to three items. Those were as limited as possible and still have an economically viable property. This site is 5.7 acres that has remained empty for the 15 years NRI has owned it. It already was a difficult property to develop, they limited their requests for modification to the draft Code to the extent possible. Negotiations beginning in August 2020 had seemed to progress, and they had agreed to meet with the Llewellyn Farms Civic Association. They believed a resolution had been achieved that would satisfy both parties. However, the meeting with the civic association was canceled. The first iteration they saw of the draft Code included a significant down-zoning from the Suburban Office and Institutional District. All along, NRI has been attempting to retain the minimum development rights that they currently have. After negotiations stalled in November-December, the City contacted NRI to see if they would be interested in having their site removed from the MUR-4 District. Subsequently, they submitted a formal request to remain in the Suburban Office District. Their concern at this point is, if their request to be removed from the MUR-4 is not granted, that the current draft Code will be implemented without their ability to meet with and work with the neighborhood to negotiate terms with which both NRI and the neighbors could agree. If the current draft is implemented, and they are subject to that, their property will be undevelopable. For this reason, their request is to be removed from the MUR-4 District. They did see the proposal the civic association put together. One of the primary issues is that the draft Code limits the maximum number of parking spaces to 2.5 per square footage. For Office space, a minimum of 4-6 parking spaces is desired. The ratio presented by the draft Code was a drastic reduction and will not work.

Ms. Fox inquired if NRI remained willing to meet with the civic association.

Mr. Cull responded that at this point, their strong preference would be to remain in the SO District. He cannot say that the opportunity no longer exists, however, as he is not an NRI decision maker. He can check with them and verify their position.

Ms. Fox asked Mr. Cull to clarify their parking needs.

Mr. Cull responded that 5-6 parking spaces per 1,000 square feet of Office is standard. Less than that, potential tenants would not be interested.

Ms. Call inquired if there are “sticking points” of the greater concern for NRI than others.

Mr. Cull responded that one of the most significant was the introduction of a very significant pavement setback, which was a 35-foot pavement setback at the rear. However, there is not one issue that was greater; it was the combination of all that makes the site unviable. At one point, they had requested a 25-foot rear pavement buffer, but the City’s landscape planners responded that it would be difficult to meet the landscape requirements within that space. NRI indicated that they could so. However, the 35-foot pavement buffer with the additional setbacks was untenable.

Ms. Call stated that most of the concerns reflect the anticipated massing of up to 35 feet in height. Does NRI have a building template that would typically be placed on this site that would alleviate the massing concerns?

Mr. Cull responded that there is no NRI template. The issue is whether NRI has 2-3 viable tenants interested in the site. The City Economic Development has proposed certain layouts that could attract tenants to the site. He is not aware of the reason nothing went forward.

Ms. Call stated that the NRI request to remain in the SO District remains outstanding. However, the question has been raised as to whether the opportunity remains to go back to the NRI decision makers and see if they would be willing to work on a resolution.

Mr. Cull stated that they all would prefer to have something mutually acceptable; however, at this point, their strong preference would be to be left out of the MUR-4.

Ms. Call requested that the responsive information the residents requested be provided at the website for public accessibility. There will be future working sessions to discuss the proposed Code, Guidelines, and Rezoning. Is there any additional guidance the staff requests from the Commission?

Ms. Rauch stated that as next steps, they will determine if there is an opportunity for the parties to meet and discuss the issues in more detail to see if a compromise might be possible. A future special Commission meeting may be scheduled for further discussion.

Ms. Call stated that there may be a need to have the residential standards be identified in numerical values.

NEW CASE

8. ~~The Country Club at Muirfield Village, Amended Final Development Plan, 21-085AFDP~~

~~Construction of platform tennis courts, a warming hut, pool patio expansion, and associated site improvements. The 79.66-acre site is zoned Planned Unit Development, Muirfield Village and is west of the intersection of Muirfield Drive with Whittingham Drive.~~

Staff Presentation

~~Mr. Hounshell stated that this is a request for review and approval of an Amended Final Development Plan for the Country Club at Muirfield Village. This is Phase 2 of the improvements contemplated on the site. The site is located west of Muirfield Drive, approximately 1,700 feet northwest of the intersection with Memorial Drive. This is one of two golf courses located within the Muirfield PUD. The site was zoned PUD, Planned Unit Development District, as part of the Muirfield Village development in the early 1970s. There is no development text that exists for this golf course. Everything on the site is considered compliant.~~



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, June 17, 2021 | 6:30 pm

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

Dublin Corporate Area Plan (DCAP), Mixed-Use Regional (MUR-4) - Informal Review

- 3. **19-117ADMC Code Amendments**
- 4. **21-086ADMC Design Guidelines**
- 5. **21-087ADMC Area Rezoning**

Proposal: Amendments to the City of Dublin Zoning Code to create the MUR-4, Mixed Use Regional – Llewellyn Farms Office District, which includes: creation of a new zoning district and associated development standards; design guidelines; and area rezoning.

Request: Informal review and non-binding feedback for an introduction of MUR-4, Mixed Use Regional – Llewellyn Farms Office District.

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

Planning Contact: Jennifer M. Rauch, AICP, Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Information – 3 Cases: www.dublinohiousa.gov/pzc/19-117 and *21-086* and *21-087*

RESULT: The Commission conducted an informal review and provided non-binding feedback on the Zoning Code, Design Guidelines and Area Rezoning proposed to implement the MUR-4 District within the Dublin Corporate Area Plan. The Commission generally discussed the proposed documents. The members requested additional information be provided to inform the discussion including detailed history, development standards of adjacent commercial properties that abut residential, potential development capacity studies for site 11, landscape buffering information, comparison of points of impasse, and response to Llewellyn Farms Civic Association question.

MEMBERS PRESENT:

Jane Fox	Yes
Warren Fishman	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes
Kim Way	Absent

STAFF CERTIFICATION

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 Jennifer M. Rauch, AICP, Planning Director



~~restaurant to own the corner plaza and make it truly dynamic and integrated with the feel and design of the restaurant.~~

~~Ms. Fox responded that Crawford Hoying had the opportunity to design a plaza, here, if desired. The better design outcome is if there were a significantly beautiful architecture piece in this restaurant, it could be ensured that there was a marriage of the elements to make it look like it belongs there. A couple of benches and a planter pot look inappropriate next to all the investment in this building. She would encourage Crawford Hoying to work with the applicant to make sure that design element is truly "wow." The restaurant and the plaza should look like they belong together.~~

~~Mr. Fishman stated that he would be much more in favor of the encroachment if there was an amazing blend of those elements there, improving the overall area. In regard to the Conditional Use factor he suggested, he wants to ensure that it is recognized that it is an encroachment by the next tenant that may occupy this space.~~

~~Mr. Starr pointed out that the vertical column that extends upward into the second story is part of a different tenant space. They will have to study that issue.~~

~~Ms. Fox stated that she could disregard that unattractive column if this corner were to be made outstanding with a distinct gateway impression. The tower is not a gateway element, only a pole.~~

~~Karen Halon, KHA Design Inc., Hollywood, Florida inquired if a fountain could be added.~~

~~Ms. Fox stated that the Commission is open to other suggestions, if they are impressive.~~

~~Mr. Bean requested the images shared in the meeting be forwarded to them.~~

~~Ms. Call thanked the applicant for the presentation. The Commission is anticipating the next iteration and discussion.~~

Dublin Corporate Area Plan (DCAP), Mixed-Use Regional (MUR-4) - Informal Review

- 3. Dublin Corporate Area Plan (DCAP), 19-117ADMC - Code Amendments**
- 4. Dublin Corporate Area Plan (DCAP), 21-086ADMC - Design Guidelines**
- 5. Dublin Corporate Area Plan (DCAP), 21-087ADMC - Area Rezoning**

Request for Informal Review of a proposed Code Amendment creating a Mixed Use Regional (MUR 4), Llewellyn Farms Office, Zoning District and associated development standards, design guidelines and area rezoning.

Staff Presentation

Ms. Rauch presented an overview of the proposed Zoning Code requirements, Design Guidelines and Area Rezoning for the MUR-4 Zoning District within the Dublin Corporate Area Plan (DCAP). 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 application before the Commission tonight is only the MUR-4 Zoning 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 implement the Plan recommendations and zoning strategies. Implementation options and strategies were presented 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, which is east of Frantz Road and south of the Rings Road area. The site-specific recommendations for the MUR-4 District 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. Site 11 is the only undeveloped parcel within the MUR-4 District. Tonight is an Informal Review only. The DCAP documents are anticipated to be before the Commission several times before a final recommendation is made to City Council. In order to address the goals of the Code and be responsive to the commercial property owners and the Llewellyn Farms residents, they have met with the parties on multiple occasions to ensure the plan is representative of those perspectives. The intention has been to create a balance between providing viable development 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 discussions, 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 are based on the DCAP recommendations, site capacity and existing conditions analyses, NRI’s feedback, and the neighbors’ expectations and feedback. A significant number of items have been addressed through our meetings and iterations, 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

As identified in the continued discussions with the Llewellyn Farms Civic Association representatives, the list of unresolved standards has been narrowed down to three main outstanding issues:

maximum building height, minimum building setbacks, and the width of the required landscape buffer.

During previous discussions, NRI was initially willing to accept the requirements listed above which differ from their current Suburban Office zoning requirements; however, NRI has expressed concerns about the Code imposing more restrictive requirements for maximum building height, minimum building setbacks, and width of the landscape buffer. Staff has attempted to propose a compromise solution for the unresolved standards for both the Llewellyn Farms Civic Association and NRI. However, NRI expressed that these requirements will significantly affect their ability for viable commercial development of their property given the existing site constraints and requested to be removed from the proposal. Staff has also engaged with other commercial property owners within Phase 1 and there have not been any major concerns. Again, the NRI site is the only undeveloped parcel within the MUR-4 area. Ms. Rauch reviewed the structure of the proposed Zoning Code, including Purpose and Intent, Uses, Site Development Standards, Review and Approval Process. The three main issues are the maximum building height within the Standard Office (SO) area in the Llewellyn Farms PUD. The height is currently based on a formula – the taller the building, the longer the wall, the greater the setback must be, which dictates the height. No maximum height is currently stipulated within SO. If the building abuts Residential and is not located on Bradenton Road, the draft Code proposes two stories with a maximum height of 22 feet, which could be increased with a setback ratio of one to three feet, up to 32 feet maximum. For the Bradenton parcels that abut residential, the current proposal is one story, or 20 feet maximum. For the other properties north of Tuttle Crossing that are not abutting residential, the story height would be limited to two stories with a 32-foot maximum. For properties south of Tuttle Crossing that do not abut residential, the proposal is three stories with a 40-foot maximum height. The residents have requested two stories with a 25-foot maximum height overall. They are requesting a smaller building with a larger setback, allowing that to be increased up to 25 feet within a 105-foot building setback. For the Bradenton parcel, the request is for one story with a sloped roof with a 20-foot maximum, matching the size and height of the existing building. Previous discussions with NRI considered a 35-foot building maximum with a one-two foot ratio, beginning at 22 feet at a 75-foot setback and ending at 35 feet. We are looking at the maximum and the ratio at which the height may be increased up to a specific number. In regard to the setbacks for paving and landscape, the current Code requires a 6-foot width with one tree every 40 feet, plus 6-foot screening. The draft Code proposes a 35-foot buffer with a 4-foot high opaque screen. The residents are requesting a 35-foot buffer with mounding and a screen that is 9 feet in height. In previous discussions with NRI, a 25-foot buffer was proposed, allowing some flexibility for them to ensure sufficient parking. In terms of the setback and sideyards, the current Code requires a 15-foot minimum setback, but if the building were taller or longer, there would be a greater setback. The proposed Code is 72 feet if abutting residential; for the Bradenton parcels, it would be 25 feet if abutting residential. NRI's request was for 50 feet. The current sideyard setback is a minimum of 15 feet with the formula used of $\frac{1}{4}$ of the height and length of the wall. The proposed Code is a 10-foot minimum setback, but if abutting resident, 75 feet would be the minimum sideyard setback.

Public Comments

Ms. Call stated that public comments were received from the following Llewellyn Farm residents: Josh Kinzel, Peter Hutchins, Joseph Kasouf, Michelle Pfefferle, Carole Mack, Kelly Stover, Domenico Pietropaolo, Alaa Ujali, Kelly Manusakis, Cindy Sebler all highlighted the same concerns: lower density, proper building height, setbacks and landscape, some of which also included taller, dense commercial abutting residential and low density protection for the resident. Carolyn and William

Tabor recommended no changes to the DCAP. Adam Schauer noted that he was not in favor of taller buildings, light pollution, parking lots, commercial abutting residential, safety concerns and reduced property value. Glen Vanderbilt stated that taller commercial buildings were not warranted as there is currently existing empty commercial in the City.

Ms. Rauch stated that additional public comments were received from Marguerite Thomison requesting mockups for the residents; Merlina Galbreath requested that the DECAP retain lower density, building height limitations, buffering and maintain the current character of the area and property values; and Clay Daney expressed concern about building setbacks and height.

Commission Discussion

The Commission requested and staff provided clarification of the following:

- o Sites within the Suburban Office zoning;
- o Proposed building height factors and proposed changes; most buildings are two-story;
- o Constraints of Site 11 (including stormwater protection restrictions);
- o Need to honor the protections that have been promised to the Llewellyn Farms residents;
- o Flexibility of the DCAP plan;
- o Details of the landscape buffer.

Ms. Call noted that Sven Christiansen is present, representing Llewellyn Farms residents, and Matthew Cull is present, representing NRI.

Matthew Cull, Attorney, Kephart Fisher LLC, 207 N. Fourth Street, Columbus, OH 43215, representing Nationwide Realty Investors (NRI), stated that NRI discussions regarding their site began in August 2020. Their goal is to maintain some amounts of reasonable economic viability for this parcel. This is the sole undeveloped parcel in the MUR-4, so the proposed changes would have the greatest impact on this site. NRI was clear about the changes they could agree to and it appeared that a mutual understanding was achieved in regard to heights, setbacks and buffering; however, that agreement fell apart. No further progress was made, and in January 2021, NRI requested to be removed from the MUR-4. He is unsure if that earlier request remains sufficient.

Ms. Rauch responded that the same request could be used.

Ms. Fox inquired if it was height or other issues that were untenable.

Mr. Cull responded that the height was a significant issue. Initially, it appeared the City was willing to offer some flexibility. Later, the level of restrictions proposed for this site, including pavement setbacks, became too restrictive for NRI to move forward with development of the site.

Sven Christiansen, 5765 Settlers Place, Dublin, OH, stated that he is representing the Llewellyn Farms Homeowners Association, which submitted its concerns to the City in advance of this meeting. In 2018, he spoke to the Commission to express their support for the final draft of the DCAP. They were supportive, because City leadership had acknowledged their requests and addressed them in that final draft. In view of that, he is surprised to be before the Commission tonight strongly opposing the draft Code, which would permit buildings up to 32 feet in height and permit buildings to be located closer to the residential neighborhood than currently permitted. He reviewed additional concerns and requests of the residents, which if met, would garner their support.

Mr. Schneier stated that there seems to be some disagreement as to what the various stakeholders were promised. The Commission is now requested, ex post facto, to seek equity for all concerned parties. Without a record of the commitments made, that cannot occur. Likewise, he would like to

have more specifics from the developer on their concerns and position. At this point, he cannot offer much input.

Ms. Call stated that this is an Informal Review, but inquired if the Commission was generally supportive of the draft Code language for the MUR4 in relation to building height, density, buffering and landscaping.

Mr. Schneier stated that he is looking at the matrix for the first time, and the Code adopted could have significant consequences for the stakeholders.

Ms. Call inquired how the setbacks and building heights in the proposed Code compared to other properties throughout the City where there is also commercial abutment to residential.

Ms. Rauch responded that there are not many other areas where this occurs. Perhaps this discussion tonight indicates what other information the Commission needs to help make an educated recommendation. Staff would pull some records responsive to the Commission's requests. They would also pull some case history in regard to earlier Plan reviews.

Ms. Call requested zoning history regarding similar properties, including both the Code requirements and the actual implementation.

Ms. Fox stated that this issue has been ongoing since before her tenure on City Council. Many meeting minutes exist reflecting the earlier discussions. This application is very significant because the residents have been involved from the beginning. This residential neighborhood has consistently requested consideration be given to neighborhood protection, and there were earlier assurances that would happen. They have attempted to find a win-win resolution that would be fair to the developer, as well. She would request any conversations that occurred from the beginning of the DCAP between Council, the residents and the Planning Department as to the expectations.

Ms. Call noted that staff is attempting to identify an equitable agreement for the neighborhood and the commercial residents, as well. There are many property owners involved.

Mr. Fishman stated that earlier meetings he was involved in promised development that would be compatible with the neighborhood, maintaining a residential character. This will require much more work to arrive at a resolution. It was recommended previously that the commercial buildings have pitched roofs to accomplish a more compatible "feel."

Staff indicated they would provide the requested records of previous City discussions, commitments made to Llewellyn Farms re. future surrounding development and the DCAP area, and will continue to work with the residential and commercial property owners to identify mutually beneficial development standards.

COMMUNICATIONS

~~Ms. Rauch reported that:~~

- ~~• The City will return to in-person public meetings on July 1, 2021. The next regular meeting of PZC will be held at 6:30 p.m., Thursday, July 8, 2021 in the old Council Chambers at 5200 Emerald Parkway. The August 5, 2021 meeting will be held in the new Council Chambers at 5555 Perimeter Drive.~~
- ~~• Required online Board and Commission training can be accessed via a link provided to members.~~

~~No public comments were received on this case.~~

~~Mr. Fishman moved, Mr. Grimes seconded a recommendation for City Council approval of the Historic Design Guidelines.~~

~~Vote: Mr. Schneier, yes; Mr. Supelak, yes; Mr. Fishman, yes; Mr. Grimes, yes; Mr. Way, yes; Ms. Call, yes.~~

~~[Motion approved 6-0.]~~

COMMISSION TRAINING

- **Dublin Corporate Area Plan**

Ms. Rauch provided an overview of the Dublin Corporate Special Area Plan (DCAP). In the near future, the Commission will be seeing proposed Code, Guidelines and area rezonings related to this area. The City's Community Plan is the overarching document that guides growth and development decisions within the community. Within that are Special Area Plans, which provide an additional level of detail and policy direction for a specific geographic area. The DCAP is one of those. Zoning is the legal mechanism that will govern land use development, and proposed rezonings come before the Commission for review. The DCAP includes the Metro Office District, the Blazer Research District, and a portion of the Emerald Corporate District. The goals of the Plan are to focus on repositioning the City's legacy office. The DCAP area has many office sites in need of reinvestment, and it is essential to insure the zoning tools are in place to implement successful reinvestment. The DCAP area is divided into various Mixed Use Regional (MUR) Sub-Districts. The Plan provides building height guidelines, depending on the location. It also provides guidelines regarding uses for presently undeveloped sites. When the DCAP was approved in 2018, City Council provided direction on moving forward with the implementation. The direction was for Phase 1 to focus on the MUR 4 Sub-District, the area located on the east side of Frantz Road adjacent to Llewellyn Farms. Phase 2 will be the MUR 1 Sub-District, the Metro Blazer area. Future research will be required for the MUR 2 and 3 Sub-Districts, in which there are many PUDs. Ms. Rauch reviewed the elements of the MUR 4 Sub-District. The next step will be the proposal of a new section of the Zoning Code for the MUR 4 Sub-District, along with Design Guidelines and a rezoning. When completed, the same process will occur for the MUR 2 Sub-District.

COMMUNICATIONS

- ~~Ms. Call inquired if it would be possible for menu board proposals to be handled administratively by staff, rather than as Consent Cases.~~

~~Ms. Rauch responded that many of these proposals are within PUDs, which would involve different standards. She would discuss the possibility of doing so with Mr. Boggs.~~

~~Mr. Boggs stated that the primary complicating factor would be the PUDs involved. For straight zonings, and perhaps as they relate to the Sign Code, it may be possible for many of the cases. They would look into the suggestion.~~

- ~~Ms. Call noted the recently passing of a Dublin resident and previous City of Dublin Planning and Zoning Department employee, Gary Gunderman. Mr. Gunderman worked for the City for many years and has many friends here. She would like to highlight his service to the City of Dublin and extend condolences to his family and his friends for their loss. Mr. Gunderman's wife, Chris, will be making a donation to the City for a planting in her husband's~~

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Held

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

Mayor Amorose Groomes expressed appreciation for the Planning and Zoning Commission and staff time putting this development together.

Vote on the Resolution: Ms. Alutto, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Ms. Fox, yes; Mr. Keeler, yes; Mr. Peterson, yes; Mayor Amorose Groomes, yes.

OTHER

- Dublin Corporate Area Plan Update

Ms. Rauch stated that the goals of the DCAP were to facilitate: reinvestment in the legacy office areas; redevelopment and infill opportunities; promoting mixed-use walkable environments with dining and service amenities; compatibility with surrounding uses (residential); and consistent architectural and site standards. City Council adopted the plan in September of 2018. Staff met with the Community Development Committee (CDC) in March 2019 to discuss recommendations regarding how to phase this plan implementation. The implementation would also include the development of zoning code regulations and design guidelines as well as an area rezoning. The outcome of the CDC meeting were the following implementation phases:

- Phase One: Mixed Use Regional (MUR) – 4 District (East of Frantz Road and South of Rings Road);
- Phase Two: Mixed Use Regional (MUR) – 1 District (the Metro Blazer Area); and
- Future phases will require further research.

Ms. Rauch highlighted the steps that had been taken thus far in furtherance of Phase One, MUR-4 District. She stated that staff developed draft code and guidelines to implement area plan recommendations while addressing residential property owner concerns and making sure the area was viable to commercial property owners. There were several virtual meetings held with commercial and residential property owners that discussed the draft code and guidelines. Challenges have surfaced as a result of these meetings regarding the parcels that abut the residential areas; specifically with NRI (commercial property) parcel abutting Llewellyn Farms subdivision. Staff modified the draft code and guidelines to try to balance the commercial property interests while still providing resident protections. There have been many conversations with both the commercial property owners as well as the residents of Llewellyn Farms and there are still outstanding issues. The issues presented by the Llewellyn Farms residents include: building height, setbacks and screening and how those items are addressed in the code. NRI's property is the only undeveloped parcel in this area. They have concerns with the draft regulations and guidelines. NRI has recently sent notice to the City requesting to be removed from the MUR-4 District. Staff and the consulting team have tried to resolve the issues, but have now come to an impasse. Phase one issues have prevented staff from being able to move on to phase two. Phase two is the Metro Blazer Area, MUR-1 District. There are some development interest opportunities and the property owners have requested the City advance the code and the guidelines for this Phase. The next steps for this Phase would include: draft code and guideline development, public input opportunities and a formal adoption process. Therefore, staff recommended to move forward with MUR-4 District (Phase one) code and guidelines and area rezoning opportunity for NRI to request exclusion; and to initiate MUR-1 (Phase two) code and guidelines, and area rezoning.

Ms. Fox reiterated that there has been a large amount of engagement to Llewellyn Farms and expressed appreciation for staff and the residents of Llewellyn Farms. She stated that Llewellyn Farms have been an active community and their leadership did come before Council and agreed to the original DCAP MUR-4 guidelines. [Ms. Fox read from the DCAP]. The Llewellyn Farms are now concerned that the DCAP regulations and guidelines have changed and become more liberal. She added that Llewellyn Farms has been consistent in their requests. They don't want to see anything closer or denser than already exists. Ms. Fox encouraged Council to be mindful of what was promised to the residents as we move forward.

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Vice Mayor De Rosa agreed with the approach recommended by staff.
Ms. Alutto moved to accept staff recommendations regarding moving forward with the DCAP.
Vice Mayor De Rosa seconded.

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

- AEP Distribution – Hayden Run Circuit Improvement

Mr. McDaniel stated that he wanted to highlight the proposed upgrade of a single circuit electric distribution line by AEP. This particular line runs along Cosgray Road. It will increase the single circuit to a double circuit. He wanted to bring this forward for information and awareness. He added that, to his understanding, AEP will be reaching out to residents.

Mayor Amorose Groomes stated that, to clarify, AEP was not asking permission. Mr. McDaniel stated that was correct and that the City is not really involved in the project. The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

STAFF COMMENTS

Mr. McDaniel shared the following:

- ~~Spring Severe Weather Awareness Week – March 21 - March 27. Planning ahead and knowing how to handle such emergencies is critical. There will be a statewide tornado drill on Wednesday, March 24 at 9:50 a.m.~~

- ~~Chicken Coops~~

~~Mr. McDaniel stated that Council referred the topic of chicken coops to the Community Services Advisory Committee in late 2019, early 2020. After revieweing this topic, staff is recommending that this topic be referred to the Community Development Committee.~~

~~Mayor Amorose Groomes moved to refer this matter to the Community Development Committee for additional discussion.~~

~~Mr. Reiner seconded.~~

~~Vote on the motion: Mr. Reiner, yes; Mayor Amorose Groomes, yes; Ms. Fox, yes; Ms. Alutto, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes.~~

- ~~St. Patrick's Day~~

~~Mr. McDaniel thanked staff for the innovative ideas surrounding the St. Patrick's Day festivities. He thanked City Council for their participation and all those who came out to enjoy the day.~~

COUNCIL COMMITTEE REPORTS

~~Planning and Zoning Commission: Ms. Fox stated that the Commission did not have any applicants on the agenda, but they did discuss garage conversions, specialty hospitals and tech flex district. She also stated that work continues on the goal of providing more educational opporutnities for our boards and commissions. She stated that the following is being planned to further this goal:~~

- ~~April – June: Presentations related to: City initiatives, Comprehensive plan overview discussions, innovative neighborhoods, neighborhood design and placemaking;~~
- ~~Third Quarter: Discussions relating to housing trends, housing needs, residential development standards; and~~
- ~~Fourth Quarter: Regional partners and the challenges they are facing, architectural design, material discussion and presentation, and collaborative design processes.~~

~~This information will be recorded so that future commissioners can utilize this information and education.~~

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

Mr. Reiner recessed the meeting to allow the residents in attendance for the grant proposals to exit.

The meeting reconvened at 7:15 p.m.

Dublin Corporate Area Plan Implementation Strategies

Mr. Papsidero stated that staff is before Council seeking direction on the zoning of the planning area. He introduced Mr. Greg Dale, McBride, Dale and Clarion, who is consulting on this project.

Ms. Puranik stated the Dublin Corporate Area Plan (DCAP) was adopted in September 2018. Since its adoption, staff has been exploring different options to effectively implement the plan recommendations and zoning strategies. She stated that a stakeholder meeting was held with residents from Llewellyn Farms and Waterford Village to understand their concerns and a commercial stakeholder meeting was held to allow different developers to give their perspective. Based on the feedback from Council during the adoption process and the two stakeholder meetings, staff and consultant Mr. Dale developed some options for Council's consideration.

Mr. Dale stated that staff is not going to make a recommendation at this meeting. They are going to provide two main options and two additional considerations as well as the pros and cons of each option. (Map attached for reference)

- Short Term – Existing Zoning Districts for On-going Projects

Mr. Dale stated that the first approach is to keep what is currently there because there is a plan that gives recommendations for land use and other development considerations. There is zoning in place, including what is called straight zoning (OLR and SO for example). In this option, there would be no immediate changes by the City to the current zoning. The City would support amendments to existing PUDs or re-zonings consistent with the DCAP vision and land use recommendations.

The pros of this option are:

- PUD process is already in place;
- City and development community are familiar with process and how it works; and
- PUDs allow for customized development regulations that can address many of the design and form recommendations set forth in the plan.

The cons of this option are:

- Already numerous PUDs in place and the development standards vary in level of detail, depth and sophistication.
- Various PUDs in one geographical area can be cumbersome and difficult to manage and enforce over time.

Ms. De Rosa inquired as to which areas on the map are straight zoning.

Mr. Dale stated the areas that are not in stripes are straight zoning.

Mr. Reiner added the clarification that all the solid colors are straight zoning.

Mr. Papsidero stated that the straight zoning covers over half of the area in this discussion. He stated that if someone wanted to build something permitted in one of these straight zoning areas they could go straight to the building department. There is no public review or

opportunity to guide the development to ensure it is consistent with the vision of the plan and the City's goals.

Mr. Reiner provided background on the movie that was made regarding the green concept and the landscape law that was developed. He stated the need for continuity and then inquired as to why that would be less predictable. It seems to be more predictable if it is consistent.

Mr. Dale clarified that when less predictability was listed, it was the feedback that was heard from developers about the PUD process. The consistency issue has to do with the variation in PUDs.

Mr. Reiner stated that less predictability could also affect developers wanting to build here.

Mr. Papsidero stated that when this plan began, it was all about encouraging reinvestment.

Ms. De Rosa asked, assuming that Council elected to change all the zoning and the current zoning would stay until which time someone chose to redevelop, if she is the buyer, which zoning applies, old or new? If the current owner chooses to redevelop the property instead of selling, which zoning applies?

Mr. Papsidero stated it would depend on what they wanted to do with the property. Just as the Bridge Street District was designed so owners could retain their rights, the same thing would happen in this area.

Ms. De Rosa asked if a comprehensive rezoning was done, what could current owners do with their property.

Mr. Papsidero stated it would depend on what they want to do with the property.

Vice Mayor Amorose Groomes stated that there are certain triggers that would steer what would have to happen. She used the example of non-conforming existing uses.

Ms. Husak agreed and stated that to call it a non-conforming use could cause a problem for developers to get financing, so it was called an existing use instead. This allows developers to keep whatever use was permitted prior to it being rezoned.

Mr. Dale stated that what Ms. De Rosa is referring to is on the Comprehensive Rezoning slide of the presentation. One of the disadvantages of the comprehensive rezoning is the need to examine potential creation of legally nonconforming uses.

Mr. Papsidero stated that if Council chose to do a comprehensive rezoning, there would be incentives that property owners would want to take advantage of because they can get more value out of the property.

Ms. De Rosa stated she was trying to get a sense of how much change could happen if a comprehensive rezoning were done.

Mr. Papsidero stated that potentially, it almost triples the density of the property.

Mr. Dale stated that there is assumption that the ideas stated in the Plan are things that Council does actually want to see happen and so these options should be viewed through that lens.

- Improvements to the current public review process

Mr. Dale stated that staff has heard from developers that the current process is a time consuming, costly process. So even if Council elected to keep the current zoning in place, that doesn't preclude them from making changes to the process to improve the efficiency of the process.

- Frantz Road Corridor Zoning Overlay

Mr. Dale stated that the public meetings and interviews that were held also yielded a lot of discussion regarding the Suburban Office use by Cramer's Creek (pink area on the

right of the map). Residents expressed a great deal of concern of how development occurs on the east side of Frantz Road.

One of the ways to address this concern is by creating a Frantz Road corridor zoning overlay -- a simple zoning tool that addresses certain types of building standards, such as height, set back, buffering, landscaping, etc. This would address the tangible land use impacts that the residents are concerned about. This is an in-between approach to address concerns, but is short of a comprehensive rezoning.

Mr. Papsidero stated that the overlay would have to extend on the west side of Frantz, the length of the district because of the height limitation commitment.

In response to Ms. De Rosa's question, Mr. Dale stated that this would be easy to implement because you wouldn't have to think through everything, but this would provide some protection to the residential area.

Mr. Papsidero stated that it would be a quick way to address the concerns that have been expressed by the residents.

Mr. Reiner asked if that would be a net-net loss economically.

Mr. Papsidero stated that on the east side of Frantz, that is likely not a concern due to what could be built on those parcels. The west side could have seen three-story buildings at one time, but the residents were completely against it.

Mr. Reiner asked if it could be a scaled down process. Ms. Puranik stated affirmatively that is what staff had envisioned.

Vice Mayor Amorose Groomes stated that it makes sense to start with "low hanging fruit" for redevelopment, such as Techmart.

Mr. Papsidero stated that closer to the interstate in that OLR section, seven stories is supported, but along Frantz is where it needs to be constrained.

Ms. De Rosa stated that the overlay could be done faster and then work on other areas.

Mr. Dale agreed that the overlay could be put into place relatively quickly, while working on longer term comprehensive rezoning.

- Comprehensive Rezoning

Mr. Dale stated that comprehensive rezoning is a long-term solution where the DCAP would be followed to rezone the properties geographically. These districts were envisioned to be conventional zoning districts similar to the West Innovation Districts, and not form-based districts such as the Bridge Street District. Comprehensive rezoning requires more input, but the plan was written to be translated into zoning districts.

Vice Mayor Amorose Groomes stated that a disadvantage of a comprehensive rezoning is not getting anything better than what it takes to get the minimum.

Ms. De Rosa asked for clarification.

Vice Mayor Amorose Groomes stated that when a comprehensive rezoning is done, developers have what the minimum rules are they have to meet. They have the ability to interpret the code on transparency, materials, etc. You could get an unsightly building that meets code, but is the minimum. She stated that is not what makes Dublin special. She said the PUD process requires more review.

Mr. Dale agreed that you do not have the ability to negotiate up. The developers want to know what the standards are and they will meet them, which is why they don't like the PUD because they don't know the answer until they go all the way through the process.

Vice Mayor Amorose Groomes stated there are unintended consequences when taking on the task of writing code. Writing code is difficult, has gaps and is frail by nature. Mr. Dale added that staff is working with the assumption that Council wants the DCAP to happen.

Mr. Reiner stated that piling on more and more demands puts the developer at a disadvantage.

Ms. Puranik stated that the zoning would contain basic standards but there will be design guidelines that would give the ability to negotiate at Planning and Zoning Commission (PZC).

Mr. Papsidero stated that it was staff's intention that this would mimic the West Innovation District in that PZC would review design plans. The advantage is there is a consistent set of clear standards.

In response to Ms. De Rosa, Mr. Dale stated that there is protection in some areas and not in others.

Mr. Papsidero stated that in some discussions with Waterford area property owners, staff learned they won't update their landscaping because they don't want to have to go back to PZC to negotiate their landscaping. One of the reasons staff's initial thought was to mimic the standards at West Innovation District is because it is similar in quantity, but allows more flexibility.

Vice Mayor Amorose Groomes stated that they have done a great job renovating some of those buildings inside.

Mr. Reiner asked staff what they would recommend.

Mr. Papsidero stated that staff would recommend the comprehensive rezoning because it is the most complete solution.

Mr. Dale stated that they talked with four different developers and got four different answers. The one thing everyone agreed upon is that they don't want to have a wait a long period of time.

Vice Mayor Amorose Groomes asked if the most desirable parcels to be redeveloped or developed could be identified and then do a mass rezoning on those to protect them and make them less at-risk.

Mr. Papsidero stated that they may need to get a legal opinion on that suggestion.

Vice Mayor Amorose Groomes stated that she is not referring to spot rezoning, but since there are not any protections along the Frantz Road corridor, that area could be included, Waterford Village and any others that could be identified as high risk.

Mr. Dale stated that it could be a variation of option three.

Vice Mayor Amorose Groomes stated that this would allow Council to see what projects they are getting in that area and see if a comprehensive rezoning is the right thing to do.

Mr. Papsidero agreed that if Council wanted to go with the comprehensive rezoning option, staff would recommend option three to put some protections in place now, while staff does more outreach to talk with more commercial property owners.

Mr. Reiner asked what staff is seeing in the way of projects right now and mentioned Pizzuti specifically.

Mr. Papsidero stated that Pizzuti owns the southwest corner of South Metro which is zoned OLR. They have previously discussed residential or an extended stay hotel, but nothing has come forward. The plan supports residential as a secondary use in certain locations.

Vice Mayor Amorose Groomes stated that Council would not be supportive of residential within 1,000 feet of I-270. She stated she also would not be supportive of an extended stay hotel. Mr. Papsidero stated that prior work suggests that the reason residential was supported as a secondary use in certain locations is it would be an amenity to the district.

Mr. Dale stated that for comprehensive rezoning, if that is the recommendation, this level of detail in discussion is what is needed.

Mr. Reiner asked if staff has ever done a site plan with our planners and landscape architects to show developers what we would like or how to visualize the area.

Vice Mayor Amorose Groomes stated that is the Community Plan for the area.

Ms. Goss stated that a consultant works with the City in looking at a site from an economic development standpoint and maximizing the site.

In response to Ms. De Rosa's question, they plan out sites proactively that the city owns.

Mr. Papsidero stated the need to be careful with that, staff can explain the intent of the plan and how it could be fulfilled.

Mr. Papsidero stated that the market at the time will drive what will be successful also. Most developers will not build something that the market doesn't support.

Ms. De Rosa stated that the nature of work and the nature of corporate headquarters looks different now.

Vice Mayor Amorose Groomes stated that there is value in having land. She used Upper Arlington as an example of redevelopment that is happening in an undesirable way. She stated that we can't improve without development, but she suggested thinking harder about boundaries.

Ms. De Rosa suggested a modified option three; having an overlay along the Frantz Road corridor.

Ms. Puranik stated that the overlay won't speak to any land use changes, it will be more about standards.

Mr. Dale stated that they can piece together an overlay on the east side of Frantz Road to protect the area and then do some rezonings.

Vice Mayor Amorose Groomes stated that she doesn't like overlays because she believes they are complicated.

In response to Ms. De Rosa's question about having any overlays in Dublin, Mr. Papsidero stated there are not.

Mr. Dale stated that overlays should only be used when they are simple. There are five different zoning districts east of Frantz Road. An overlay can be as simple as limiting building height or it can include more such as landscaping and buffering.

Vice Mayor Amorose Groomes posed the question what would be the advantage of an overlay versus a phased rezoning?

Mr. Dale clarified her question, stating that instead of doing an overlay in the Llewelyn Farms Office area, just do a new zoning district?

Vice Mayor Amorose Groomes stated that it could continue up Frantz Road, one parcel deep.

Mr. Dale stated that was an interesting idea.

Ms. Puranik stated that they would need to check the parcel depth. She also stated that she is concerned that the map is already complicated with the different zoning districts and what is suggested may complicate it more.

Mr. Papsidero stated that the Waterford residents would want some protection with this also versus stopping just south.

Vice Mayor Amorose Groomes stated that she doesn't want to put this zoning near I-270 for what could come in the future.

Ms. De Rosa stated that she would like to have the parameters of "Secondary Use" clarified.

Mr. Papsidero stated that the secondary residential use is site specific.

Mr. Reiner summarized the recommendation of the committee members. He stated that:

- Frantz Road Corridor – one parcel deep; and
- Extend to Waterford (Mr. Papsidero recommended).

Vice Mayor Amorose Groomes moved to look at an amended area map for initial area wide rezoning and phasing of area wide rezoning.

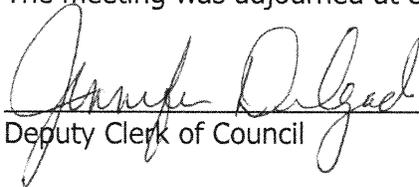
Mr. Reiner agreed phase 1 would be Frantz Road, one parcel deep.

Ms. De Rosa clarified that there would be design guidelines with this also.

Ms. De Rosa seconded the motion.

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

The meeting was adjourned at 8:21 p.m.


Deputy Clerk of Council

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Ms. Fox stated that when people hear "Irish is an Attitude," they expect an Irish experience. Has there been any talk of street entertainment and the possibility of spontaneous entertainment in the streets? What additional things could be included that would create an Irish experience?

Mr. Dring stated that programming the small pocket areas with fiddlers has been discussed, and Crawford Hoying has talked of including some pocket entertainment in Bridge Park.

Ms. Alutto asked if there was a need for additional mobility to aid and encourage people to explore the area.

Mr. Dring stated that walking seems to be the preferred method of mobility. The Limebikes are also widely used.

Mr. Reiner stated that he had a conversation with a few residents of Bexley who commented on how much they love coming to Dublin for entertainment.

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

Mayor Peterson asked if anyone requests removal of an item from the Consent Agenda. Hearing none, he moved for the approval of the three items on the Consent Agenda:

- Approval of August 27, 2018 Regular Meeting Minutes
- Notice to Legislative Authority of TRES transfer of D1 liquor permit from Noodle Shop Co. Colorado, Inc. and Patio, 9733 Sawmill Parkway, Suite A, Liberty Township, Powell, OH 43065 to Sweet Carrot Sawmill, LLC, 7571 Sawmill Road, Dublin, OH 43017
- Notice to Legislative Authority of Stock Transfer related to existing D5A and D6 liquor permits for One OH Columbus ES Management LLC, dba Embassy Suites Dublin, 5100 Upper Metro Place, Dublin, OH 43017

Ms. Alutto seconded the motion.

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

POSTPONED ITEMS SCHEDULED FOR HEARING

Resolution 40-18

Authorizing the City Manager to Enter into a Cooperative Agreement with Ohio University to Share the Costs of a Professional Services Agreement for Services Related to the Exploration of a Cultural and Performing Arts Center.

Mr. McDaniel requested that this item be tabled as there is currently no date anticipated for future scheduling.

Mayor Peterson moved to table Resolution 40-18.

Ms. Alutto seconded the motion.

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

Ordinance 46-18

Amending the City of Dublin Community Plan to Add a Special Area Plan (Dublin Corporate Area Plan) for the Legacy Office Area including the Metro, Blazer and Emerald Districts, Covering approximately 987 Acres Bordered by West Bridge Street to the North, Emerald Parkway to the West, Frantz Road to the East and Tuttle Crossing Boulevard to the South. (Case 17-093ADM)

Ms. Puranik referred to the information provided in Council's packet. Since the last meeting, they have revised the draft, based on Council's feedback.

Ms. Fox stated that she appreciates that staff has incorporated Council's suggestions. However, on page 62 - Placemaking, she is confused by the term "content specific."

Ms. Puranik stated that "content specific" refers to making sure the areas are compatible in the sub-districts that are within the main district.

Ms. Fox suggested that it would be helpful to define some of the text, such as "content specific," to help the Planning and Zoning Commission interpret and apply criteria

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Minutes of _____

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

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correctly. A variety of architecture also should be included.

Ms. Puranik stated that there are some illustrations on page 64 and 65.

Mr. Keenan stated that all these ideas and comments are great, but he believes that many will be in direct conflict with the ability of the development community to make any economic sense out of engaging in this area. When a lot of parameters and changes are added to an older area of the city, it may be difficult to find people willing to invest in the area.

Ms. Fox stated that she is mindful of this, but it may be market driven. She believes this offers developers more freedom to develop something and is not as definitive as the form-based code. Amenities for the office workers will be important, which is why she felt strongly about the ability of placemaking to bring vibrancy.

Vice Mayor Amorose Groomes stated that she agrees with Ms. Fox that the way in which this is set up will make it easier to develop. It may not be as desirable of an area to attract the development community, but it does go a long way in identifying the parameters without being restrictive. She doesn't mind the pictures of the buildings, as it is a matter of personal taste.

Vote on the Ordinance: Mayor Peterson, yes; Mr. Keenan, yes; Ms. De Rosa, yes; Ms. Alutto, yes; Mr. Reiner, yes; Ms. Fox, yes; Vice Mayor Amorose Groomes, yes.

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 47-18

Adopting the 2019-2023 Five-Year Capital Improvements Program.

Mr. McDaniel requested that this item be tabled.

Mayor Peterson moved to table Ordinance 47-18.

Mr. Reiner seconded the motion.

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

Mayor Peterson moved to waive the Council Rules of Order to consider Ordinances 52, 53 and 54-18 together.

Ms. Alutto seconded the motion.

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

Ordinance 52-18

Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the City of Dublin, Ohio in Cooperation with the Columbus Regional Energy Special Improvement District, and Declaring an Emergency. (525 Metro Place N.)

Ordinance 53-18

Levying Special Assessments for the Purpose of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dublin, Ohio in Cooperation with the Columbus Regional Energy Special Improvement District, and Declaring an Emergency. (525 Metro Place N.)

Ordinance 54-18

Authorizing and Approving an Energy Project Cooperative Agreement by and between the City of Dublin, Ohio, the Columbus Regional Energy Special Improvement District, OH15 Dublin LLC, and the Columbus-Franklin County Finance; a Special Assessment Agreement by and between the City of Dublin, Ohio, the County Treasurer of Franklin County, Ohio, the Columbus Regional Energy Special Improvement District, and OH15 Dublin LLC and Related Agreements, All of Which Provide for the Financing of Special Energy Improvements Projects, and Declaring an Emergency. (525 Metro Place N.)



RECORD OF ACTION

Planning & Zoning Commission

Thursday, June 7, 2018 | 6:30 pm

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

**4. Dublin Corporate Area Plan
17-093ADM**

**Administrative Request
Community Plan Amendment**

Proposal: An amendment to the Community Plan to add a new Special Area Plan for Dublin's legacy office areas including Metro, Blazer, and Emerald Districts.

Location: Approximately 987 acres bordered by West Bridge Street to the north, Emerald Parkway to the west, Frantz Road to the east, and Tuttle Crossing Boulevard to the south.

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

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

Planning Contact: Devayani Puranik, Senior Planner.

Contact Information: 614-410-4662, dpuranik@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/17-093

MOTION: Mr. Stidhem moved, Mr. Miller seconded, to recommend approval to City Council for the Administrative Request Community Plan Amendment.

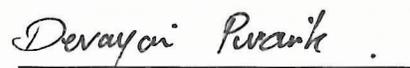
VOTE: 7 – 0.

RESULT: This Administrative Request was recommended for approval to City Council.

RECORDED VOTES:

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

STAFF CERTIFICATION



Devayani Puranik
Senior Planner



Warren Fishman suggested that since Ms. Fox brought it up, but the developer is here, and before we approve the Final Development he assumed the Commission will see a solution to that. Victoria Newell said Legal Council could step in but these blocks are already established with streets so she did not think the Commission had the leeway to turn around and change the widths of the streets now. She said when the architecture of the buildings come in, one of the discussions we had very early on in this process is you have this in downtown urban areas, you are going to have deliveries made street-side at the curb but they are generally temporary so if there is someone unloading a truck, yes, they may be tying up two parking spaces but it is generally for a short period of time. She recalled that was a long discussion even developing the BSD Code, for which we were willing to accept for the walkable urbanism. She said if delivery drivers are plugged in, they are taking away usable land within that space and there will be less cohesiveness to the built environment that is there. She said to consider delivery drives for every single entity that starts to go in, so depending on what the uses are, and it will have an excessive amount of deliveries, then that is something the Commission would addressing when those structures came forward or those tenants came forward in some fashion. She asked if that made sense. Ms. Fox said it makes sense but she restated how narrow these streets are when loading/unloading is occurring in on-street parking spaces, it disrupts the pedestrian experience.

William Wilson suggested to alleviate this conflict between deliveries and pedestrians/cyclists, is to post hours to limit deliveries when no one is around. Mr. Fishman agreed and delivery times are posted in a lot of big cities. He suggested that when the buildings are designed, that there is another place, like in the rear of the building where they are only allowed to load and perhaps with special freight elevators.

Ms. Newell said the discussion is more appropriate when the Commission is reviewing architecture because the right-of-way is already established.

The Chair asked if there was anyone from the public that wished to speak on this case. [Hearing none.] She called for a motion.

Motion and Vote

Mr. Stidhem moved, Mr. Fishman seconded, to recommend approval to City Council for a Final Plat with the following condition:

- 1) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

The vote was as follows: Ms. Newell, yes; Mr. Wilson, yes; Ms. Kennedy, yes; Mr. Miller, yes; Ms. Fox, yes; Mr. Fishman, yes; and Mr. Stidhem, yes. (Approved 7 - 0)

4. Dublin Corporate Area Plan 17-093ADM

Administrative Request Community Plan Amendment

The Chair, Victoria Newell, said the following application is a proposal for an amendment to the Community Plan to add a new Special Area Plan for Dublin's legacy office areas including Metro, Blazer, and Emerald Districts. She said the site is approximately 987 acres bordered by West Bridge Street to the north, Emerald Parkway to the west, Frantz Road to the east, and Tuttle Crossing Boulevard to the south. She said this is a request for review and recommendation of approval to City Council for proposed amendments to the Community Plan under the provisions of Zoning Code Section 153.232.

Devayani Puranik said the Dublin Corporate Area Plan was introduced at the last meeting that entailed a detailed presentation. She said they discussed the Community Plan, Special Area Plan, Zoning, the process for the plan, contents of the plan, different recommendations, and implementation strategies. She indicated tonight's presentation would be brief focusing on the comments from last PZC meeting.

Ms. Puranik presented an aerial view of the area this plan would cover. She said the project goals are as follows:

- Reposition the "legacy" office sites for success by encouraging new investment, as well as reinvestment in existing buildings;
- Create a walkable, mixed-use environment with the commensurate amenities, while recommending places for infill and new development;
- Identify under-served markets and the related opportunities for attracting new private investment;
- Establish a strategy to "refresh" the Frantz Road streetscape that better reflects the gateway nature of this important corridor;
- Recommend mechanisms to ensure additional development along Frantz Road does not adversely impact neighborhoods to the east;
- Recommend zoning tools to ensure successful implementation of the vision and plan recommendations, while providing new zoning protections for adjacent neighborhoods; and
- Introduce consistent and compatible architectural and site design guidelines for the entire district.

Ms. Puranik presented a graphic showing the planning process for the Dublin Corporate Area Plan that began in 2016 with analyzing of the existing conditions, engaging neighborhoods and stakeholders, developing conceptual recommendations, engaging neighborhoods and stakeholders again, finalizing recommendations that now have brought us to the adoption phase of the plan in 2018. She said the Dublin Corporate Area Plan will be included under the Special Area Plans upon adoption and she provided the following highlights of its progression:

- Phase I: Legacy Office Park Competitiveness Study – 2015, which focused specifically on parking and how to manage existing parking more efficiently and in some cases, trying to add parking for economic development within these districts; and
- Phase II: Dublin Corporate Area Plan - Public Workshops, Open Houses, neighborhood meetings, and Council Work Sessions from 2016-mid 2018, which focused on introducing new amenities and land uses within the district.

Ms. Puranik reported that one of the important points discussed during the PZC meeting on May 17 was that open space be an important amenity to the Plan and to consider a "central green" that can be a focal point of the area. She said that the Plan provides specific recommendations that the open space to be utilized as an organizational element, focal point, and usable amenity in the district along with the reconfiguration of interior landscaping.

Ms. Puranik said the plan also discusses interior landscaping within the parking lots and making meaningful islands for interior landscaping, including sustainable stormwater practices. She said the plan has references throughout the document regarding screening/buffering landscaping for existing neighborhoods.

Ms. Puranik stated large setbacks were also discussed along Frantz Road and the idea within the plan is to activate the streetscape by providing a visual connection for pedestrians and users nearby. She said the plan has references to 30-foot setbacks from Frantz Road but, however as staff moves forward to zoning discussions staff can look at specific site design patterns for setbacks. She said it is possible differentiate districts based on existing patterns and determine setbacks accordingly.

Ms. Puranik said a dedicated bike lane was discussed for Frantz Road. In the plan, she said, there is already a reference to examining connectivity through the Mobility Study. She said Planning has followed up with Engineering and they are working on Frantz Road/SR 161 intersection traffic study, some improvements will be made. She said that to possibility of bike lane along Frantz Road will definitely require a Feasibility Study.

Ms. Puranik said the Zoning Code and process has been discussed and will be starting soon. She said staff is anticipating a start in the Fall of 2018 and that is when all the details will be reviewed, which is very extensive. She explained because it would be a public process, all commercial property owners within the district would be involved, as well as neighboring property owners.

Ms. Puranik said approval is recommended to City Council for the Dublin Corporate Area Plan. She said if the Commission agrees, the next step will be a review and adoption by City Council and staff is anticipating that process to occur in August/September 2018.

Warren Fishman said Ms. Puranik did a fabulous job explaining what is being proposed. He said the Bridge Street District is a dense, urban area but he does not want that urban area spread all over the City because then, Dublin could look just like any other city. He said the City's forefathers worked so hard on getting open areas and the expansive look that is on Frantz Road, for example. He added that when he attended the car show at the Metro Center, people complemented the office park for the available green space. He suggested using the existing buildings and adding restaurants to the first floor of those buildings instead of building new. He said that the restaurants would be used by the people in that center and the green area will not be sacrificed. He said he liked the BSD but it is different than the rest of the City and he would like to preserve all the green areas in the rest of the City. He indicated the compliments about Dublin are that it is all green. He said a huge difference is visible when crossing over into Columbus, OH, on Frantz Road.

Victoria Newell said it becomes a Building Code issue. She indicated that when an office building is designed from the beginning with a restaurant in it, the two uses have to be separated in terms of construction. Exhaust for one needs to be dealt with when constructing a restaurant. She added that it becomes more difficult when adding a restaurant to a pre-existing building because that use was not planned for and if the office building is seven stories high for example, the exhaust still has to go all the way up through the roof. She stated she is not saying it cannot be done but it becomes problematic. Mr. Fishman suggested adding the restaurants to the side or front of the office building and possibly attached to keep the footprint minimal. He emphasized he wanted to keep the setbacks on Frantz Road as that kind of look is what Dublin is famous for and sets us apart from a lot of cities. He recalled pushing for 100-foot setbacks and they all look fabulous. He indicated if the setbacks are not actually 100 feet, they are certainly large.

Ms. Puranik clarified the recommended setbacks in this proposal are not the same as setbacks in the BSD. She said that the plan suggests that there would be a tree lawn, shared-use path, and then 30-foot setbacks here. She said the proposal would be more like a transition from BSD to a more suburban setting. She said the setbacks staff referenced in the proposed document are very different than the BSD; green space is anticipated along Frantz Road. Mr. Fishman said if grass and trees are being eliminated,

that would change the appearance. Ms. Puranik said the intention is to not eliminate the green grass along Frantz Road, it is just putting the building slightly forward to interact with the streetscape.

Tammy Noble noted a lot of the questions the Commission is asking are what the plan is addressing. She said the idea is to repurpose the existing buildings and build around them. She said the key element of this plan is for the office park as it is failing without amenities close by. She reported originally the scope of work was for a parking analysis but Staff has found there are a number of issues adding to the vacancy rate. She noted Jason Sudy, Side Street Planning, had said this at the May 17th meeting – green space is not being eliminated but they plan to reduce it and reconfigure it to then get to the economic incentives that will revitalize this area. She said she thought several issues that the Commission discussed, are addresses in the plan. She added the fundamental part of this plan is to revitalize those areas.

Bob Miller said he appreciates past Commissions and their input in creating aesthetics for Dublin. He said the reason we are having this discussion for redevelopment is because it is not economically feasible and needs to be protected for the next generation. He said it is sad it is about to change but on the other hand, it has to change; the redevelopment has to come forward to breathe life into the area. Mr. Fishman agreed that it has to change to make it economically feasible but the “good green feel to it” has to be maintained and not to appear like the Bridge Park Development. Mr. Miller said it was a very special place and at the time it was great.

Ms. Newell said the task to move forward with this is to pay attention to developing the Code. She said if there is open green space that is nothing but lawn, it can be used for new development or planned vegetative planting areas. She suggested there can be really good quality landscaping in exchange for some of the open, flat, lawn space that has to be mowed. She indicated that if this is not revitalized, for a draw it once had, ultimately we are hurting the City. Mr. Fishman agreed. In regards to landscaping, Ms. Newell said she still wants the area to appear as we have been known for in Dublin and to not lose that.

Ms. Noble said staff understands it is a balancing act.

Jane Fox said she disagrees with some development design principles, primarily the use of glass as a primary material. She said when the regulations or guidelines become too prescriptive, in terms of what shall be used and what should be used, etc., the developers are forced into boxed up buildings. She said if we really are a community that says we want to build walkable areas and we try to retrofit these large masses of land, we have to consider what makes that mass of land and those walkable areas attractive. As stated on surveys time and time again, she said, Dublin thinks the public realm is attractive because of the open natural environment. She hopes this plan does not lock us into the way the boxes are illustrated. She said there can be some wonderful public-realm open spaces, parklike elements, Llewellyn Farms, Waterford, and mid-century residents, will want to come and bring the kids and have a picnic or a wonderful place to run or take a walk. She said we have to be particularly careful when we are developing our open spaces, that we do not have long grassy areas and call that our public realm as it is not serving any purpose.

Mr. Fishman said the City does a wonderful job at obtaining public input. He said he has read all the minutes and what he finds interesting is the residents will say they want the redevelopment but not near their house or subdivision. He said he agreed we need to make changes; the Metro Center has outlived its spark and we need to make it economically feasible but we have to be so careful to ensure it looks great. To Ms. Newell’s point he agreed, we no longer need masses of lawn. Ms. Fox agreed a long open lawn will not draw the people to it.

Ms. Newell cautioned her fellow Commissioners that this is a plan and the illustrations in the plan are only examples and not real life projects.

Ms. Kennedy said that as indicated by staff, if the on-going traffic study will include dedicated bike lanes. She asked if the studies also include the pedestrian element as well. Ms. Puranik said the plan recommendations are for Frantz Road. She added that the crosswalk improvements and streetscape improvement project is on-going and Public Works department is managing it. She said the traffic study for Frantz Road and SR 161 will be on hold based on OCLC discussions. She said Engineering will have to complete a feasibility study if there is to be a bike lane on Frantz Road. She said the Frantz Road corridor streetscape improvement project has already been on Engineering's plate and they are looking at specifics for pedestrian improvements, etc.

Ms. Kennedy said she is really excited about this project and enjoyed reading this proposed plan as the revitalization is absolutely necessary. She agreed that Dublin is known for and loves its green space so she will also be taking a critical eye to that component in this study.

Mr. Fishman said there can be vertical greenspace as well as horizontal.

Ms. Fox said this is an opportunity to build a development the neighborhoods can use. She said this will be an interesting infill experiment but there needs to be sensitivity when it comes to how that is accomplished.

William Wilson said the design option in the plan shows repurposing the existing office buildings, which is good. He said the buildings in the back can be reused but buildings along Frantz Road look new in the concept and shown closer to the road, indicating something new is going on there and green space will need to be kept between the commercial uses and Frantz Road to again, differentiate this development from those in other cities. He said the key for this development to succeed is to get other uses back within existing office complex, and incorporating the residential and other uses. Ms. Puranik explained Metro Center has long-term leases and Option 1 reflects that, shown in the concepts, those buildings are to be kept as is and then Options 2 and 3 add to that.

Mr. Wilson asked if the owner of the property has been involved in this whole process. He said it would be interesting to see if we have support from everyone that has a stake in this. Ms. Puranik answered they have all been notified.

Mr. Wilson asked if there will be any educational opportunities offered here, which would draw the young people. Ms. Puranik said the WID was the latest special area plan that went through a similar process that was recently adopted by Council. She said the WID has Ohio University presence so the idea is to incubate businesses and new companies here in this area; they will then move on to the WID for partnerships with OU and other educational institutes. She said this area will serve as a connection between WID and BSD presenting opportunities to start-up companies are in this area, including our Dublin Entrepreneurship Center.

Mr. Stidhem said he thought that was more of a market driven thing; if you go to interesting places, then there can be office buildings that serve an educational purpose but it is going to have to be an interesting place where people want to go. He agreed, he thought the OU area was more geared toward that. When he looks at this area, he said, he thought having a college campus type of feel to it would be very interesting, with the mix of residential, retail, restaurants, and office space. He indicated he envisions educational businesses baked into the office spaces. He said he likes where this proposal is going in general. He said the trees that were planted in the 70s, 80s, and 90s will need to be preserved.

The Chair invited the public to speak in regards to this case.

Clay Daney, 5775 Settlers Place, said the comments he has heard from the Commission this evening are encouraging. He said he also thinks the residents understand redevelopment is something that needs to happen in order to revitalize the area. He said he lives in the area and spends a lot of time jogging/running using the recreation paths and this proposal will provide a lot of opportunity. He said this area is unique because there is some inherent friction in the way that the area is laid out. He said people moved here because they found nice backyards with beautiful landscaping and a home they could raise their family and it happens to be directly adjacent to commercial areas that could potentially be redeveloped in 20 years or with a vacant piece of property, it could be developed tomorrow. He said the canopies from the trees are 30 feet tall providing screening but underneath there are honeysuckle trees eating up everything beneath. He said there is an example, if landscaping is done correctly in this area, we can remove the angst that the Commission has seen in the correspondence between the residents in the area. Overall, he indicated the residents are very excited about the opportunity here and noted sites 10 and 11 may need special attention. He wanted to know what mechanisms would be available for residents to check during the zoning process to see if their interests and concerns are being considered.

Ms. Newell said the residential properties absolutely need to be protected and that is one of the Commission's goals as this redevelops. She said properties that abut commercial could be zoned differently and suggested a PUD to allow residents to be re-engaged into that process to feel complete ownership and provide input. She commended Mr. Daney for taking an active interest and said residents that participate help the Commission make the decisions that they do.

Mr. Wilson added buffers are critical.

Mr. Daney said he is not so concerned about the setbacks along Frantz Road as long as there is vertical greenery like beautiful trees, fountains, greenscapes, and beautiful landscaping that Dublin does so well. Mr. Wilson agreed that made sense from a planning standpoint.

Ms. Kennedy said it is exciting to have engaged citizens and express their views and she is looking forward to hearing from him again. Mr. Fishman said he also appreciates the public input and how Dublin allows for that input. Mr. Daney added that residents are vested in this area. Ms. Newell said we are all here because we are residents and want to protect the interests of our city.

Mr. Daney said he did not want to see tall, glass commercial buildings right behind a residence where at 10:00pm at night, the lights are on in the office and the resident can see the accountant working late with offices brightly lit, directly from their home. He suggested the offices have shades or the opacity of the windows be such so that does not happen. Ms. Newell said shades can be automated and programmed. She said there are office buildings that can be built to be more on a residential scale for those areas; one or two stories versus four to seven.

Ms. Fox said since site 11 is the only one the residents are most concerned with, maybe the Commission makes recommendations that the height allowances need to be studied. Ms. Puranik said one clarification on site 11 – it has a stream going through leaving half of the site unusable due to the Stream Corridor Protection Zone requirements. She noted the even if the rest of the site is built to its full potential, per existing zoning, only two stories are possible. She added that it will be a very small office building with not enough room for parking. She emphasized that is why this site has not been developed in a long time. She stated standard zoning exists there now and if developers meet the requirements of current zoning, it could potentially move forward. She emphasized there are considerable constraints when it

comes to development of this site. The Economic Development Team, she said, has been trying to figure out why it has not been selling and the reason being trees replacement standards and preservation of environmentally sensitive areas.

Mr. Daney said even when there are limited stories, there can be a variance in the height of stories permitted, which can make a huge difference to the overall height of the building. Mr. Fishman said the Commission usually puts a height restriction on the building. The crux here, he said, is the commercial buildings were there before the subdivision. He said the Commission likes buildings that abut residential to have the residential feel. He suggested ranch office buildings with shake roofs. Mr. Daney said the medical buildings on Emerald Parkway were done very well and thoughtfully which makes it very pleasant so it would not be a problem for neighboring residences. The buildings contain the interesting roofs, nice brick, and nice setbacks with landscaping so if something along those lines were created for here, we would get this right.

The Chair asked if there was anyone else from the public that wished to speak. [Hearing none.] She closed the public portion and asked if there were any further comments or questions from the Commission. [Hearing none.] She called for a motion.

Motion and Vote

Mr. Stidhem moved, Mr. Miller seconded, to recommend approval to City Council for an amendment to the Community Plan to add a new Special Area Plan for Dublin's legacy office areas as it promotes the objectives of the City of Dublin. The vote was as follows: Ms. Fox, yes; Ms. Newell, yes; Mr. Wilson, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Miller, yes; and Mr. Stidhem, yes. (Approved 7 - 0)

COMMUNICATIONS

~~Claudia Husak said our Planning Assistant, graduate student, Sierra Saumenig, graduated from the Ohio State University with her Master's Degree and accepted a job as a planner in North Carolina. She said she is leaving Dublin next week.~~

~~Ms. Husak noted Vince Papsidero is on vacation, returning for the Commission's next meeting. She said she will be going on vacation and will miss the next two Commission meetings.~~

~~Victoria Newell said she wanted to suggest a field trip as the City moves forward with the Dublin Corporate Area Plan. She said one of the considerations in the plan was to seek ways to harvest and treat water better. She said there is an amazing facility (but it has been a few years since she has been there) on The Ohio State University campus that is done for research. She said the facility is surrounded with so much vegetation you barely know it is there. She said they collect all of the water off of the building and treat it and use it in the fountains and the site is incredible. She said she will do some Google research since it has been 6 or 7 years since she has been there but thought it would be a great place to tour to learn ways to treat and handle water differently, which might be something the City considers.~~

~~Ms. Fox said she wanted to ensure when notes go to Council that the discussion about the need for landscape and the green is emphasized and not have it just be a passing comment but rather an important one.~~

~~The Chair asked if there were any further items to discuss. [Hearing none] She adjourned the meeting at 9:44 pm.~~

~~As approved by the Planning and Zoning Commission August 9, 2018.~~



RECORD OF DISCUSSION

Planning & Zoning Commission

Thursday, May 17, 2018 | 6:30 pm

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

**4. Dublin Corporate Area Plan
17-093ADM**

**Administrative Request
Introduction**

Proposal: An amendment to the Community Plan to add a new Special Area Plan for Dublin's legacy office areas including Metro, Blazer, and Emerald Districts.

Location: Approximately 987 acres bordered by West Bridge Street to the north, Emerald Parkway to the west, Frantz Road to the east, and Tuttle Crossing Boulevard to the south.

Request: Introduction of a future Administrative Request for proposed amendments to the Community Plan under the provisions of Zoning Code Section 153.232.

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

Planning Contact: Devayani Puranik, Senior Planner.

Contact Information: 614.410.4662, dpuranik@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/17-093

RESULT: The Commission members supported the Plan in concept and had additional questions and comments on particular detail items that will be addressed further in the zoning code and rezoning process.

MEMBERS PRESENT:

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

STAFF CERTIFICATION

Devayani Puranik, Senior Planner



~~ensure the correct verbiage was included from staff's perspective. Ms. Burchett said the Commission is considering the Waiver request this evening for transparency while utilizing this image. She said the amendment to the MSP would be completed at a later date.~~

~~Mr. Miller questioned what happens if the graphic deteriorates.~~

~~Mr. Wilson said as the BSD develops with bars and restaurants, he anticipates this will come up again so he asked if there could be a standard, which can always be used and it can differ though throughout the development. He indicated graphics could become a piece of art for a specific restaurant and suggested that could be explored with the developer.~~

~~The Chair invited anyone from the public to speak on this case. [There were none.] She opened the meeting up to the Commissioners for any further discussion. [Hearing none.]~~

~~Ms. Newell said she thought these proposed graphics were a great solution and she liked the black and white images because they were a better enhancement to the architecture. She concluded she really appreciated that the applicant was willing to work with staff to find the right solution and bring back something better than what was originally proposed. She called for a motion.~~

Motion and Vote

~~Mr. Miller moved, Ms. Fox seconded, to approve the requested Waiver to reduce transparency on the east and south elevations with the following condition:~~

- ~~1) That the applicant amends the approved Bridge Park Master Sign Plan to address the size of window graphics when used for screening of interior spaces, prior to sign permitting; subject to approval by the Planning and Zoning Commission.~~

~~The vote was as follows: Mr. Wilson, yes; Mr. Fishman, yes; Ms. Newell, yes; Ms. Fox, yes; and Mr. Miller, yes. (Approved 5 - 0)~~

4. Dublin Corporate Area Plan 17-093ADM

Administrative Request Introduction

The Chair, Victoria Newell, said the following application is a proposal for an amendment to the Community Plan to create a new Special Area Plan for Dublin's legacy office areas including Metro, Blazer, and Emerald Districts. She said the site is approximately 987 acres bordered by West Bridge Street to the north, Emerald Parkway to the west, Frantz Road to the east, and Tuttle Crossing Boulevard to the south. She said this is a request for an introduction of a future Administrative Request for proposed amendments to the Community Plan under the provisions of Zoning Code Section 153.232.

Devayani Puranik introduced fellow presenters, Jason Sudy, Side Street Planning.

Ms. Puranik said The Community Plan was last updated in 2013. She explained this is the vision plan, a policy document which guides development in the future and helps guide development decisions. She said Special Area Plans look at specific geography within the City. She explained zoning is a legal tool to guide the development, which will be reviewed at a later date. She said The Community Plan is on the City's website and it contains many elements but one of the most essential components of the plan is the Future Land Use Map. Another important element, she said, is the Thoroughfare Plan and it shows connectivity within the City, some of which is existing and some has been planned for the future. She stated that there are nine Special Area Plans and the Dublin Corporate Area Plan would be part of this list

when it gets adopted. She presented the Zoning Map and said, most of the time, zoning aligns with the Future Land Use Map but sometimes there are conflicts so as development occurs, staff has to negotiate and work on those recommendations as well as existing zoning processes. She presented the study area that contains multiple classifications and districts within the study area. She said it is challenging for more consistent compatible development within the district and that is one of the issues to look at as part of this planning process.

Ms. Puranik explained that the Special Area Plans also align with seven Business Districts that have been established by our Economic Development team. Going from east to west, she pointed out the Bridge Street District (BSD) and the West Innovation District (WID), which is the most recent Special Area Plan that is now adopted. She pointed out the study area for the Dublin Corporate Area Plan; it includes three different business districts including Dublin's older office complex – Legacy Office complex. She presented graphics that showed the office development from the 1970s to 2010. After 2010, she noted there were very few office developments because the suburb and office market is now shifting to more walkable areas and mixed-use, amenity-driven requirements. She said most of Dublin's offices are between 17 and 45 years old, therefore, some of that is ready for redevelopment.

Ms. Puranik said the project goals to begin this plan focused on the following:

- Repositioning the Legacy Office sites for success;
- Creating walkable, mixed-use environments to serve the workforce as well as neighboring residents;
- Identifying under-served markets and look for opportunities to introduce those markets;
- Establishing a strategy to "refresh" the Frantz Road streetscape;
- Recommending mechanisms to ensure additional development along Frantz Road does not adversely impact neighborhoods to the east;
- Recommending zoning tools to ensure successful implementation of the vision and plan recommendations, while providing new zoning protections for adjacent neighborhoods; and
- Introducing consistent and compatible architectural and site design guidelines for the entire area plan.

Ms. Puranik said existing land uses, zoning, natural resources, and connectivity were examined to see what is happening today. She reported stakeholders were engaged, which included residents, businesses, property owners, tenants, and real estate brokers. She said staff made conceptual recommendations and presented it to the stakeholders and continued to work with the stakeholders to come to final recommendations for the plan.

Ms. Puranik reported this process began in 2015 and Phase 1: Legacy Office Competiveness Study culminated in a workshop focused on property owners, brokers, and company representatives within the study area. Key feedback included:

- The need for more amenities for office workers;
- Updates to the appearance of the sites and adjacent roadway corridors;
- More efficient parking and parking ratios; and
- Strategies for more aggressive redevelopment of the area.

Ms. Puranik said based on the first workshop, they began Phase II: Dublin Corporate Area Plan. She reported staff has held several public workshops and meetings and the most recent was with neighborhood meeting with Llewelyn Farms, Waterford Village, and Mid-Century Modern neighborhoods. She said staff received good feedback from the residents and they are supportive of the plan. She said

meetings have also been held with representatives from the large companies within this area. They, too, have been supportive of the plan and feel it is addressing the needs of their employees.

Jason Sudy, Side Street Planning, said the project began as an analysis of the parking ratios within the boundaries of the study. He stated that some tenants that were concerned about moving into different areas because of the potential inability to accommodate the parking ratios that they identify as suitable parking for their businesses. He said some of these buildings used to be multi-tenant buildings and have now become individual tenant buildings; in some cases, the amount of square-foot per employee dropped significantly and that creates tight parking. A full traffic study was not conducted, he said, but parking was observed at different times of the week and day and found in almost all cases, there was no situation where the parking was completely full. However, he said there was a lot of cases where parking was not very well aligned or convenient for the use and in some cases, it was because it was located on a side of a building that did not have a door so employee had to walk all around the building to enter.

Mr. Sudy said they concluded they needed to reposition some of these areas to function for yet another generation. He said there were a number of issues and parking is only one of those issues. He said the larger issue was it was predominantly all highway oriented legacy office. He said there is a lot of vacancy in these buildings. He said they have learned that the decision to move into a space is not just based on the space itself but also what amenities are around the office. He said there are not many amenities in this area, the area has limited roadway connectivity, and it does not have much quality public open space.

Mr. Sudy said there are changes in mobility and the market is shifting for overall office development in suburban locations. He said they are not contemplating the end game for what all of these areas are likely to become. He said they are proposing to position this area so that it survives and thrives for another generation.

Mr. Sudy said the area is large so it is impractical for the entire redevelopment. Through market analysis, it was determined that there is great spending potential that is closely associated to planning area. Specifically, he noted, there are several hotels and when someone determines where to stay, they look at what is easy to access for dining and recreational needs. He noted the Metro Center area has several hotels but not options for dining that is easy to walk to so that is one way to capture some of that spending potential. He said the feedback was received for the need for food options including restaurants and grocery stores. The consultants determined a reasonable amount of new development could begin in each of these areas in the short-term.

Mr. Sudy said with new development, there has to be compatible zoning and that will require a separate zoning process. He said they conducted a preliminary cursory analysis of the zones and a separate consultant will be updating the Zoning Code to provide zoning standards that meet the objectives of the plan. He said a set of mixed-use, regional districts were analyzed that accommodate these employment facilities but also allow other uses to be there. He said mixing other supporting uses will allow for control of the scale and the type of development they are considering.

Mr. Sudy said they also looked at undeveloped sites to get a sense of how they could fit into these mixed-use areas and presented a map that represented proposed land uses for different districts. He said they took into account preserving the natural features, scale of the buildings, and buffering and setbacks standards and that was a large part of the most recent discussions with the neighbors. He provided some of the key points in conjunction with the neighboring area:

- Limited building height of only one or two stories along Frantz Road and stepping up the heights so sites closer to the highway would allow for much taller buildings. This would allow a more dense development of potential employment, should someone choose to locate in that area.
- He presented a graphic to show what might be implemented in the plan. In the Frantz/Metro area, lower two-story, mixed-use buildings on Frantz Road were shown as well as a destination restaurant with a cool, modern design (or a historic classic design) but it would be something that would be fairly large scale that would be able to accommodate a lot of business users at lunch and people from the business campus and neighbors to go there afterward.
- An opportunity to reposition the way open space works so that it can be an amenity that really functions as more of a park for the area including neighborhood residents (existing and potential new residents).
- As demographics shift in the region, an opportunity to provide more small-scale, individual-unit housing to ease the ability of some of these employers to attract the types of employees that they are looking for in close proximity
- Along Rings and Frantz Roads there is an opportunity to do a small, two-story format grocery

Mr. Sudy said these recommendations can be implemented in short term.

Mr. Sudy recommended long-term solutions. He said the City's early requirements for landscaping and parking are now outdated in the suburban office context and do not respond to environmental and sustainability efforts that have been revolutionized over the past decade. He said they are recommending a different approach to the way parking lots are laid out and the way they are landscaped. He stated edge screening is still important but other issues are important to address. He said Dublin's internal landscaping requirements create small landscape islands that do not promote sustainability. He said an example would be long linear landscape areas, in parking lots, that help with storm water management.

Mr. Sudy looked preliminarily at Frantz Road and said it is a great area for cohesive requirements that create a gateway to the area. He said examples include enhancing landscaping, using accent paving, and having more cohesive signage. He presented renderings which showed existing conditions that could be beautified. Most importantly, he recommended creating a more systematic approach. He pointed out a graphic that depicted outdoor dining that is closer to the street. He said the current design of the most of the sites within DCAP have buildings with large setbacks. He said they are contemplating, finding a way to move businesses closer to the street, while keeping a robust setback, a pedestrian path, great landscaping, as well as opening up those front patios for opportunities for more activity on the street. He said the crosswalks should also be enhanced on a consistent basis as well.

Mr. Sudy concluded that there should be zoning requirement and design guidelines that create the environment that the DCAP is proposing. He said this should include high quality building materials, landscaping, signs, and open space that interacts with the uses of the site.

Ms. Puranik said there were some key points she wanted to highlight regarding next steps:

- Frantz Road streetscape improvements
- Drafting new zoning districts and rezoning, which came out of discussions with neighboring residents that included buffering and how development will impact existing residential homes next to these parcels. She said therefore, buffering, setback standards, and building height standards would be examined.
- Economic Development is working toward having the Frantz and Rings Road development posted on the website, an initial step to looking at implementation.

In terms of next steps for this planning process, Ms. Puranik said tonight was the introduction and understands there was a lot of material presented. She indicated the next meeting is tentatively scheduled to incorporate a review and recommendation to City Council, June 7, 2018, and final review by City Council in August/September of this year.

Warren Fishman said since he was on the PZC in the 70s, 80s, and 90s, he recalled the slogan that “It’s Greener in Dublin” was emphasized and that is why Dublin is the way it is. He said they fought rigorously for those setbacks because the community supported large setbacks. He understands that the parking lots are awkward but he favored the open space. He said he can appreciate that some of this is outdated but many roads had setbacks of 100 to 200 feet as a requirement. He reiterated, the residents wanted a “green Dublin” so we need to be mindful of that.

Mr. Sudy said they heard from many developers that this is not the kind of development that attracts their desired workforce. He said young, energetic, bright people have the opportunity to work anywhere and they do not want to work in the middle of a sea of parking, if they have the option to work somewhere else.

Mr. Sudy said that the requirements for internal landscaping are not benefitting the sites as intended. He further stated that we could modify these requirements to create more sustainable practices. He said they are not proposing a change to the exterior screening around parking lots – that standard remains the same but keeping huge setbacks on Frantz Road is not beneficial for the long term success of this area. He said if the community does not want to do that, it is the City’s prerogative but he believes that would be a mistake. Mr. Fishman said times have changed in 40 years but he does not think we need high density buildings sitting right on the street to mimic any other city. Mr. Fishman said he does not support eliminating green space but perhaps reconfiguring it. Mr. Sudy said that is basically what the consultants and staff are proposing. Mr. Fishman disagreed that green spaces are not well used and cited the example of the annual car show and businesses that have picnic tables on their green space. He said once you lose a green space, it is gone forever. Mr. Sudy said there can be a difference of opinion on what is considered “well used green space”. He said large areas of continuous green space is being planned to be used as a park setting and additional development. He said they propose parking at the same ratios but more efficiently.

Bob Miller said he was impressed with the plan and highly commended Ms. Puranik for her efforts. He asked what a multi-modal hub meant. Mr. Sudy answered a multi-modal hub provides different types of transit/transportation options is various locations throughout a community. He said he noticed Dublin now has one of the different modes that is parked outside today and referred to LimeBikes. He indicated we are in a new world of mobility options that it is hard for us to define in the near future; however, Dublin is actively participating in a large regional-scale project that MORPC is undertaking and one of the corridors actually ends up pretty close to here. He said part of that is to determine what the future of transportation is for Columbus. He said we are considering possible locations of where mobility could provide better access to these different areas.

William Wilson remarked about existing buildings versus new buildings. He said for new buildings, particularly commercial, density is needed and people are not going to come to this area if they do not see the population. He asked if the existing buildings could be repurposed. He suggested restaurants can be added to first floors or maybe converting the buildings into residential. Mr. Sudy indicated there are some opportunities for some repurposing. He stated that placing new uses such as retail uses or restaurants away from Frantz Road or Emerald Parkway is probably not going to be very successful. He indicated they are confident in the near term that immediate development potential for those types of uses has to take place in areas that will service what is there but will also take advantage of the traffic counts along busy roadways. He stated that in the future, there may be additional opportunities as the

area densifies. He said if first floors were repurposed to retail uses or restaurants, they would have to be a really unique destination uses to attract people there. He said that approach of repurposing could work if it was part of a large scale approach and different ways to repurpose different elements of those buildings was considered.

Mr. Sudy said their plan is to interject brand new buildings with the existing buildings in Metro Center. He stated that there may be a time when it becomes economically feasible to redevelop that site but currently that is not what we are proposing.

The Chair opened the meeting up to the public.

Sven Christianson, 5765 Settlers Place, stated that Dublin is a unique and special place. He said he has heard that Dublin is difficult to build in but frankly it is the hard work of the Planning and Zoning Commission that makes this place special. He said he is here supporting the plan and the reason is the plan has all the right tools for a successful plan. He said Planning has educated the public along the process about how they provide the information to the Commission and the Commission ensures that it is implemented. He said he is very interested in how the public gets engaged when projects are presented to the Commission to ensure the details of the plan are implemented and all of the details are discussed. He said Planning has made a distinction with Site 11, and he is a resident representing Llewellyn Farms, and is primarily interested in buildings with significant height for that site and interested in uses on this site, in general. He said that he would like to ensure that the Commission consider all issues for this site not just buffering but lighting, sound, and uses. He indicated he is not sure if the Commission received the information from their meeting in April that listed the HOA's concerns. Ms. Puranik affirmed that information was received. The Chair confirmed the Commission has seen printed community correspondence.

Clay Daney, 5775 Settlers Place, said he echoes the comments shared by his next door neighbor, Mr. Christianson. He said the residents all see a need for this plan and the Planning staff has done a great job of recognizing many of the residents' concerns. He said the main concerns are building heights, setbacks, lighting, transparency of windows, hours of operation, parking lot lighting, and landscaping that includes buffering. He said the last concern is a huge piece when considering office buildings next to residential and usually those are complementary uses. He noted currently there are large scale trees for buffering but as they have matured, they are so tall that there is a 30-foot area where there is no buffering at all. He stated that if this vegetation is removed, there would be a wholly transparent view of whatever is in the lot next to the resident. He asked the staff to find creative ways to solve that problem. He said there are also environmental protections, materials and building design, and trash collection that the residents of Llewellyn Farms and Waterford Village are concerned with and staff had agreed those are items that need to be addressed in zoning. He stated they would like to be involved in this process because they are concerned they could be left behind if they do not. He said it is very clear, for the area east of Frantz Road that is the most concerning part of the plan as it stands today because there are residences nearby. He added that if a lot of multi-family development were to occur in this space, there would be an impact on the school system. He said they would like to see the population grow but want to know how the impact on the schools would be mitigated.

The Chair asked for anyone else from the public that wished to speak in regards to this case [Hearing none.] She closed the public portion. She thanked the residents that came in and encouraged them and others to stay engaged in the process.

Jane Fox thanked all the residents for coming and paying attention to this. She encouraged the residents to read the development text and design principles with this plan that are on the website and provide

feedback. She asked staff if this will become a Form-Based Code. She asked about the approval process for the new development that will occur in this area.

Vince Papsidero explained that the review process will be based upon the WID model. He said this would not be a Form-Based Code, it would be a much more like the traditional zoning structure that Dublin is accustomed to. He said to some degree, the ART would be involved and as we look at updating the WID, that could be a model use, which will also be dependent upon Council's thoughts. He said one of the goals is to create a system that is somewhat expeditious for investment to try to reposition some of this aging property. He indicated that this will all occur in a public process. He said staff will work with the public one-on-one and when this gets to the Commission, it will be a very transparent process. He said they still have to really engage the majority of the current commercial property owners and have reached out to just select representatives that are interested in working with us.

Ms. Fox noted the setbacks on Frantz Road would be reduced from a 50- to a 30-foot setback. She said the one thing she has noticed is there is a shared-use path and the proposal to add patio dining. She said if we are going to make this a very walkable, transit-oriented community, then we need to incorporate a bike lane that is separate from the roadway and a shared-use path. Ms. Newell stated that is an excellent suggestion.

Mr. Papsidero said the 30-foot setback is from the edge of the right-of-way so it should accommodate those amenities.

Mr. Fishman said he thought the setback was more like 100 feet. Mr. Papsidero said the setbacks vary substantially. He said the goal for new construction, there would be at least 30 feet of landscape for new construction plus heavy landscaping outside the right-of-way. He said this would be very attractive view shed opposed to 100 feet of turf.

Ms. Fox said in developing this plan, there are some character guidelines and some options for green spaces but she would wanted to avoid the common trend to create green spaces that are just simply long lawns that look like bocce ball courts. She would like really unique public realm spaces considered that draws the public in and creates a permanency, no matter what development goes on around them. She said it should include places that the residents will want to go. She indicated multi-family can be integrated because the whole purpose of this plan is to create environments that workers want to be in and they will enjoy going to.

Mr. Miller said that the planning process needed great amount of work over two to three years and he commended all of the staff. He said that introducing residential uses will result in success inside this whole area. He noted Site 4, Site 10, and Parcel 9 where he liked Option B because of the residential piece that will help bring vibrancy but Option C needs work. He said he liked the setbacks. He agrees with Cramer Creek Crossing residents and thought maybe there could be improvements with some of the visuals that were presented in the plan. He appreciated the recommendations for the solar and wind alternative energy. He liked the zoning proposals and is curious about the incentive programs that will help this be accomplished. He also said the local grocer is an awesome idea. Lastly, he said getting creativity is going to be a challenge because he does not know how you get people to invest in this area and be creative at the same time if it means additional expense. He said that is what the Commission is trying to do with the signs in Bridge Park but we are not being successful.

Mr. Fishman emphasized how thankful the Commission was for the resident involvement because nobody knows the area as well as the residents and he encouraged them to invite all of their neighbors to come for further discussions. He said it is the staff that helps move things along and make Dublin great. He

said he agrees about the aging landscape and that it can be addressed. He said staff is on the right track and this plan is pretty exciting.

Mr. Wilson told everyone they did a great job. He said that there needs to be connectivity in the plan and specifically referenced bike trails. He agreed some of the parks needed to be redesigned. He said exercise stations encourage people to get out and enjoy green space.

Ms. Newell asked staff if they see this plan as more straight zoning that will keep the Planning Commission engaged in this process and if so, how that would occur. Mr. Papsidero said it will be similar to Bridge Street with the exception that there will be more authority by the Commission opposed to the ART. He said there would be a Concept Plan, Preliminary Development Plan, and Final Development Plan all coming to the Commission. He said smaller projects may rest with the ART, if the Commission agrees.

Ms. Newell asked if there would be design guidelines and Mr. Papsidero answered affirmatively. She said she does not see how we would get the quality and creativity we want if we were to leave this as just straight zoning, especially in terms of landscaping. Mr. Papsidero indicated they would start with updated the Zoning Code but it may likely end up as a separate set of guidelines.

Ms. Newell said she is not entirely convinced about completely changing the setbacks on Frantz Road. She said she is thinking about all the other development that we are doing in the City of Dublin where we are allowing everything to come completely up to the street and we should consider how much land we are ultimately giving away. She restated a bike lane is needed, separated from traffic so she can see giving up some of that setback for that purpose because it would provide a better connection with walkability. She noted the multi-purpose path is not continuous now. She said a lot of people that work in these offices walk around this area and around the residential neighborhoods. She said she knows people will get out in the community and walk and understands there are not services in this immediate area but there is also not a connection to get all the way down the road. She remarked that as soon as the bike shares went in, she noticed them around town so that is another reason why she likes that connection. She said for the development of the green space, it really needs to be public and belong to the community of Dublin and not as an amenity for a specific area/office development. She asked if staff had considered the strip of land that is on east side of Frantz Road that is getting pulled into this area because it is open land to still be a PUD. Mr. Papsidero said currently that land is in the township so for it to develop, it would have to be annexed and could easily be treated as a PUD as part of that single-family development.

Ms. Puranik said staff will take back the comments, review the document, and then figure out the next steps.

Ms. Fox asked about the RFQ, how it was publicized, and who gets the chance to review. Rachel Ray, acting on behalf of Economic Development, said she is managing the RFQ process. She said that was released on May 7, 2018, and it was distributed to all of the developer contacts, the local American Planning Association, ULI Columbus so they could send out to their networks, it was shared via LinkedIn, the City's website, and all the typical channels. She said the intent is to keep the neighborhood involved as they go through the process, likely after they get responses, to measure how many responses were received, to record accurately to the neighborhood.

Ms. Husak asked Ms. Ray to state who was on the team to review the responses. She named Donna Goss, Vince Papsidero, Aaron Stanford, the Division of Engineering, Public Works, and Ray Harpham as review committee members.

Ms. Fox asked how many developers were on the list. Ms. Ray said ±150 contacts via email and then there is a lot of activity on LinkedIn. Ms. Fox asked once they are reviewed, what the process is. Ms. Ray said once the responses are received, (June 4 is the deadline), staff will have a two week internal turnaround filling a matrix of evaluation criteria and selecting the top three finalists to submit an actual proposed concept. She said that at the conclusion of the RFP process, (late summer) they anticipate hosting a public open house and the finalists would have an opportunity to present their concepts, engage with the neighbors, and get feedback. She said staff would review the proposals and prepare a recommendation for Council's ultimate consideration.

The Chair closed discussion.

**5. PUD, Autumn Rose Woods
18-023Z-PDP-FDP**

**7540 & 7660 Hyland-Croy Road
Rezoning with Preliminary Development Plan
Final Development Plan**

~~The Chair, Victoria Newell, said the following application is a proposal for changes to the previously approved development text and plans to permit the split-rail fence to remain along the perimeter of Reserve C, to be owned by the City of Dublin. She said the site is on the east side of Hyland-Croy Road approximately 1,200 feet south of the intersection with Tullymore Drive. She said this is a request for a review and recommendation of approval to City Council of a Rezoning with a Preliminary Development Plan and review and approval of a Final Development Plan under the provisions of Zoning Code Section 153.050.~~

~~The Chair swore in anyone intending to address the Commission on this case. She said a formal presentation was not needed. She called for the first of two motions.~~

Motion and Vote

~~Ms. Fox moved, Mr. Miller seconded, to recommend approval to City Council for a Rezoning with a Preliminary Development Plan with no conditions. The vote was as follows: Mr. Wilson, yes; Mr. Fishman, yes; Ms. Newell, yes; Mr. Miller, yes; and Ms. Fox, yes. (Approved 5 - 0)~~

Motion and Vote

~~Ms. Fox moved, Mr. Miller seconded, to approve a Final Development Plan with no conditions. The vote was as follows: Ms. Newell, yes; Mr. Fishman, yes; Mr. Wilson, yes; Mr. Miller, yes; and Ms. Fox, yes. (Approved 5 - 0)~~

~~Claudia Husak noted the intent was to get this proposal to City Council for the meetings in June.~~

**6. PUD, Coffman Homestead – Sign
18-024ARB-AFDP**

**6659 Coffman Road
Amended Final Development Plan**

~~The Chair, Victoria Newell, said the following application is a proposal for the installation of a new sign for the existing Historic Coffman Homestead site west of Emerald Parkway, approximately 400 feet north of the intersection of Post Road. He said this is a request for a review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050.~~

~~The Chair swore in anyone intending to address the Commission on this case. She said a formal presentation was not needed. She called for the first of two motions.~~

Dublin City Council Work Session
Monday, October 16, 2017
Council Chambers

Minutes of Meeting

~~Mayor Peterson called the Monday, October 16, 2017 Work Session of Dublin City Council to order at 6:19 p.m. at Dublin City Hall.~~

~~Members present were: Mayor Peterson, Vice Mayor Reiner Ms. Salay, Mr. Lecklider, Ms. Amorose Groomes, and Ms. Alutto. Mr. Keenan was out of town (excused).~~

~~Staff members present: Mr. McDaniel, Ms. Crandall, Ms. Goss, Ms. Readler, Ms. Mumma, Mr. Earman, Mr. Papsidero, Ms. Rauch, Ms. Puranik, Ms. Richison and Mr. Plouck.~~

~~Mayor Peterson clarified to those in attendance that this is a Council Work Session and not a regular Council Meeting. He also explained that Council would be making an exception to the normal rules of a work session and would be accepting public comment. He stated that there are two items on tonight's agenda: the Dublin Corporate Area Plan and the Historic Dublin zoning code changes for the area south of Bridge Street.~~

Dublin Corporate Area Plan

Mr. Papsidero referenced Council's briefings on this project, noting that this project builds upon the Legacy Office work that has been ongoing. He invited Jason Sudy, Principal with Side Street Planning to present the Dublin Corporate Area Plan.

Mr. Sudy introduced Steve Kolwicz of POD Design and Pete DiSalvo of DDA Advisors who are also working on the project. Mr. Sudy stated that this project addresses the following:

- repositioning the Legacy Office sites to adapt to future demands;
- create a walkable, mixed use environment while recommending infill opportunities;
- identify new markets for investment;
- develop a strategy to refresh the Frantz Road streetscape;
- recommend mechanisms for adding new development west of Frantz Road while not adversely impacting the neighborhoods to the east; and
- recommend zoning tools to ensure successful implementation of the vision and plan recommendations.

There are many office sites that are not as competitive and are not performing at the highest levels because they were developed in a different era using a different approach to site development. One of the major goals of the project is to bridge the time between now and into the future with an actionable short-term plan to reposition those sites with the understanding that a more larger scale development that may happen in the future. This is needed to capture the next generation of development. Having a more mixed use environment will allow this area to be more competitive with other sites that offer mixed uses and maybe open up new markets for investment. Refreshing the Frantz Road streetscape has become an important part of this study. He made the important distinction between this area plan and the subsequent process of zoning. The zoning process is being undertaken by a separate consulting group, but they are all working together because that process will codify the details that are recommended in the plan.

Mr. Sudy illustrated the public input process with the business community that had been completed to date, beginning in December 2015. Several public workshops were followed with

interactive polling and web-based information gathering. A large number of participants either lived or worked in Dublin.

The Market Analysis identified three areas with redevelopment potential with retail/restaurant site characteristics. They are:

- Frantz/Metro Center;
- Frantz/Rings Road; and
- Emerald Parkway/Parkwood Place.

The analysis consisted of looking at marketable site locations, consumer types, spending power and market supported opportunities. Council's packet included some drawings of the Metro area intended to illustrate what could be there; the drawings are not specific site plans. In examining the spending power in each of these areas and the users, it was discovered that there is an immense number of hotel dollars not being captured. The users staying in the hotels have no places to walk to and few places for a short drive. There is market supported development for 50,000-60,000 square feet at the Frantz/Metro area, 50,000 square feet in the Frantz/Rings area and 20,000 square feet in the Emerald/Parkwood area. Restaurants, special-food grocery, and personal care service retail could be accommodated in those areas now. There is also ground that is generating tax dollars based on its commercial use, but it is underperforming significantly. This study suggested that housing should be integrated at key locations throughout the study area to bolster the economic potential of the other uses in the area.

Regarding land use, he stated that the one comment heard over and over in the public sessions was that there are not many amenities along Frantz Road. He noted the principles of land use are to encourage a variety of uses, focus on amenities, utilize open space as an organizational element and usable amenity, infill residential development in key locations and mitigate negative impacts on adjacent neighborhoods. He reiterated the difference between a land use plan and the zoning code. Land use designates what types of things can be in a given location from a suggested standpoint. A land use plan does not have the legal ramifications that the zoning code does. Therefore, what the consultants are aiming to do with this study is identify basic districts that can accompany a future zoning approach that allows a much more specific site by site stipulation to be put on all those properties for future development.

He introduced the basic districts as follows:

- MUR-1: Metro/Blazer area – appropriate uses include office, hotel, residential infill on key sites and neighborhood commercial along Frantz Road;
- MUR-2: Tuttle/Rings (North) – corporate office within interior of sub-district;
- MUR-2: Tuttle/Rings (South) – immediate interstate access, close proximity to mall; Mr. Sudy noted that they are drawing a distinction between the east side of Frantz Road and the west side of Frantz Road. The west side could consist of many uses to make it function better such as a small-scale grocery, and other retail and restaurant possibilities, but the east side of Frantz Road is recommended for low intensity office uses.
- MUR-3: Emerald – continue to be freeway oriented office, specific uses in district subareas, office personal services and restaurant.

He provided an illustration of the 13 site specific policy areas in order to bolster the thinking in how those would apply to the new land use categories. These are land use suggestions and any

specific site development approach will only be assured with the zoning process. The proposed building heights were shown to be limited to one to two stories along Frantz Road. Taller buildings would be allowed along I-270 frontage and the heights between these two areas would be transitioned. He shared some pictures of potential development opportunities and how it might appear along Frantz Road/Metro Center and along Frantz Road and Rings Road.

Regarding connectivity, he noted that there are two opportunities, one of which is that there is already a robust trail system that could incorporate new connections and there is limited roadway connectivity. The roadway connections could function better by adding connections.

He stated that the current concerns along Frantz Road are the landscaping is overgrown, the interface of the building with the road, connectivity, signage and the overall look and feel. Altering the characteristics of the roadway and developing some outside space for dining, walking, etc. would improve the look of this roadway.

Next steps include any revisions to the draft document based on Council, resident and property owner comments; plan adoption in December or January 2018; and plan implementation in 2018. There are two immediate steps toward plan implementation -- the first is developing the new zoning district for the planning area and a comprehensive rezoning and the second is a design and implementation of Frantz Road streetscape improvements.

Mr. McDaniel stated that what drove this Legacy Office study is the desire to keep it competitive and vibrant.

Vice Mayor Reiner stated that this area is due for rehabilitation. He agreed that one thing that was missed was providing restaurants and pocket places for the residents of that area. He believes the way this plan is mapped out is sensitive to the current residents.

Mayor Peterson stated that he asked the Clerk to pull the citizen comments from the August 28, 2017 meeting and to make a copy of the comments from the August 28 meeting and attach them to this meeting's minutes so it will all be together (comments attached hereto and incorporated herein by reference as Exhibit A). He noted that if those present already provided public testimony, it will be in the record.

Ms. Amorose Groomes clarified that Council will not be voting on any matters at this meeting.

Sven Christensen, 5765 Settlers Place, Dublin, requested the slide in the presentation illustrating the site specific policy areas be displayed. He noted that there was greater detail given regarding height and density since the last meeting, and he is appreciative. He stated that some Council Members came out to walk along the path to the school and along Llewellyn Park. There is no specific zoning that abuts that residential path. He would like to have a sub-district study on the area that is immediately adjacent to the residential area. The fact that this doesn't have a site specific direction is the main concern.

Mr. Papsidero pointed out that the text does give a list of uses specific to the area west of Frantz Road and not east of Frantz Road.

Mr. Sudy reiterated that these are suggested uses for the west side of Frantz; the zoning code will legally limit the uses.

Ms. Amorose Groomes suggested that because there is a list of uses for the west side, it would be helpful to have a list of uses for the east side.

Mayor Peterson stated that everyone is in agreement that this needs to be clarified.

Mr. Christensen reiterated that he believes a specific site study like the one that was done on Blazer Parkway would be helpful. He asked staff to take the opportunity to do better when it is right next to the neighborhood.

Ms. Salay stated that she agreed completely. She wants to nail down the future for these neighbors so that everyone is comfortable. The City does not need to develop or over develop. Neighborhoods are investing in their area and she does not want residents worrying about what is coming. We need to be very clear and make sure everyone understands what is going on. She asked staff if the vision is for a blanket rezoning or overlay districts.

Mr. Papsidero responded that the strategy is to do a comprehensive rezoning of the entire area. Much of this area dates back to PUDs, which lacked standards. From a process standpoint, the concept is to build upon the structure that is in place for the West Innovation District and then do a comprehensive rezoning that is based on this plan, but which will go into more detail.

Ms. Salay inquired about the process if a comprehensive rezoning were proposed and someone wanted to develop and can meet those standards, could they proceed without any additional public input?

Mr. Papsidero clarified that they are in the process of updating the West Innovation District and including more criteria, which defines when a project will go to Planning Commission. Therefore, it is more definitive, and the bar will be even higher in this area. It will be an open development approval process.

Ms. Salay inquired about a vacant lot near Llewellyn Farms and the fact that at one point, a senior housing development was interested in that land. Is that a possible use?

Mr. Papsidero stated that the vacant parcel Ms. Salay refers to was handled as all the other parcels. It is currently a Suburban Office use. The Plan supports only office with the height limit. It is a small parcel and therefore, two-story office is all that could be accommodated because of parking requirements.

In response to Ms. Salay's question regarding current zoning, Mr. Papsidero stated that the lot in question was strictly office use.

Ms. Amorose Groomes stated that when this was last discussed, she recalled that an area rezoning was appropriate for the West Innovation District because of the limited number of adjacent residents. Some valuable lessons have been learned in area-wide rezonings. She would not be in favor of area-wide rezoning in proximity to residential areas. There are triggers that would prompt review by the Planning Commission, meaning that some of these would not go to Planning Commission. She would not be supportive of proposals that could bypass the Planning and Zoning Commission process for development.

Mr. Papsidero stated that one of the triggers, for example, would be any land that fronts Frantz Road.

Ms. Amorose Groomes stated that triggers can change.

Mr. Papsidero noted that these would be spelled out in the zoning code, not reviewed by ART or staff.

Mr. Christensen summarized that a sub area study for what lies next to residential would help everyone feel more comfortable.

Mark Gray, 4786 Belfield Court, Dublin, stated that he and his wife have been residents of Llewellyn Farms for 28 years. One of the reasons they built there was because Dublin has a Plan. He was confident that his home value would be retained because of the Community Plan. He asked Council to make sure there is a compelling reason to change the Plan in some way that impacts home values and quality of life for the residents. He is an AEP retiree and understands design and design basis and the importance of having compelling reasons to change anything. Planning staff needs to understand what is there after 6 p.m., on the weekdays and on the weekends and help the residents retain and preserve the quality of life and retain their investment.

Vice Mayor Reiner stated that Council and staff have much experience with what can happen and the impact certain development can have on residents, for example, banging dumpsters and noise.

Vicki Prescott 5805 Settlers Place, Dublin, described the increased foot traffic in her neighborhood currently. She believes that it will increase even more with this development. She is in favor of development, but is concerned about people walking through their neighborhoods.

Bernie Schlueter, 5716 Chatterfield Dr., Dublin, suggested more consideration be given to park space, gardens, or a creative and imaginative space for walkers. He believes Dublin could put in a wonderful place to attract people.

Clay Daney, 5775 Settlers Place, Dublin, stated that he has spoken previously and wants to reiterate a few comments. His neighborhood is an engaged group of people. There is a real opportunity to do something great in this area. If there was an opportunity to have a round table where ideas could be given, something excellent could come of this blank slate area. He suggested taking extra time and care to consider what could be done and the impacts that could still occur in some areas. The site specific areas are helpful, but some neighbors could still be impacted. He trusts that the City of Dublin will get the zoning right, but not really understanding what MUR means, it is still cause for concern. He thanked Planning staff and Council for being so open to hearing comments.

Jane Fox, 6193 Dublin Road, Dublin, stated that she is impressed with the engagement of the Llewellyn and Waterford citizens. They want to have something special in their neighborhoods. There is an opportunity to have great commercial attraction to the area. City planning has such a talented staff, but it hopefully is not just a commercial attraction, but will be something the residents agree with as well. The process is so linear -- the roundtable type discussion that brings creative thoughts is missing. It would be wonderful if in the early planning stages, people could come and share good ideas. It would then be a collaborative effort that everyone buys into. If the neighborhood does not support it, then it will never be successful because they will feel that their value has gone down. This much land is a grand opportunity to draw people to this area. Landscape architecture could be the key. Everyone loves beautiful spaces, so maybe the place to

start is with the landscape and build the commercial around it. Focus on making this the most beautiful place in central Ohio and there won't be any challenge in drawing people.

Mayor Peterson asked for the timeframe on the Plan.

Mr. Papsidero responded that they continue to gather comments from property owners. There are revisions to make to complete a final draft document. The final document is to go before the Planning Commission in November and then to Council in January.

In response to Mayor Peterson, Mr. Papsidero confirmed that there will be more revisions, based upon feedback that they receive. The final document will come forward as a submitted formal application to the Planning Commission. This meeting has focused on east of Frantz Road concerns, but there have been concerns expressed by property owners on Emerald Parkway as well that will be addressed.

Mayor Peterson asked if the Commission will have more than one hearing on this.

Mr. Papsidero stated it is up to the Commission.

Ms. Alutto clarified that there is additional opportunity for people to view the document and read it prior to the Planning and Zoning Commission meeting, and so they can attend the Commission meeting and testify if they desire.

Mr. Papsidero stated that was correct.

Ms. Alutto stated that this was envisioned to be a mass rezoning. However, she may not be comfortable with a mass rezoning. She asked whether staff would bring forward other options other than a mass rezoning.

Mr. Papsidero stated that the document purposefully does not go into that detail. As a result of some issues raised at this meeting, there may be more detail added about what the zoning code could address. The strategy of which approach to take could be discussed with Council and options could be provided, but there are challenges with the way this district is currently zoned. The parcels they are discussing tonight have straight zoning in place, and there is not much that could be done today to protect the residents. There are very few standards in place in these areas being discussed. Because of that, it serves as a disincentive for any investment because the rules are thin, there is not a lot of guidance and this creates hurdles. This brings back the idea of a comprehensive rezoning with all new current standards, a very clean process, new landscape standards and more efficient parking. It is for these reasons that this is being discussed globally.

Ms. Alutto stated she would like to have a clear understanding of the different approaches. It doesn't have to be part of the document and could be a conversation separate from this. It would be beneficial to the residents to have a better understanding of the process. She thanked Planning staff for being flexible and having more specificity around the neighborhood areas.

Ms. Salay stated it seems we are attempting to strike a balance, because Council's previous direction has been for redevelopment and to make this area easier for investment to occur. Due to the hurdles he described earlier, it is actually a disincentive in this area. On that front, the idea of a global rezoning is interesting. However, when it is adjacent to a residential area, there is a need for balance. That requires more thought and consideration. She suggested looking at global rezoning on one side of Frantz Road, but doing something different with the area that impacts neighborhoods.

Ms. Amorose Groomes stated that this has been her request since Council was first presented this document -- that this area is treated more like a community plan and not to rezone the areas adjacent to the residential components.

Ms. Salay stated that staff makes a good point because it is currently all straight Suburban Office zoning, and the City desires to get away from that.

Mr. Papsidero stated that it is a balancing act.

Ms. Amorose Groomes stated that if a rezoning occurred on the (McDowell) parcel, there is a desire to keep it residential.

Mr. Papsidero stated that was correct.

Mayor Peterson stated that the residents should be assured that this Council is unified in that this process should protect the borders of their neighborhood. However, something must be done because the current zoning is straight S.O.

Ms. Salay stated that she is hopeful that a meeting could take place between now and the Planning and Zoning Commission meeting that that everyone is to the point of being comfortable. She doesn't want the neighborhood to continue to come to meetings out of fear of what may happen.

Vice Mayor Reiner stated that this was never about money. It was a project to rehab and upgrade the area that was in need of upgrading.

Mr. Lecklider stated that he personally has a history of protecting the integrity of neighborhoods and the Council that he has served on has a tradition of doing the same.

Mayor Peterson asked those in attendance if anyone else wanted to speak.

Mark Martin, President of Llewellyn Farms Civic Association stated that he respects the idea that they want to retain the approval of projects. The residents would like to see a "mass plan" so they don't have to worry about what can and cannot go in certain areas. Many residents missed the earlier meetings where this was presented. He doesn't want to have to watch the newspaper regularly to see what is going on and whether or not it affects him. He thanked Council for their work and complimented the services of the City of Dublin.

Historic Dublin Code and Area Rezoning

~~Ms. Rauch shared a map depicting the area south of Bridge Street, along South High Street. The directive to staff from Council in May of 2016 was: to look at the Bridge Street Code, specifically in this area on the south side of Bridge Street along S. High to see if there are some modifications that could be made to be more responsive to some of the development pressure the City is experiencing in this area, and to make sure that it is sensitive to the neighborhood and fitting in with the existing character, particularly as it relates to the residential on either side -- along S. Riverview and Franklin Street. The other part of this is looking at specific requirements related to commercial uses, how those are treated, specific building design details, building height, noise, density, etc. The directive was to look at the Code for these things and make some recommendations, providing opportunity for public comment.~~

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- **Dublin City School District Ranked as Number 5 in the "2018 Best School Districts in America" by Niche**

Mr. McDonnell, Director of Student Operations and Mr. Andres, Director of Student Services were present to accept this recognition from the City.

Mr. McDonnell stated that the website that awarded this designation searched all over the country for neighborhoods and schools to select. Recognitions such as this demonstrate the strong partnership among the community, the City, the students, the parents and the Schools. He stated they strive to provide a world-class education and continuously improve. The criteria for this recognition focuses on: academic performance; student and parent satisfaction; and diversity.

Mayor Peterson read and presented a Proclamation to the Dublin City Schools for this recognition.

CITIZEN COMMENTS

Sven Christianson, 5765 Settlers Place, Dublin addressed Council regarding Llewellyn Farms and Waterford Village, noting they were developed at about the same time as Muirfield Village. The residents have had one-story, professional office development around them to date and this office development is tucked away and acceptable. The tools that have been utilized in the past to protect residential areas are the zoning guidelines. The pending Corporate Area Plan is disturbing to the neighborhoods because it removes the zoning protections that are in place today. During the open forum presentation sessions, the lead consultant implied that zoning concerns would be addressed at a later date. However, the Corporate Area Plan would guide and direct the Planning and Zoning Commission and City Council, and if protections are not added now, they never will be. If this effort to protect neighborhood character is successful upfront, then it will save time for development requests or zoning questions. A residential overlay zone or sub district with respectful zoning guidance is a common sense approach. However, the neighborhoods are open to any approach that ensures that the constituents are a priority. When drafting the prudent planning petition that will be submitted, it was clear that the requests are clearly in line with the DNA of the City. They are optimistic that Council can help structure a favorable plan. The Corporate Area Plan covers 1.5 square miles, and their area of concern is a small 5% of that. They understand the overall goal, but the area east of Frantz Road is different. Waterford Village will eventually have development behind them on the existing cornfield. However, what comes in the future should enhance, not detract from the neighborhood. He is requesting a true collaborative effort among residents, Council and consultants.

Clay Daney, 5775 Settlers Place, Dublin stated that he moved to Dublin four years ago from the Short North. He chosen Llewellyn Farms because of the access to downtown Dublin, the river, Bridge Street District, etc. When he moved, he understood that he would have neighbors that were businesses and that was acceptable because these were one-story, modest buildings. However, that is now changing. He feels these changes are bringing uncertainty to the residents in his area. He expressed his faith in the planning team, the PZC, and Council that their concerns will be heard. However, to date, they have not seen it reflected in the Corporate Area Plan. The 5% of the Plan area east of Frantz Road would like to have site use limitations, site restrictions, set back restrictions, green space and landscape buffering. In the past 48 hours, they have gathered over 250 signatures, which reflects that neighbors are concerned. The Dublin Corporate Area Plan is needed, but the area east of Frantz Road needs to be done right and a middle ground needs to be found. He expressed gratitude for the openness of planning and the expectation of great development in Dublin.

Eric Kreidler, 5815 Settlers Place, Dublin stated that he grew up in Dublin and has been witness to the explosive growth of the City. He knows that growth is expected and must occur, but when it infringes on quality of life of citizens near that growth, it becomes a problem. The appeal of Dublin is the strong neighborhoods, quality of life, and responsible governance over factors that influence those who live in Dublin first, and

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those who work in Dublin second. His primary issue is with the validity of the input and results from the public meetings. The purpose of these meetings with the consultant team was to receive the input of employers, employees and citizens about what they want to see in the area. The analysis of research conclusions is based on the statistical data that is presented to support those conclusions. However, he has seen poor outcomes as a result of using poor data and wants to avoid that mistake in this Plan. He is not against development, but the extent that this is to be addressed is not clear. The analysis of the meetings is there were 198 total participants, 144 of those claim to be Dublin residents. If it is to be assumed that the residents only attended one meeting and did not double up, this represents .3% of the population of Dublin. Mr. Kreidler cited problems with graphs and statistics and how the view can change dramatically, depending upon the number polled. How did they verify information, such as demographics and definition of study area? There were further issues with the survey results and methods. There is data missing or data being omitted. A good business plan contains risk analysis, liabilities and responsibilities, cost benefit analysis and a plan on how to progress. Dublin needs to be concerned with infrastructure, traffic, school, police services, etc.

He reiterated that the public input is flawed or biased, and that the lack of explicit zoning regulations is disrespectful and irresponsible to the residents of the area. Dublin's neighborhoods and citizens are what make Dublin a desirable place to live. The voices of the residents should always be more important than the consultants' conclusions.

Mark Martin, 4211 Rings Road, Dublin introduced himself as the Vice President of Llewellyn Farms Civic Association. He noted that he agrees with the statements made. He lives across from the open cornfield. He has always believed that Dublin does a very good job of blending commercial and residential areas. However, he is surprised to see a plan with potential multi-story hotels and restaurants butted up against a residential area. He is concerned about the potential plan. He believes there is potential for compromise on a buffer zone between the corporate area and the residential area.

Mr. McDaniel thanked the residents for coming forward. He appreciates the positive comments about Dublin's history of planning and development. He asked Mr. Papsidero, Planning Director to comment.

Mr. Papsidero stated that this process began almost four years ago with early work on the Legacy Office Park research. Staff has been working on a plan update for the last year and a half, and there has been good turnout at workshops where most of the data has been collected. Currently, staff is working on completing the final details of the plan. They promised the neighborhood residents they would respond with draft material within the week. The goal is to provide the Planning and Zoning Commission with a complete document in late September or early October. They are working through the process and are near the end of it.

Mr. McDaniel stated that there is more opportunity for input, particularly at PZC. He invited residents to keep the exchange of information flowing so it can be provided to the consultants.

Mr. Papsidero stated that staff recently spent time with the residents walking the properties and viewing the perspective from their backyards, hearing their concerns and ideas about development.

Ms. Amorose Groomes stated that she also spent time with the residents in that area and much of the conversation centered on the greenway and the connectivity with Cramer Creek, heading north into the historic core. She encouraged staff to look at the preservation of the creeks in the form of greenways. She is not sure of the need for an overlay district, because there is not a plan adopted yet. She wants staff to consider the creeks and the connections so all the residents can enjoy the area.

Ms. Salay asked Mr. Papsidero for his response to the resident concerns that have been expressed. She believes that their concerns are not unreasonable and can staff provide

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the residents with some assurance that there is not the desire to rezone the whole area to allow all these difference uses. She encouraged staff to make the plan more neighborhood friendly. She believes that much could be accomplished to satisfy the residents' concerns before the plan is sent to PZC.

Mr. Papsidero stated that, throughout the process, staff has been clear about the importance of safeguarding the neighborhoods up and down Frantz Road. Staff committed that more detailed information will be forwarded to the interested parties before the document is submitted to the PZC. The process has been delayed somewhat due to the number of vacant properties and the number of corporate owners involved.

In response to Ms. Amorose Groomes' question regarding whether or not area rezonings or individual rezonings will be done, Mr. Papsidero stated that the goal was to streamline the zoning process of the entire planning area. Building on the model in place for the West Innovation District, the goal conceptually has been to consider one comprehensive rezoning of the entire planning area and having subdistricts that speak to land use, density, design standards as well as adopting design guidelines.

Ms. Amorose Groomes cautioned staff that one of the reasons this works so well in the West Innovation District is the lack of adjacent neighbors. There was a lot more flexibility and freedom for that reason. Perhaps west of Frantz Road would be more appropriate for area rezonings, but she would not support area rezonings on the east side of Frantz Road. Sensitivity to adjacent neighbors is more important east of Frantz Road and she is concerned about the loss of control that can come with area rezonings. It is important to keep that control for residential neighborhoods.

Mr. Papsidero agreed with Ms. Amorose Groomes in that he is hoping to add more restrictions to protect the neighborhood. Those details will be explored more in the next phase of the process.

Mayor Peterson inquired about the timeframe for the PZC review.

Mr. Papsidero responded that it could be in October, dependent upon the communication with the stakeholders. Depending upon the PZC review timeframe, this plan could be before Council at the end of October or early November. PZC will also be reviewing the West Innovation District update at the same time.

Mr. Keenan inquired about the large parcel in Washington Township that lies adjacent to Waterford Village and how it is accommodated in the plan.

Mr. Papsidero stated that the western half of that parcel fronts on Frantz Road and will be in the planning area. Conceptually, staff has discussed the possibility of it being residential or lower scale office, perhaps retail use-- all with a two-story height limit.

Mayor Peterson thanked those who attended tonight's meeting and encouraged them to stay engaged as the process continues.

Jane Fox, 6193 Dublin Road, Dublin addressed Council regarding public engagement. There are many interested residents present, and she is asking that Council support the early engagement for these planning actions. She suggested that civic associations could be invited for brainstorming sessions. Sometimes, there are creative solutions from people who live in the neighborhood. The public meetings do not really offer the same opportunities to develop comprehensive solutions as does a roundtable discussion. She would like to change the flow of information from citizens to Planning staff to Council. She wants to bring people together to determine what they want. It could lead to a shared collaborative discussion. She believes this interaction will strengthen the entire community.

CONSENT AGENDA

- Approval of Minutes of Council meeting of August 14, 2017

Dublin City Council and Planning and Zoning Commission
Joint Work Session
Monday, April 17, 2017

Minutes of Meeting

Mayor Peterson called the Monday, April 17, 2017 Dublin City Council-Planning and Zoning Commission Joint Work Session to order at 6:00 p.m. at Dublin City Hall.

Council Members present were: Mr. Keenan, Mr. Lecklider, Ms. Amorose Groomes, Mayor Peterson, Ms. Salay, Vice Mayor Reiner and Ms. Alutto.

Planning and Zoning Commissioners present: Ms. Newell, Mr. Brown, Mr. Miller, Mr. Stidhem, Ms. DeRosa, and Ms. Mitchell.

Staff members present: Mr. McDaniel, Ms. Crandall, Ms. Readler, Mr. Papsidero, Ms. Husak, Ms. Rauch, Ms. Puranik, Ms. Gilger, Ms. Ray, Mr. Gracia, Mr. Earman, Ms. Richison and Ms. Burness.

Mr. McDaniel stated that because tonight's work session focuses on Planning-related items, Mr. Papsidero will guide the discussion.

Mr. Papsidero stated that the discussion will focus on four projects. The objective is to obtain Council's input and ensure that the projects are proceeding in the desired direction – particularly for the zoning projects because there are a few new components on which Council's feedback is desired. Those projects are:

1. West Bridge Street Framework Plan
Because this is a part of the Bridge Street District that impacts adjacent neighborhoods, significant public input has been obtained. A preliminary development concept will be shared tonight.
2. West Innovation District Zoning
This project relates to minor tweaks to the zoning that is already in place, which reflect the work to date on the West Innovation District Plan update. Council has seen much of the update previously. Tonight's presentation is an interpretation of that work in terms of recommended Code changes.
3. Metro-Blazer District Zoning
The City has been undertaking a significant amount of work in this district over the last three years, looking at Legacy Office developments and understanding the role of Planning on the marketplace. Some shifts may be necessary in order to ensure that area remains a very vital part of the City. A new zoning approach is proposed for that area, which is based on what has been learned to date with the West Innovation District.
4. Bridge Street District Zoning
This Code update was initiated six months ago. It has involved a significant amount of stakeholder interviews. With the consultant, they have looked at ways in which to improve that District both in terms of process and Code standards; these improvements are based upon experience over the last few years with project review and approvals.

The goal with all the projects is to ensure more consistency in the Code and process and the development of design guidelines for each of these areas. The intent is to better communicate the City's expectations to the development community, ensure that applications the City receives reflect the City and the public's values, and identify what the City sees as most important about

- **METRO-BLAZER DISTRICT ZONING**

Elizabeth Fields, McBride Dale Clarion, presented an overview. The major difference between the West Innovation (WID) and Metro-Blazer District is that the majority of the WID is undeveloped area, and new development is being proposed. With Metro-Blazer, the intent is to retrofit existing development and make it more competitive. Another firm has been retained to handle the land use plan for this project, and Jason Sudy with Side Street Planning is present. His firm is working on the Dublin corporate area master plan for this district. The zoning will be the implementation tool for that land use plan.

Goals for the Metro-Blazer Plan update are:

- Development regulations that coincide with the plan update and allow for redevelopment and new development that aligns with the City's vision for the Metro-Blazer district.
- A clear, concise, and user-friendly set of regulations that identifies the standards and guidelines that apply to development within the District.
- Clear distinction between the Dublin Corporate Area Plan, Zoning Code, and Design Guidelines.

The plan will focus on the overall design principles, goals and objectives for the District. The zoning code will focus on the non-discretionary and quantitative standards (uses, setback, development standards, process). The design guidelines will focus on discretionary guidelines that will concentrate on the character of both the overall District and the individual buildings.

Current Zoning/Proposed Zoning:

- The existing zoning for this District is a mix of: Restricted Suburban Residential; Suburban Office and Institutional; Community Commercial; Tech Flex; Office, Laboratory and Research; Planned Unit Development; and BSD-Commercial. Much of the District is Planned Development.
- A draft land use plan has been proposed for new districts. The Tech Flex and Bridge Street Districts would remain. Four new districts are proposed: Metro/Blazer; Emerald; Tuttle/Rings North; and Tuttle/Rings South. The Land Use Area Plans will describe the City's intent for each of those four areas.
- The Code update will be the implementation tool for the Land Use Study. Rezoning this study area from the existing zoning districts to an overall Metro-Blazer zoning district will be a similar tool to the existing West Innovation districts. The Metro-Blazer districts will have their own list of Permitted Uses and Standards. The current proposal is to leave the existing PUDS as is, but the owners will have the discretion to re-develop to the existing plan development standards or develop under the new zoning standards. The plan allows them that flexibility. Minor changes would probably occur according to current standards, but a complete redevelopment would follow the new regulations.

Ms. Amorose Groomes inquired if percentages have been assigned related degrees of modifications.

Ms. Fields responded that has not yet been discussed.

Ms. Amorose Groomes noted that this is different and probably easier than the Bridge Street redevelopment.

Mr. Papsidero stated that they would be looking at that. They were trying to follow the Bridge Street model.

Ms. Amorose Groomes stated that it created some difficulties for property owners wanting to make modifications.

Ms. Fields stated that the intent is to provide incentives for property owners to follow the new regulations. Those details will be worked out.

The approval process in the Metro-Blazer District would replicate that in the West Innovation District. The Code sections would be organized in the same manner, focusing on measurable standards. There would be unique uses and standards for each of the four subareas. The design guidelines would focus on the look, feel and character items.

The Major Changes Proposed are:

- New zoning districts for the Metro-Blazer district that are allow for more development options than what currently is permitted
- Existing PUDs will be able to continue under their current regulations or develop under the new regulations
- Defined criteria for "Kick-up" provision
- Similar process and development standards to WID

The Next Steps are:

- Finalize Dublin Corporate Area Plan - review and approval by Fall 2017
- Public outreach for the zoning
- Draft zoning changes for review by staff and PZC with approval by City Council
- Area rezoning process following the Code adoption

Council/PZC Questions:

Ms. Salay referred to the football-shaped piece of land at the corner of Woerner-Temple, Rings Road and Emerald Parkway -- Emerald Town Center is located there. Could that Town Center be removed from the Emerald District? The neighborhood fought hard for that town center, and it is working well, at this point. On behalf of those neighborhoods, she does not want to have to go back to the drawing board with that. When that section of Emerald Parkway (Thomas Kohler) developed, the intent was for a 10-pump gas station and UDF on the corner, where the Chinese restaurant current sits. The neighborhood strongly objected, and the UDF project was eliminated. She prefers to remove that section from the Emerald District and make it part of the neighborhood.

Ms. Amorose Groomes stated that her rezoning and process comments remain the same as on the previous plan.

Mr. Reiner inquired if there is a master plan that addresses some areas separately. In addition, the landscaping and streetscape in this area has declined over the years. It was done in the 1980s and needs to be refreshed.

Ms. Fields responded that the Dublin Corporate Plan on which Mr. Sudy's group is working will have concept plans for individual areas and address the mix of uses and landscaping. Council will have the opportunity to review those concept plans. She will not begin to work on the zoning code until Council has worked out the details of the concept plans in the Land Use Plan, including the ultimate goals, uses, setbacks, building heights, etc. desired in this area.

Mr. Reiner stated that developers will want to know which areas are still open to them. That should facilitate more rapid development in this District.

Ms. Salay stated that all three of these plans provide for a significant public process. She would like to have a copy of the public feedback that is received, so Council can be aware of the neighborhoods' perspectives on the proposed changes.

Mr. Papsidero responded that a detailed copy of the input would be provided to Council.

Mr. Lecklider inquired if staff input were needed on the conceptual concepts.

Mr. Papsidero responded that it is not. The question tonight is if this is an approach on which staff should continue to work. The details will be addressed at a later date.

- **BRIDGE STREET DISTRICT ZONING**

Donald L. Elliott, Clarion Associates, stated that:

- ~~1. Their team has written codes for many communities around the country, and most codes are hybrids. The Bridge Street Code is a success, not a failure; it was just difficult to do. Much development actually has happened here in the five years this Code has been in place. The amount of walkable, sustainable, urban development that has occurred within this adopted framework is unusual to find. There are now many buildings in place.~~
- ~~2. When the Bridge Street Code was developed, it followed a technical approach to form-based codes. That turned out to be a poor fit for Dublin, and there have been attempts to change the programmatic approach to make it work better for this community. With five years of experience, there is the ability to evaluate and update the Code, and Council has asked them to do so.~~

Clarion's contract had three tasks:

- ~~1. Identify why the sign regulations were problematic for existing development. Those findings have been finalized and approved by Council. The change permits improvements or changes in existing buildings to continue under the previous signage requirements. Only a new building developed under the new code need follow new sign guidelines.~~
- ~~2. Determine if the Historic Core protections are sufficiently strong or if changes are needed. That review is being conducted by Leslie Oberholtzer, their technical form-based code specialist.~~
- ~~3. Provide general updates to simplify the review process, provide greater flexibility and design guidelines.~~

~~Since last fall, work on general updates has been underway, working with stakeholders and the public. Many interviews have been conducted with builders and developers who have invested or tried to invest in the Bridge Street area. They have found that there are substantive challenges with the Bridge Street Code and there are process challenges.~~

Substantive challenges were: (1) the Code's Building Design Standards lacked flexibility and created monotony; (2) some of the Site Development Standards inhibited good design; and (3) some don't work for existing buildings/development. One of the key changes is to re-visit the applicability thresholds.

Motion and Vote

Mr. Brown motioned, Ms. De Rosa seconded, to approve the Conditional Use with no conditions. The vote was as follows: Mr. Miller, yes; Ms. Newell, yes; Mr. Stidhem, yes; Ms. Salay, yes; Ms. De Rosa, yes; and Mr. Brown, yes. (Approved 6 – 0)

3. Avery Road CrossFit 16-110CU

5725 Avery Road Conditional Use

The Chair, Victoria Newell, said the following application is for an indoor recreational facility within an existing building in the Technology Flex District. She said the site is on the west side of Avery Road, approximately 710 feet south of the intersection with Woerner-Temple Road. She said this is a request for a review and approval of a Conditional Use under the provisions of Zoning Code Section 153.236.

The Chair swore in anyone intending to address the Commission on this case.

Motion and Vote

Mr. Brown motioned, Mr. Stidhem seconded, to approve the Conditional Use with one condition:

- 1) That the applicant work with staff to provide the one loading space required by the Code to be verified at permitting.

The vote was as follows: Mr. Miller, yes; Ms. Salay, yes; Ms. Newell, yes; Ms. De Rosa, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Approved 6 – 0)

Planning Items

Vincent Papsidero said there are three current projects interrelated that include the West Innovation District, Metro-Blazer area, and the Bridge Street District. He said plans are in place to update the first two areas just mentioned. He said staff does not intend to update the plan in the BSD but in each area they are updating the Code and developing Design Guidelines.

Mr. Papsidero presented a map highlighting the three areas as well as the overriding intent of Code versus Design Guidelines:

- Code and process improvements (Code)
 - Focus on dimensional standards + “absolutes”
 - Consistency among review steps and application requirements
 - Process improvements that do not compromise outcomes
- Strong emphasis on outcomes (Design Guidelines)
 - Emphasize creativity and originality in urban design consistent with City values and expectations
 - Avoid monotonous outcomes
 - Guidelines to focus on intent (do this/don’t do that)
 - Answers the applicant’s question “what do you want from us?”

Bob Miller said most of what Mr. Papsidero just said is extremely logical. He asked if Mr. Papsidero sees a risk with these changes. Mr. Papsidero answered he does not see a risk. He explained he has written and used guidelines in other communities of Columbus with quite a bit of success. He indicated Design Guidelines will provide more leverage than what a Code in some cases.

Mr. Papsidero presented qualities of effective Code language:

- Language should be clear
- Easily interpreted (as “black and white” as possible)
- Measurable and dimension able
- Objective and not subjective
- Legally defensible

Mr. Papsidero included a good example:

“Lots shall be a minimum of 60 feet in width at the public right-of-way.”

Mr. Papsidero alternatively provided poor examples of Code language as they are too subjective:

- “forward looking”
- “thoughtfully designed”
- “intentional and carefully thought through”
- “unique and diverse”
- “look and feel”
- “design expression is of a modern application”

Mr. Papsidero said the above comments are excellent examples of Design Guideline language.

Chris Brown said the Design Guideline language examples are very subjective and he questions what is enforceable. He said when someone brings forward a great looking project, no matter the transparency percentage or primary/secondary materials for example, the Commission looks at it and states “Wow, that’s nice” or “oh, that looks bad”.

Mr. Papsidero said the Commission’s role is to represent the community’s values and merge them with the technical piece. He said subjective language in Design Guidelines is enforceable, if adopted by Council after the Commission’s recommendation and linked by Code to the actual development steps in the process.

Steve Stidhem said this is an opportunity to be forward looking, to consider more renewable energy options, and add to the Code. He said there is a lot of material written on the impact of self-driven cars in city planning. He indicated there may be more cars or could be less cars, we do not really know. But we do know there will be less parking requirements near where people are actually doing their work. He asked to be very specific about the language.

Mr. Papsidero said language for this topic could be specific but for subjects that are in an early stage like autonomous vehicles; that is a perfect topic for Design Guidelines. He indicated we could state that an area designed for a garage now could be at least partially converted to other uses in the future. He suggested this should not be mandated in the Code but a lot of guidance could be provided.

Mr. Stidhem agreed for the subject of autonomous vehicles but for renewable energy (solar power or windows) that could be stated in the Code. Mr. Papsidero said that subject matter is very detailed and Planning would probably do that as a separate project or add-on because that gets into a lot of requirements to think through as a community. He used turbines on a single-family lot, as an example. He said that would become a community dialogue under the direction of Council.

Mr. Papsidero said as a Code standpoint, the following topics would be addressed:

- Land Uses
 - Dimensional standards
 - Height
 - Setback
 - Density/Intensity (du/ac, sf/ac, FAR)
 - Parking and loading
 - Landscaping/open space quantities
- Process
 - ART + PZC/ARB + Council
 - Administrative approvals
 - Provides legal justification for applying Design Guidelines

Mr. Papsidero explained Design Guidelines are:

- Explanatory in nature
- Provide insight into acceptable ways of meeting Code requirements and City values, expectations (as defined in policy)
- More subjective, less objective
- Illustrative (do this, don't do that)
- Implemented by staff (report and recommendation) and Boards/Commissions (analysis and decision)

Mr. Stidhem asked if cell towers are considered as 4G capability moves to 5G. Mr. Papsidero said the state has determined that the City has no authority over the regulation of these new cell towers. Mr. Stidhem asked if we could insert fiber optic connectivity into the Code. Mr. Papsidero said that might be included in the Building Code. He indicated we would need to determine where it would fit from a regulatory standpoint. Mr. Stidhem said in anticipation of what could be to come, that sort of thing is inexpensive to incorporate while construction is going on versus retro fitting it later.

Mr. Papsidero said staff is looking for a strong dialogue with the Commission as we work through this.

Mr. Papsidero presented pictures of Design Guidelines from different places around the country that include the guideline language to illustrate the goal. He said as we work through these specific issues, we can be as detailed as we need to be to provide additional guidance.

Mr. Papsidero said guidelines support policies; they focus on outcomes such as architecture and materials; site design; landscaping/open space design; and signs. He said they provide examples of best practices and would need to be adopted by Council.

Amy Salay said they went through years of the PZC process from staff level to PZC and Council to negotiate this PUD back and forth. She said it was so fine-tuned and so negotiated they were criticized by the development community for making it impossible to work with. Now, she said we have adopted a form-based Code with intent in other areas like the WID to be more user-friendly from a developer's standpoint. She said now we have come to this most recent proposal, which she likes the pattern book, more illustrations, and explaining what we want, to enable the professionals in the development community do their work. She asked how we keep from falling back into everything by negotiation.

Mr. Papsidero said by doing these Design Guidelines, walking in the door, the developers will have a clear picture of what the City's expectations are. He said it would be up to staff and the Commission to be consistent with those guidelines. He said now, the developers get hearsay and talk from clients or

competitors to gain their feedback about their experiences with the City of Dublin's process. With BSD in particular, he said the form-based Code is a hybrid. He said we are suggesting to streamline the process by limiting the ART to just the really minor approvals and go back to the traditional process where staff creates and presents the report to the Commission and the Commission then deals with the applicants directly. He said the ART has been an additional step to jump through and does not add much to the process. At the same time, he indicated staff wants to streamline the submittal requirements and go back to a simpler system. He said they want to take some of the standards in the BSD and turn them into guidelines so staff is spending less time as accountants, measuring transparency and all other items, which at the ground level is important. He said we might want to have a minimum standard for the ground floor and maybe use a broader goal for the upper stories. He noted a hotel would be very transparent whereas an apartment building would be less transparent because privacy is needed for the units. He said measuring 63% when 65% is the standard does not help anything. He said staff wants to talk to Council about the mandatory Basic Plan going to Council first and then being recommended down. He said now we do Informal Reviews at different levels and applicants are bouncing around quite a bit, negotiating three, four, and five times. He said investors are using that against the City when it comes to Economic Development.

In summary, Mr. Papsidero said a Plan establishes policy foundation and community expectations. He said Design Guidelines explain how to accomplish community expectations and provide a bridge between policy and Code. He said Code establishes regulatory controls and process, and dimensional standards such as bulk, mass, and height, etc.

To be more specific, Mr. Papsidero said for the West Innovation District:

- Building upon updated concept approved by Council
 - Plan update
 - Code update to reflect changes in geography, policy
 - ✓ Sub-district boundaries will be modified (uses + standards)
 - ✓ OU Master Plan incorporated by reference
 - ✓ No process changes expected (With the ART, there is a kick-up provision to the PZC we would like more specific as this could impact adjacent neighborhoods, especially in Metro-Blazer area. We would like this mandated instead of discretionary)
 - Design Guidelines created
 - ✓ Consolidates material from existing Code and Plan
 - ✓ Builds upon new concept
 - ✓ New material

Mr. Papsidero presented a map of the new sub-districts in the WID.

Mr. Papsidero said for the Metro-Blazer area:

- Dublin Corporate Area Plan
 - Issues/goals completed (phase one)
 - Draft plan nearing completion (phase two)
- Code update to be initiated, building upon WID process
 - Consistent with WID
 - Comprehensive rezoning
- Design Guidelines to be initiated
 - Special focus on parking lot landscaping/screening
 - Infill/redevelopment

Mr. Papsidero presented a map of the Metro-Blazer area to be rezoned, built upon the WID approach. He indicated this would streamline reinvestment. He suggested the surrounding property owners would be

supportive. He reported this area has not been competitive because of a lack of amenities, the aging of the buildings, and inefficient parking lot layouts.

Mr. Papsidero said for the BSD:

- No changes to plan
- Code update initiated, significant engagement with stakeholders, users
- Code and process to be simplified
 - Reduce number of approval steps
 - Reduce role of ART
- Design Guidelines to be prepared
 - Move some standards to guidelines

Mr. Papsidero presented a map of the BSD and said the next steps are:

- PZC to review draft material between now and April
- Council-PZC joint workshop in April
- Revisions will be made following the workshop
- Adoption

Cathy De Rosa said since the Code changes require Council's approval, she asked what happens to the Design Guidelines changes. Mr. Papsidero answered it would be the same process for both. She then asked what the approach would be for changing illustrations. He answered staff would want input from Council.

Mr. Papsidero said the intent is to write the Design Guidelines separately for each of these three areas but in fact a certain percentage would apply across the board. He said future chapters could then get more specific on solar or other issues that are not ready to be addressed now. He said the final would be one book as opposed to three.

Ms. De Rosa said with visuals (like with sign designs) a picture is worth a thousand words. She said 'they know it when they see it'. She suggested being able to be flexible and add more pictures as we find great examples as they arise without making the process terribly onerous. She indicated that helps applicants.

Mr. Papsidero indicated staff would like to eventually address Parking, outdated Land Use Designations, and issues within the Sign Code.

Mr. Brown asked if there are inspirational pictures, something totally unique that does not fit illustrative criteria that could be provided to the public to assist with the library design. Mr. Papsidero encouraged the Commission to share pictures worth promoting with staff that they have found remarkable through their travels.

Mr. Papsidero said staff has completed two Kaizen events that facilitated the application intake process and the internal case review process. He said this has resulted in creating more efficient processes. He said staff is also in the process of reformatting all the Planning Reports to make them more consistent and less redundant and more valuable to the Boards, Commission, and Council.

Claudia Husak asked the Commission to alert staff by sending an email if there is information they would like to see that is not incorporated currently, or need to see more/less of.

Victoria Newell suggested including existing site photographs into the Planning Reports, even though most of the Commissioners visit the sites as well. She explained it is helpful to have pictures while

reading the report. Ms. Husak said having an electronic format makes that easy because then quality is not lost that may be lost when printed.

Communications

~~Claudia Husak said staff is seriously considering cancelling the first Commission meeting in February and place the focus on the second meeting on the 16th.~~

~~Ms. Husak said the National Planning Conference in New York City, NY is scheduled for May 5 – 9, 2017. She said registration starts in early February but hotels are filling up quickly. She recommended interested members contact Flora Rogers for hotel accommodations in the next two weeks.~~

~~The Chair indicated Leadership Dublin attended the full meeting this evening and adjourned the meeting at 7:24 pm.~~

~~As approved by the Planning and Zoning Commission on March 2, 2017.~~

- 1) ~~That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.~~

The vote was as follows: Ms. Mitchell, yes; Ms. De Rosa, yes; Ms. Newell, yes; and Mr. Stidhem, yes.
(Approved 4 – 0)

Planning Items

Vincent Papsidero said the following Long Range Planning project updates would be presented:

- Dublin Corporate Area Plan
- Historic and Cultural Assessment
- Shier Rings Roadway Corridor Character Study
- Mobility Study (Introduction)
- W. Bridge Street Framework Study

Dublin Corporate Area Plan was presented by Devayani Puranik.

Ms. Puranik explained this was previously known as Metro-Blazer-Emerald-Frantz. She said this is a brand new planning process initiated to review the legacy office development within the City. She presented a map that defined the ±1,000-acre area. She explained the northern boundary is SR 161, the eastern boundary is Frantz Road including offices located east of Frantz Road, the southern boundary is Dublin's Corporate boundary, and the western boundary is Emerald Parkway. She showed the study area within the context with the City of Dublin.

Ms. Puranik presented a map showing Dublin's seven business districts. She said the Bridge Street District is located to the east with development standards that cater to mixed-use development. She said the West Innovation District located to the west caters to research and development facilities and institutional facilities like Ohio University, whereas Metro Blazer and Emerald Districts focus mainly on technological jobs including Dublin's Entrepreneurial Center. While the study area houses several technology oriented jobs, she said the built environment is outdated.

Ms. Puranik presented the map highlighting the Metro-Blazer-Emerald-Frantz area. She explained existing zoning in the area is very diverse with inconsistent development standards making this area somewhat less attractive for location of new businesses and development. She said some of the specific issues include:

- Diversity of Zoning Districts including PUDs
- Varying Development Standards
- Outdated Built Environment
- Lack of Amenities
- Overgrown Landscaping
- Underutilized Prime Land

Steve Stidhem asked if any new construction is planned for this area. Ms. Puranik answered there is not a huge amount but based on their market research, there are great opportunities.

Mr. Papsidero said Economic Development Staff have found challenges in the marketability of some of the older properties.

Ms. Puranik said some of the land that is used for stormwater management ponds within the Upper Metro Center represents prime land approximately five acres in size.

Ms. Puranik said the purpose of the Plan is to understand the shifting office and employment demographics and its effects on old suburban office parks in this very competitive market. She explained

approximately 87% of Dublin's office inventory was built in the 70s, 80s, and 90s and approximately 12% of that space is currently vacant. She said several factors have contributed to the vacancy rates:

- Lower parking ratios
- Lack of walkable amenities
- Building age
- Visibility/Wayfinding
- Lack of public transit
- Lack of sustainable practices to gain maximum benefits of the land
- Location
- Floor plate size and building size
- Lack of basic curb appeal

Ms. Puranik presented a chart that showed the percentage of total office square feet built in Dublin by decade and noted 80% of the office space (almost 7 million square feet) is between 17 and 45 years old. She presented a map to show where the specific development occurred by decade.

Ms. Puranik reported that through discussions with developers, business owners, tenants, and others trying to locate in Dublin, two contradicting factors emerged:

1. A shift in the perceived and actual parking demand - a much higher employee per square foot ratio; and
2. Increasing employee desire for nearby convenience and entertainment amenities, ideally within a walking distance.

Mr. Stidhem said he had hoped Home2Hotel would offer public services. Deborah Mitchell said there is not even a coffee bar in there. Cathy De Rosa noted the only other restaurant in the area is Max & Erma's.

Ms. Puranik said a public workshop is planned where they plan to display these market research maps.

Ms. Mitchell asked if this came from focus groups or surveys. Ms. Puranik said the Economic Development Division speaks often with businesses and there was a stakeholder meeting held in December of last year, which included 35 people.

Ms. Mitchell explained she asked because she has an office in the area and when she tries to get more food trucks to come due to the lack of restaurants, it is hard to get people to come out to the trucks. She said it seems people say they want to have restaurants within walking distance but they all end up driving.

Ms. Puranik said part of it might be that the offices are surrounded by huge parking lots so just getting from the door of their office to a site is challenging. She said 600 feet seems to be the magic number for an accepted walking distance.

Mr. Stidhem inquired about the parking ratio. Ms. Puranik explained the current Code requires 4 parking spaces per every 1,000 square feet of office space. She said companies are asking for 7 parking spaces per 1,000. She said companies are trying to fit more employees into smaller office areas.

Mr. Papsidero said trying to accommodate more parking comes into conflict with the landscaping requirements so staff is looking at ways to creatively meet that Code.

Victoria Newell said she likes to walk at lunch and a lot of people in her office park walk.

Tammy Noble said people might not be going to a certain location even if an amenity is provided because of how the space feels. She indicated they may not feel safe or have a place to sit and really enjoy the experience.

Ms. Newell said little plazas are inviting and they can accommodate music on certain days to entertain people.

Mr. Stidhem said he likes the idea of food trucks as long as there is a place to go eat the food. He indicated that he sees the demand for parking diminishing over the next 10 years and so he is hesitant if someone is proposing a parking garage.

Ms. Puranik said staff is studying both short and long term approaches. She said as Phase 1, they are focused on parking as companies are leaving (Nationwide as an example). She said the process for Phase II will include:

- Development strategies
- Site retrofit strategies
- Capitalization on market opportunities
- Detailed Code updates
- Frantz Road Corridor (streetscape and design)

Mr. Stidhem asked if there were specific plans for significantly updating Frantz Road. Mr. Papsidero said currently there is a design study underway for that intersection. He said a new planting scheme for the median could be an option as trees have struggled to thrive there.

Ms. Puranik said the first public workshop is scheduled for August 31, 2016, at IGS Energy but it will also be posted online. She said for the next couple of months, staff will work on the physical development concepts and the zoning and development standards. She indicated the second public workshop will be in October so the plan adoption process should be in December – January. Mr. Papsidero added that in addition to the public workshops, Staff is reaching out to all the neighborhoods to the east of Frantz Road to engage the residential community along with the business community.

Ms. De Rosa asked if there are examples presented in these workshops of other communities that are doing this well. She said every suburb in America is having this same discussion. Ms. Puranik said the consultants working with staff have experience nationwide.

Historic and Cultural Assessment was presented by JM Rayburn.

~~Mr. Rayburn presented the Study Area Grid that encompasses the City of Dublin as well as townships in surrounding areas that included ±860 structures that were surveyed. He stated the purpose of the project is to create an inventory of historic properties and assets within the City of Dublin, which will include an assessment of whether the buildings and assets are contributing or non-contributing to the historic character of the City of Dublin. He said the assessment will also help identify funding strategies for historic preservation efforts for property owners. He said additional tasks may include assistance with an update to the existing *Historic Dublin Design Guidelines*.~~

~~Mr. Rayburn said to engage the public they have focused on stakeholder interviews with members of the community and he presented a list.~~

~~Mr. Rayburn said the architectural survey was completed August 4, 2016, and highlighted some of the initial findings. He said the next steps will include a complete landscape/archaeological portion including mill ruins, quarries, cemeteries, stone walls, and recorded archaeological sites. He said staff will finalize data for the GIS layers and the consultant will complete the final report. He said they will compile a list of~~

(No subject)

Larry Darlington <tldarlingtonjr@gmail.com>

Wed 10/27/2021 3:50 PM

To: Jennifer Rauch <jrauch@dublin.oh.us>; Jane Fox <jfox@dublin.oh.us>

Cc: Edward Erfurt <edward@erfurtlaw.com>; Clay Daney <clay.daney@gmail.com>; Hilliard Buckeye <777sven@gmail.com>



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Llewellyn property encroachment

Jennifer, Jane

Thank you for your time at our neighborhood meeting & the updated Mur 4 documents. Please be advised that I feel the City is still pushing too hard to compromise our properties. It is suggested that your Zoning be modified to the following;

- 1) No new building be any closer than the existing building of Aspen Energy, this is for both Height and distance
- 2) Additional landscaping be required for the privacy of the adjoining houses, We suggest following Mr Daney request.
- 3) Better language be added to protect all houses from noise and lighting from this encroachment.
- 4) Restrictions be added to keep traffic from this redevelopment off of Rings road or at least from the east end of Rings road driving past the houses.

Thank you

Larry Darlington
614-531-4427



FROM: LLEWELLYN FARMS CIVIC ASSOCIATION
TO: CITY OF DUBLIN PLANNING & ZONING COMMISSION
DATE: NOVEMBER 03, 2021
RE: LLEWELLYN FARMS & MUR-4

- 1) We are concerned with the latest version of the Drafts (*see pg. 14*) as it pertains to roofs:
 - (3) Roofs
 - (a) Pitched and flat roof types are permitted, unless specified

Does that mean a flat roof is now permitted in Subarea D? We have already agreed that pitched roof is required or ought to be the standard moving forward for Subarea D (*see pg. 10*). The concern is that the added language provides an option or choice and whereas previously there wasn't one with respect to Subarea D.

- 2) Please differentiate between a use variance and a non-use (area) variance. Is there a specific standard or criteria that is outlined for the Board of Zoning Appeals to review and/or to grant a non-use variance?

3) While we appreciate the revised language with “Existing Uses and Buildings” (see pg. 3), we are concerned that the current language is still too ambiguous. The concern is that if a hospital is allowed as a permitted use per § 153.036 under current SO Zoning (see screenshot below) then it could still be built later, even after the new MUR-4 zoning is adopted.

§ 153.026 SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT.

(4) *Institutions.* Institutions providing social, cultural, educational and health services to member agencies, organizations and individuals or to the general public.

806 Hospitals

Below is our edited version of the language in the Drafts:

- (3) *Use Specific Standards.* Additional standards may apply to either permitted or conditional uses in the MUR Districts. These additional standards are cross-referenced in the last column of Table 1.
- (4) *Existing Uses and Buildings* **In operation**
- (a) ~~All~~ The permitted or conditional uses ~~existing~~ as of the effective date of this Ordinance and buildings that were permitted or conditionally permitted under the zoning applicable to a property immediately prior to its rezoning into a MUR Zoning District shall continue to be allowed as permitted or conditionally permitted on the property, including the following: **Subject To**
1. Any expansions of an existing uses as of the effective date of this Ordinance within an existing structures as permitted by § 153.047, in addition to the permitted and conditional uses under the applicable MUR Zoning District, provided that at least one of the permitted or conditional existing uses under the prior zoning has been operated continuously in an existing structure and/or associated use areas on the property within the 12 months prior to the rezoning of the property into a MUR Zoning District.
 2. Expansions of existing buildings as permitted by § 153.047, provided that the building was constructed at least 12 months prior to the rezoning of the property into a MUR Zoning District.
- (b) Once a use that complies with the applicable MUR Zoning District is established on a lot or parcel, no use that is not permitted in the applicable MUR Zoning District may be re-established. For multi-tenant buildings in existing structures, a use that is not permitted in the applicable MUR Zoning District may not be re-established after the entire multi-tenant building is abandoned or all tenant spaces have established uses that comply with those listed for the applicable MUR Zoning District.