



CITY OF DUBLIN, OH

Land Use and
Long Range Planning
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City of Dublin Planning and Zoning Commission

Planning Report

Thursday, July 22, 2010

Rezoning/Preliminary Development Plan: Marcus

Case Summary

Agenda Item	3
Case Number	10-024Z/PDP
Proposal	A new Planned Unit Development District for 1.6 acres currently zoned R-2, Limited Suburban Residential District. The proposal is for a future 10,000-square-foot neighborhood office development. The site is located on the west side of Avery Road approximately 120 feet north of Kendal Ridge Boulevard.
Site Location	6001-6009 Avery Road Southwestern portion of Dublin, located on the west side of Avery Road approximately 140 feet north of Kendall Ridge Boulevard.
Applicants	Steven & Dorothy Marcus; Terry Foegler, Dublin City Manager
Representative	William Goldman, Crabbe, Brown & James, LLP.; Dana McDaniel, Dublin Deputy City Manager
Case Managers	Carson Combs, AICP, ASLA, Senior Planner (614) 410-4669 ccombs@dublin.oh.us; Dan Phillabaum, AICP, ASLA, Senior Planner (614) 410-4662 dphillabaum@dublin.oh.us
Request	Review and recommendation of approval to City Council of a rezoning with preliminary development plan under the Planned Development District provisions of Zoning Code Section 153.050.
Planning Recommendation	Approval. It is Planning's analysis that the proposed use meets the Community Plan designation for this site and the review standards for a PUD. Approval of a recommendation to City Council for this request is recommended.



Facts

<i>Site Area</i>	1.60 total acres
<i>Zoning</i>	R-2, Limited Suburban Residential District
<i>Surrounding Zoning and Uses</i>	North: Planned Commerce District (offices/commercial uses along Avery Road) South: Planned Low Density Residential District (Kendall Ridge Subdivision) East: Planned Unit Development (Villas at Glenealy) West: Restricted Suburban Residential District (Dan-Sherri Subdivision)
<i>Site Features</i>	<ul style="list-style-type: none">• Primarily flat with trees throughout the site, particularly around the perimeter and center• Ranch home and accessory structures to be demolished with development
<i>Development Context</i>	Avery Road Area Plan: Adopted concept plans in the Community Plan focus on establishing a cohesive corridor appearance through redevelopment, road design, landscape improvements and site layout principles. The plan specifically recommends: <ul style="list-style-type: none">• Establishing neighborhood office on residual parcels along Avery Road• Implementing a unified streetscape through landscaping and architecture oriented toward the public street• Focus on traffic and access management
<i>Development History</i>	<p>Dan-Sherri Improvements: Portions of the Marcus property (6009 Avery Road) were previously appropriated by the City in 2000 as part of traffic calming efforts along Dan-Sherri Avenue. That project included the installation of a cul-de-sac and hammerhead turn-around off Avery Road.</p> <p>Avery Road Widening: The City of Dublin is in negotiations with the Marcus family regarding the valuation of property obtained for the construction of this portion of Avery Road. Litigation regarding the property value is on hold pending the outcome of this zoning request. The City also purchased 6001 Avery Road in 2006, but has no plans for its use. That residence was demolished due to proximity to the expanded right-of-way.</p> <p>Neighborhood Meeting: A meeting with area residents was held at the Dublin Community Recreation Center on April 30, 2009. Approximately 25 people attended and voiced the following general concerns:</p> <ul style="list-style-type: none">• Timing of roundabout construction at Woerner-Temple and Avery and concern about cut-through traffic and safety;

- Current level of office vacancy within the city;
- Impact and location of parking and dumpsters;
- Two-story architecture and privacy of residents;
- Tree preservation and adequate buffering; and
- Maintaining the site as open space or parkland.

Following this meeting the proposed site plan was modified to relocate the building footprint from the center of the site, and parking altered to increase tree preservation and use existing vegetation for screening.

Proposed Property Transfers

Approval of the zoning request will include right-of-way dedication to the City for the Avery Road widening. The City will also transfer remaining portions of the property at 6001 Avery Road. Relevant portions of existing Dan-Sherri Avenue will be transferred in conjunction with final approvals for the development. Necessary easements for pedestrian connectivity, shared access and utilities will be recorded as part of the Dan-Sherri Avenue transfer. The remaining parcels will be combined.

Plan Overview

The preliminary development plan includes:

- One two-story office building, not to exceed 10,000-square-feet, along adjacent Avery Road to maximize buffering from adjacent residences;
- Parking spaces and dumpster in the center of the site to maximize separation from residences. Pull-in parking is along existing Dan-Sherri Avenue to minimize parking near residential properties.
- Parking is at 1 per 250 square feet without curbing to minimize tree removal.

The proposed zoning will establish future development requirements for the site. No specific development proposal has been made, and any potential construction would require approval of a final development plan.

Circulation and Access

The Thoroughfare Plan recommends right-of-way for Avery Road at 124 feet. Avery Road was recently widened to a 4-lane boulevard. Dedication of right-of-way for the Marcus Property is pending the outcome of this zoning request. Access to the site will be provided by a right-in/right-out at the intersection with Dan-Sherri Avenue. No vehicular access will be permitted onto the cul-de-sac.

With no remaining public purpose, this disconnected portion of Dan-Sherri Avenue will be transferred prior to the submission of building permits. Given the size of this development, the proposed plan includes sufficient access for fire protection and a turn-around area for trash pick-up. As part of the transfer, a shared access easement with 6017 Avery Road will be recorded, and the property owner of 6009 Avery Road will be responsible

for any upkeep and maintenance. Additional easements for utilities will also be required.

Pedestrian Access

An 8-foot bike path was installed as part of the Avery Road widening project. An additional pedestrian connection for the Dan-Sherri neighborhood will be field-located to link the cul-de-sac with Avery Road.

Development Requirements

Uses

Permitted uses:

- Administrative, professional and technical offices;
- Medical and health practitioner offices; and
- Medical and diagnostic labs.

Conditional uses:

- Educational uses that include supplemental classroom experience such as tutoring and learning centers;
- Veterinary offices with no outdoor facilities;
- Personal services limited to no more than 3,000 square feet on the first floor;
- Civic and social organizations; and
- Adult daycare centers.

Setbacks

The proposed site layout is intended to preserve existing site amenities and maximize screening and to be sensitive to adjacent properties.

Minimum Setbacks	Pavement (ft.)	Building (ft.)
Avery Road (front yard)	15	20
Dan-Sherri Cul-de-sac	18	50
Side Yard (north)	0	50
Side Yard (south)	30	100
Rear Yard (west)	20	80

- A 20-foot drainage easement is along the southern property line. Pavement and building setbacks have been increased to 30 feet and 100 feet, respectively.
- A 0-foot pavement setback is proposed to permit pull-in parking off the existing street/drive aisle.
- The Avery Road Area Plan recommends a front building setback of 65 feet, and standard Code requires approximately 62 feet. Given the small size of frontage parcels, setbacks of adjacent commercial properties, and a desire to maximize separation with residential properties, a 15-foot pavement setback and 20-foot building setback are proposed.

Parking

1 space per 250 square feet, or a maximum of 40 spaces. Code generally requires 1 per 200 for medical and 1 per 250 for administrative office.

Lighting

To be sensitive to surrounding residences, proposed lighting will include cut-off fixtures at a height of 15 feet. Lighting levels are also limited to 0.30

footcandles. To maintain residential character, all non-essential lighting must be turned off during the hours of 10:00 p.m. and 6:00 a.m. Final lighting design details will be determined with the final development plan.

Traffic & Utilities

Traffic Study

A traffic impact study (TIS) was completed showing that the small scale of the development contributes little additional traffic. The study also indicates once the roundabout at Woerner-Temple Road is completed it will address long-term traffic needs and allow site traffic to stay on Avery Road to go northbound.

The Avery Road median prevents traffic from turning left (northward) from the site. The planned roundabout at Woerner-Temple Road will provide an opportunity for vehicles to travel north. Until that time, approximately 20 site trips in the evening peak hour are expected to use Kendall Ridge Boulevard and Tuswell Drive after exiting the site. With the roundabout at Woerner-Temple Road all of these trips will circle the roundabout to travel north.

*Water/Sanitary
Sewer*

Water and sanitary sewer service is available for the site.

*Stormwater
Management*

Preliminary stormwater information has been submitted to the City. The proposed improvements will adequately address the level of development. The parking lot and detention area will accommodate runoff and transfer water south to the ponds at Kendall Ridge. Residual portions along Dan Sheri Avenue will transfer to ponds on the east side of Avery Road (Villas at Glenealy). Primary parking lot details for the site will include a curbless design with wheel stops to minimize impacts from excavation on surrounding trees.

Architecture

Architecture for the proposed building will include style and massing to blend with surrounding residences. All construction must utilize high-quality design and materials on four sides. Dumpster screening must also coordinate with the primary materials for the main building.



Prototypes of two-story offices with residential character

Landscaping

Proposed landscaping will comply with all aspects of the Dublin Zoning Code unless otherwise described below:

Tree Preservation

The 1.6-acre site is highly vegetated and includes a total of 919.5 caliper inches of protected trees. Of those protected trees on the site, a total of 205.5 inches would be required for replacement. Given significant efforts to maximize the preservation of trees and to avoid landmark trees on the site, the development will comply with the City's tree waiver policy. Replacements will be on a tree-per-tree basis, and any landmark trees will be replaced inch-per-inch. Due to the level of existing vegetation, evergreens may be substituted as needed to provide additional long-term buffering and screening of the building and property perimeter as approved on the final development plan.

Cul-de-sac Buffer

As part of traffic calming measures, the Dan-Sherri cul-de-sac includes a mature evergreen buffer. Development of this site will include a similar extension of a minimum 6-foot evergreen buffer, with all planting details to be determined with the final development plan.

Vehicular & Perimeter Buffers

Perimeter areas of the site include a substantial amount of existing screening. In order to minimize impacts on existing trees and to provide the greatest level of visual preservation of the site, a four-foot high fence with decorative posts will be integrated around the proposed parking lot with defined landscape areas at a minimum height of six feet. No uniform mounding will be permitted to meet the screening requirement. The proposed design will maximize required buffering for residences while maintaining the park-like appearance of the site to the greatest extent possible.

Signs

One primary identification sign will be permitted along Avery Road that must coordinate with the building and not exceed six (6) feet in height and twenty-five (25) square feet in area. The sign face may not be subdivided into more than two tenant panels. For multiple tenants, a business will be allowed a four (4) square-foot entrance sign for wayfinding. Main entrances to lobby areas for multiple tenants will be allowed a four (4) square-foot tenant directory board.



Prototypes of Primary Identification Signs

Case Analysis

Community Plan

The Future Land Use classification of Neighborhood Office accommodates a density of up to 9,500 square feet per acre. The proposed development of a 10,000-square foot office meets the use classification and is at a gross density of approximately 6,250 square feet per acre.

Avery Road Area Plan

The Avery Road Area Plan focuses on the widening of Avery Road and the consolidation of residual parcels to establish a coherent streetscape and consistent placement of architecture as part of the corridor. The proposed zoning will permit a more orderly office development that will maximize preservation of trees on the site. Although the Avery/Shier Rings Plan identifies the rear of the Marcus property as residential, the Area Plan concept is a general guide for development. The adopted Future Land Use Map identifies the full site as Neighborhood Office.

Rezoning/ Preliminary Development Plan

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a rezoning/preliminary development plan (full text of criteria attached). Following is an evaluation by Planning based on those criteria:

1) Consistency with Zoning Code

Criterion met: This proposal is consistent with the requirements of the Zoning Code or as otherwise proposed within the development text.

2) Conformance with adopted Plans.

Criterion met: The proposed neighborhood use will provide redevelopment that is generally consistent with the Community Plan and the objectives of the Avery Road Area Plan. While not adhering to the recommended setback along Avery Road, building placement is proposed to balance other important concerns such as tree preservation and enhanced buffering and will blend with adjacent buildings.

3) Advancement of general welfare and orderly development.

Criterion met: This proposal conforms to the Community Plan and will enhance the area by providing an appropriate level of low intensity office development along one of the City's major arterials. The proposed infill development will enhance the general character of the corridor consistent with City development policies.

4) Effects on adjacent uses.

Criterion met: The proposed development is consistent with adopted planning principles and will provide a minimal impact on adjacent uses and is similar to other neighborhood office developments throughout the city. The Avery Road median reduces traffic impacts, and future traffic movements will be addressed by the roundabout at Woerner-Temple Road. Using the same general area as the existing building footprints and using existing trees to provide maximum separation will limit the visual impact to surrounding uses.

5) Adequacy of open space.

Criterion met: No open space dedication is required. Kendall Ridge Park, Woerner-Temple Community Park and other open space reserves are within short walking distance of the site.

Case Analysis

- 6) Protection of natural features and resources. **Criterion met:** The preliminary development plan includes significant efforts to sensitively site building and parking. Stormwater design minimizes grading and limits effects on the critical root zones of trees. Along with the highly vegetated nature of the site and efforts to save trees, all protected trees will be replaced in accordance with City Council's tree waiver policy.
- 7) Adequate infrastructure. **Criterion met:** The development will meet all City requirements.
- 8) Traffic and pedestrian safety. **Criterion met:** This development will provide defined pedestrian access to Avery Road and has been designed with adequate internal circulation for customer and service vehicle use. The expected completion of the roundabout at Woerner-Temple will improve access to the site. The City is not aware of any complaints from other uses along Avery Road regarding current traffic patterns.
- 9) Building and site relationships. **Criterion met:** The site design contributes to the orderly development of this site, including proposed uses, setbacks, and density. Adequate provisions are made for pedestrian access through sidewalk and bikepath connections.
- 10) Development layout and intensity. **Criterion met:** The Community Plan modeled neighborhood office at a density of 9,500 square feet per acre. The development text limits the proposed intensity to not more than 10,000 gross square feet or a density of approximately 6,250 square feet per acre. The proposed layout has been creatively designed to use site amenities and minimize effects on protected trees.
- 11) Stormwater management. **Criterion met:** The proposed development will include parking lot design and stormwater methods to minimize impact on trees while meeting basic management requirements.
- 12) Community benefit. **Criterion met:** The proposed consolidation of residual properties and development of a small office with adequate buffering will provide for a more flexible site layout and maximize tree preservation.
- 13) Design and appearance. **Criterion met:** Architectural requirements in the proposed development text will result in a high-quality building design and materials at a residential scale and character. Review of the final development plan will ensure appropriate application of design standards.
- 14) Development phasing. **Criterion met:** No phasing is anticipated. As part of the proposed development, parcels will be combined in conjunction with all property transfers, and the property owner will be responsible for applicable recording fees.
- 15) Adequacy of public services. **Criterion met:** Adequate utilities and services are in place for the proposed development.
- 16) Public infrastructure contributions **Criterion met:** The proposed zoning will include the dedication of Avery Road right-of-way and will adequately address anticipated traffic improvements in this area of the city.

Recommendation: Approval

Rezoning/Preliminary Development Plan

In Planning's analysis, this proposed rezoning complies with the Community Plan Future Land Use map and generally addresses the recommendations of the Avery Road Area Plan in a manner that balances corridor design objectives with the preservation of trees and buffering of surrounding residents. In addition, this proposal complies with the rezoning/preliminary development plan criteria and the existing development standards within the area. Approval to City Council is recommended.

REZONING/PRELIMINARY DEVELOPMENT PLAN

The purpose of the PUD process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process can consist of up to three basic stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and**
- 3) Final Development Plan (Commission approves/denies).

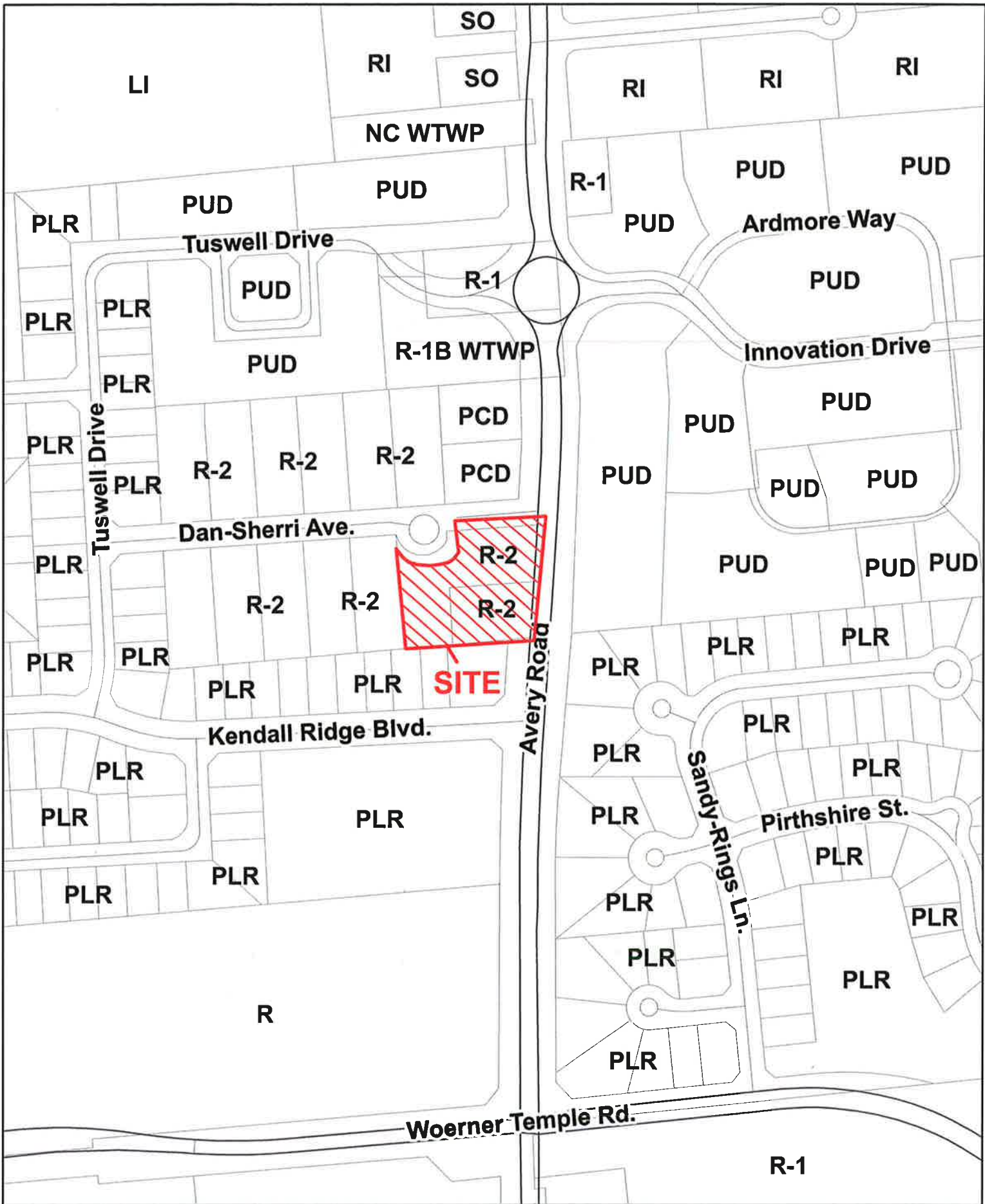
The general intent of the preliminary development plan (rezoning) stage is to determine the general layout and specific zoning standards that will guide development. The Planning and Zoning Commission must review and make a recommendation on this preliminary development plan (rezoning) request. The application will then be forwarded to City Council for a first reading/introduction and a second reading/public hearing for a final vote. A two-thirds vote of City Council is required to override a negative recommendation by the Commission. If approved, the rezoning will become effective 30 days following the Council vote. Additionally, all portions of the development will require final development plan approval by the Commission prior to construction. In the case of a combined rezoning/preliminary development plan and final development plan, the final development plan is not valid unless the rezoning/preliminary development plan is approved by Council.

Review Criteria

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a Rezoning/Preliminary Development Plan. In accordance with Section 153.055(A) *Plan Approval Criteria*, Code sets out the following criteria of approval for a preliminary development plan (rezoning):

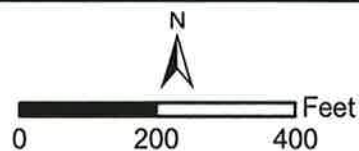
- 1) The proposed development is consistent with the purpose, intent and applicable standards of the Dublin Zoning Code;
- 2) The proposed development is in conformity with the Community Plan, Thoroughfare Plan, Bikeway Plan and other adopted plans or portions thereof as they may apply and will not unreasonably burden the existing street network;
- 3) The proposed development advances the general welfare of the City and immediate vicinity and will not impede the normal and orderly development and improvement of the surrounding areas;
- 4) The proposed uses are appropriately located in the City so that the use and value of property within and adjacent to the area will be safeguarded;
- 5) Proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan;
- 6) The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site;
- 7) Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided;
- 8) Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe,

- convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;
- 9) The relationship of buildings and structures to each other and to such other facilities provides for the coordination and integration of this development within the PD and the larger community and maintains the image of Dublin as a quality community;
 - 10) The density, building gross floor area, building heights, setbacks, distances between buildings and structures, yard space, design and layout of open space systems and parking areas, traffic accessibility and other elements having a bearing on the overall acceptability of the development plan's contribution to the orderly development of land within the City;
 - 11) Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas;
 - 12) The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the Dublin Zoning Code or Subdivision Regulation, and that any such deviations are consistent with the intent of the Planned Development District regulations;
 - 13) The proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the City;
 - 14) The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development;
 - 15) The proposed development can be adequately serviced by existing or planned public improvements and not impair the existing public service system for the area; and
 - 16) The applicant's contributions to the public infrastructure are consistent with the Thoroughfare Plan and are sufficient to service the new development.



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0 200 400 Feet

EXISTING SITE PLAN

