



Planning and Zoning Commission

Planning Report

Thursday, February 16, 2012

Perimeter Center PCD, Subarea E – GetGo

Case Summary

Agenda Item	3
Case Number	13-069AFDP
Proposal	The addition of a fuel pump to the existing fuel station and the expansion of the canopy.
Request	Amended Final Development Plan. Review and approval of an amended final development plan under the Planned District provisions of Zoning Code Section 153.050.
Site Location	9725 Perimeter Loop Road Located at the southeast intersection of perimeter Loop Road with Avery-Muirfield Drive.
Applicant	Pat Avolio, Giant Eagle
Case Managers	Claudia D. Husak, AICP, Planner II (614) 410-4675 chusak@dublin.oh.us
Planning Recommendation	<u>Approval of a Minor Development Text Modification</u> In Planning's analysis, the requested text modification is minor in nature and will allow the site to continue to function adequately and provide a service to the community. Planning recommends approval of the following development text modifications:

To require 3 stacking spaces per fuel pump for 9725 Perimeter Loop Road within Subarea E of the Perimeter Center PCD.

Approval of an Amended Final Development Plan with 5 Conditions

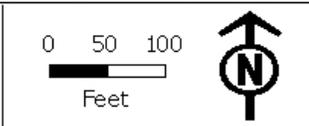
In Planning's analysis, this proposal complies with the development text, the amended final development plan criteria and existing development in the area. Planning recommends approval with five conditions.

Amended Final Development Plan Conditions

- 1) That the applicant provide a tree survey for all trees to be removed as well as potentially impacted trees in the vicinity of the work and that any removed trees be replaced in accordance with Code;
- 2) That the applicant work with Planning to preserve the eight-inch Maple near the extension of the curb to the west of the improvements;
- 3) That the pumps contain no signs or logos;
- 4) That the applicant work with Planning to screen and soften the appearance of the vacuums with a bed of ornamental shrubs, grasses and perennials and substitute the proposed Pyramidal Hornbeam for a larger tree species; and
- 5) That new plant material be added to hedge around the site where needed, subject to approval by Planning.



13-069AFDP
Amended Final Development Plan
Perimeter Center, Subarea E - Giant Eagle Get Go Station
9725 Perimeter Loop Road



Facts	
Site Area	2.2 acres,
Zoning	PCD, Planned Commerce District (Perimeter Center, Subarea E)
Surrounding Zoning and Uses	All immediately adjacent sites to the north and south are zoned PCD within Perimeter Center, Subarea E and include Swan Cleaners, Chase Bank, McDonald's, the Shell Gas Station, and Donato's Pizza. To the east is the Giant Eagle Shopping Center which is within Perimeter Center, Subarea F4.
Site Features	<ul style="list-style-type: none"> • An gas station with 5 double-sided pumps covered with a canopy • A convenience store and a car wash • All buildings have cedar shake shingle roofs • Frontage on Avery Muirfield Drive and Perimeter Loop Road • Two access points from Perimeter Loop Road, the southern one shared with the Shell station
Case Background	<p>In 2010, the Planning and Zoning Commission approved a rezoning with preliminary development plan application for the Perimeter Center shopping center that approved a new Subarea F4. This rezoning permitted a gas station on the shopping center site to be operated by Giant Eagle. The station was not included in the approved final development plan.</p> <p>Giant Eagle has since taken over the operation of the gas station, convenience store and car wash as a Giant Eagle GetGo station.</p>
Perimeter Center, Subarea E History	<p>1991 Development Plan for the fuel station, car wash and convenience store approved by the Commission.</p> <p>1994 Revised Development Plan for a fuel station and associated site improvements approved by the Commission.</p> <p>1988 The site was rezoned as part of the Perimeter Center PCD, Subarea E which permits offices, gas stations, restaurants, and banks.</p>

Details	
Amended Final Development Plan	
Plan Overview	The amended final development plan for this application requests an additional fuel pump to the north of the site and an expansion of the canopy to accommodate the extra pump.

Details	Amended Final Development Plan
Site Modifications	<p>The plans show the addition of a fuel pump at the northern end of the existing fuel pumps and canopy. Approximately 27 feet of pavement will be added around the new pump to create a new drive aisle, which will meet required width and durability. The landscape island at the tip of the site will decrease in size to accommodate the new pump and drive aisle. Lot coverage will increase from 51 to 55 %, well under the Code maximum of 75%.</p>
Building Modifications	<p>The applicant will expand the fuel canopy and add two brick columns around the new pump to hold up the canopy. The extension will be identical to the existing canopy in height and design. Cedar shake shingles will be installed to the roof to continue the high quality appearance of the fuel station.</p>
Landscaping/Tree Preservation	<p>The proposal requires the removal of a minimum of three trees. The applicant will be required to provide a tree survey for all trees to be removed as well as the trees in the vicinity of the work. The survey should identify the species, size and condition of the trees to be removed. The trees will be required to be replaced. The applicant should work with Planning to preserve the eight-inch Maple near the extension of the curb to the west of the improvements. The applicant should also work with Planning to screen and soften the appearance of the vacuums with a bed of ornamental shrubs, grasses and perennials.</p> <p>Planning prefers the applicant substitute the proposed Pyramidal Hornbeam for a larger species and yew shrubs should be added to the existing hedge along the site where it has grown sparse.</p>
Signs	<p>There have previously been concerns expressed by the Commission regarding signs on the fuel pumps and Planning continues to recommend the pumps contain no signs or logos.</p>
Stacking	<p>Code requires five stacking spaces per pump for a fuel station and stacking exhibit shows the existing layout as well as the new pump can accommodate three spaces. Planning supports this reduced number as five stacking spaces require a significant amount of extra pavement and observations have shown that customers are unlikely to wait for more than a small number of vehicles to pump fuel. Approval of a development text modification is required.</p>
Stormwater Management	<p>The applicant has submitted a stormwater management report that demonstrates compliance with the City of Dublin Stormwater Management Code.</p>

Analysis and Recommendation	Minor Text Modifications
Process	Code Section 153.053(E)(2)(b)4b permits the Commission to approve a modification to the development text and Zoning Code if they determine that all of the appropriate provisions are satisfied.
Request	<p>The requested development text modifications are:</p> <p style="text-align: center;"><i>To require 3 stacking spaces per fuel pump for 9725 Perimeter Loop Road within Subarea E of the Perimeter Center PCD.</i></p>
Recommendation	<p>Approval</p> <p>Planning recommends approval of this reduced number as the Code stipulated five stacking spaces require a significant amount of extra pavement and observations have shown that customers are unlikely to wait for more than a small number of vehicles to pump fuel.</p>

Analysis	Amended Final Development Plan
Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for an amended final development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.
1) <i>Consistency with the approved preliminary development plan.</i>	Criterion met with text modification: The proposed fuel pump addition and canopy expansion meets the requirements of the preliminary development plan and the Zoning Code.
2) <i>Traffic & pedestrian safety</i>	Criterion met: The proposal provides for adequate drive aisle space to maneuver the site safely.
3) <i>Adequate public services & open space</i>	Criterion met: The site has adequate public services. No open space dedication is required.
4) <i>Protection of natural features & resources</i> Conditions 1 and 2	Criterion met with conditions: The proposal requires the removal of a minimum of three trees. The applicant will be required to provide a tree survey for all trees to be removed as well as the trees in the vicinity of the work. The survey should identify the species, size and condition of the trees to be removed. The trees will be required to be replaced. The applicant should work with Planning to preserve the eight-inch Maple near the extension of the curb to the west of the improvements.
5) <i>Adequacy of lighting</i>	Criterion met: Any under canopy lighting will match what is existing.
6) <i>Signs consistent with preliminary development plan</i> Condition 3	Criterion met with condition: There have previously been concerns expressed by the Commission regarding signs on the fuel pumps and Planning continues to recommend the pumps contain no signs or logos.

Analysis		Amended Final Development Plan
7) <i>Appropriate landscaping to enhance, buffer, & soften the building and site</i>	Criterion met with conditions: The submission includes a landscape plan. The applicant should work with Planning to screen and soften the appearance of the vacuums with a bed of ornamental shrubs, grasses and perennials and substitute the proposed Pyramidal Hornbeam for a larger species. Where the hedge around the site has grown sparse the applicant should add new plant material.	
Conditions 4 and 5		
8) <i>Compliant stormwater management</i>	Criterion met: A stormwater management plan will be finalized at the building permit stage verifying compliance with the City's recently updated design manual.	
9) <i>All phases comply with the previous criteria.</i>	Not Applicable.	
10) <i>Compliance with other laws & regulations.</i>	Criterion met: The proposal complies with all other known applicable local, state, and federal laws and regulations.	

Recommendation		Amended Final Development Plan
Approval	In Planning's analysis, this proposal complies with the development text, the amended final development plan criteria and existing development in the area. Planning recommends approval of this request with five conditions.	
Conditions	<ol style="list-style-type: none"> 1) That the applicant provide a tree survey for all trees to be removed as well as potentially impacted trees in the vicinity of the work and that any removed trees be replaced in accordance with Code; 2) That the applicant work with Planning to preserve the eight-inch Maple near the extension of the curb to the west of the improvements; 3) That the pumps contain no signs or logos; 4) That the applicant work with Planning to screen and soften the appearance of the vacuums with a bed of ornamental shrubs, grasses and perennials and substitute the proposed Pyramidal Hornbeam for a larger tree species; and 5) That new plant material be added to hedge around the site where needed, subject to approval by Planning. 	

MINOR TEXT MODIFICATION

Section 153.053(E)(2)(b)4,b)

4. Compliance with the preliminary development plan. In reviewing the application, the Planning and Zoning Commission shall determine if the final development plan substantially complies with all specific requirements, the purposes, intent and basic objectives of the preliminary development plan, and any commitments made or conditions agreed to with the adoption of the preliminary development plan and if it represents an expansion and delineation of the approved preliminary development plan.
 - a. Planning and Zoning Commission may determine that the proposed plan complies with the preliminary development plan and may proceed to review the Final Development Plan in accordance with the procedures of this section.
 - b. The Planning and Zoning Commission may, in reviewing the final development plan, approve a modification of a provision of the development standards text if they determine that all of the following provisions are satisfied:
 - (i) The Planning and Zoning Commission determines that, for this PD, the code compliance is not needed in order to ensure that the PD is consistent with the Community Plan and compatible with existing, approved, or planned adjacent development;
 - (ii) Planning and Zoning Commission determines that the proposed modification does not significantly alter the list of permitted or conditional uses, cause an inappropriate increase in density or cause inconsistencies with the Community Plan;
 - (iii) The proposed modification results in a development of equivalent or higher quality than that which could be achieved through strict application of the requirement(s);
 - (iv) The principles of § 153.052(B) are achieved; and
 - (v) The development, as proposed on the final development plan, will have no adverse impact upon the surrounding properties or upon the health, safety or general welfare of the community.
 - c. Any proposed modification to a preliminary development plan that fails to meet the above criteria shall require a zoning amendment to the preliminary development plan according to § 153.234.

AMENDED FINAL DEVELOPMENT PLAN

The purpose of the Planned Unit Development 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 consists of up to three 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) **Amended/Final Development Plan (Commission approves/denies).**

The intent of the final development plan is to show conformance with and provide a detailed refinement of the total aspects of the approved preliminary development plan (rezoning). The final development plan includes all of the final details of the proposed development and is the final stage of the PUD process. The Commission may approve as submitted, approve with modifications agreed to by the applicant, or disapprove and terminate the process. If the application is disapproved, the applicant may respond to Planning and Zoning Commission's concerns and resubmit the plan. This action will be considered a new application for review in all respects, including payment of the application fee. Appeal of any action taken by the Commission shall be to the Court of Common Pleas in the appropriate jurisdiction. Following approval by the Commission, the applicant may proceed with the building permit process. In the event that updated citywide standards are applicable, all subsequently approved final development plans shall comply with the updated standards if the Planning and Zoning Commission determines that the updated standards would not cause undue hardship.

Review Criteria

In accordance with Section 153.055(B) *Plan Approval Criteria*, the Code sets out the following criteria of approval for a final development plan:

- 1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in §153.053(E)(4);
- 2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- 3) The development has adequate public services and open spaces;
- 4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
- 5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
- 6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
- 7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
- 8) Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;
- 9) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage; and
- 10) The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.