

Planning Report

Thursday, March 26, 2015

Riverside North Planned Commerce District Subareas A₃ - The Perimeter – Hand and Stone

Case Summary

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| Agenda Item | 3 |
| Case Number | 15-016AFDP/CU |
| Site Location | 6510-6570 Perimeter Drive On the north side of Perimeter Drive, between the intersections with Avery-Muirfield Drive and Hospital Drive. |
| Proposal | Proposal for a 3,504-square-foot tenant space to be used as a massage and facial spa in Subarea A ₃ of the Riverside PCD North Planned Commerce District on the north side of Perimeter Drive, between the intersections of Avery-Muirfield Drive and Hospital Drive. |
| Requests | <ol style="list-style-type: none">1) Review and approval of <u>a minor modification to the development text</u> to permit personal services as a conditional use within an existing commercial center under the Planned District provisions of Zoning Code Section 153.050.2) Review and approval of an <u>amended final development plan</u> under the Planned District provisions of Zoning Code Section 153.050.3) Review and approval of a <u>conditional use</u> under the provisions of Zoning Code Section 153.236 |
| Owner/Applicant | Centre at Perimeter, LLC; represented by Paul Ghidotti, The Daimler Group. |
| Case Manager | Claudia D. Husak, AICP Planner II 614-410-4675 chusak@dublin.oh.us |
| Planning Recommendation | <u>Approval of Minor Text Modification</u> In Planning's analysis, this text modification is minor in nature and the proposed use is compatible with existing uses in the shopping center. Planning recommends approval of the following minor text modification: |

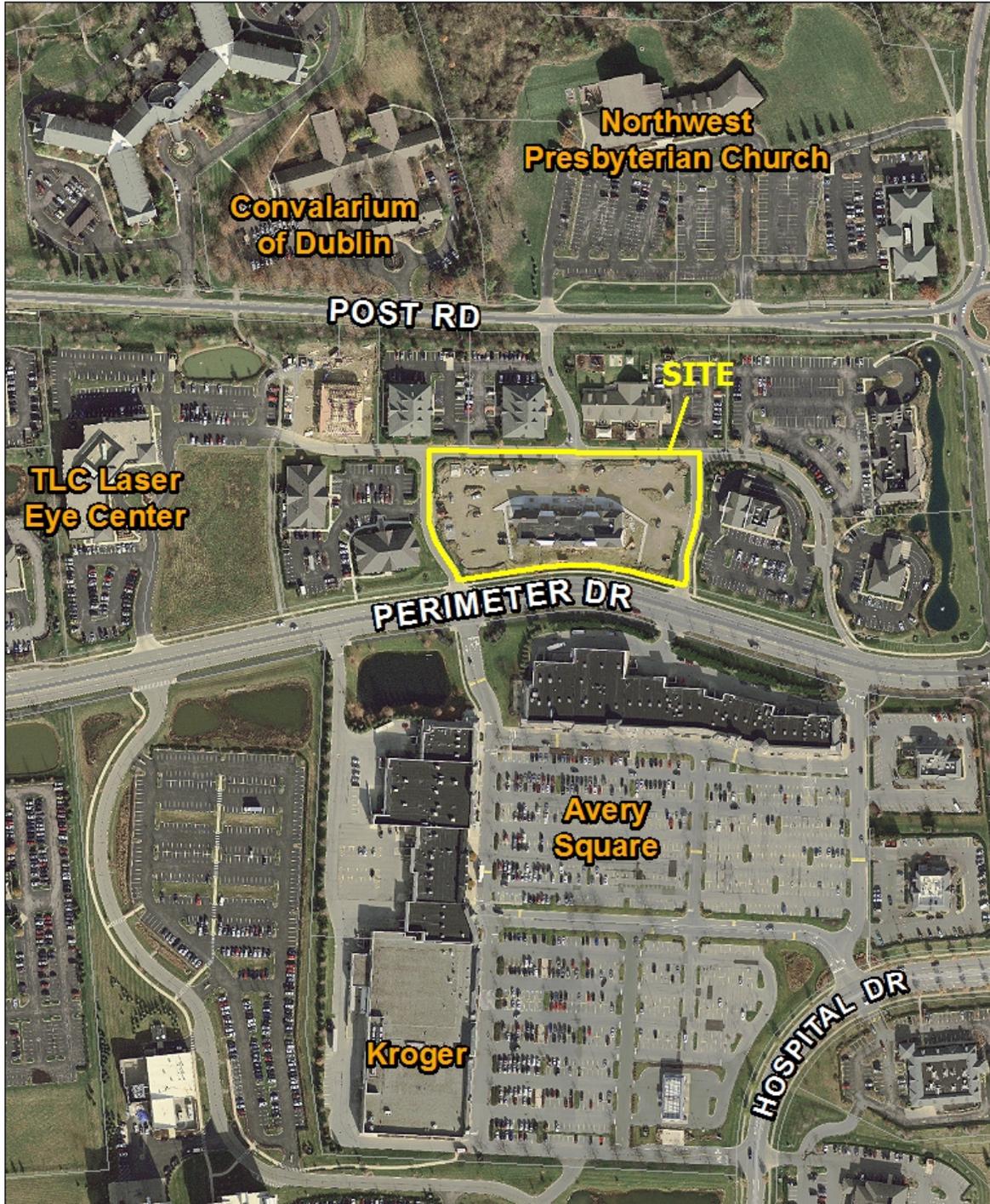
To modify the development text to include a provision to allow beauty and barber shops as personal services as a conditional use within the Riverside North Planned Commerce District., Subarea A₃.

Approval of Amended Final Development Plan

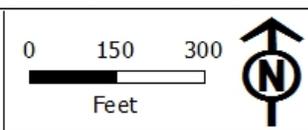
No changes to the site or the building are proposed, and in Planning's analysis, the review criteria for the amended final development plan, as applicable, are met with the approval of the minor development text modification. Approval of this proposal is recommended.

Approval of Conditional Use

In Planning's analysis, the review criteria for the conditional use, as applicable, are met. Approval of this proposal is recommended.



15-016AFDP/CU
Amended Final Development Plan / Conditional Use
Riverside PCD North, Subarea A3
The Perimeter - Hand & Stone
6510-6570 Perimeter Drive



| Facts | |
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| Site Area | 2.93 acres |
| Zoning | PCD, Planned Commerce District (Riverside North plan, Subarea A ₃) |
| Surrounding Zoning | <p>South: PUD, Planned Unit Development District (Avery Square plan) containing the Avery Square shopping center.</p> <p>All Others: PCD, Planned Commerce District (Riverside North Plan) containing office, daycare and commercial uses, including the Shoppes at Avery restaurant and retail center.</p> |
| Site Features | <ul style="list-style-type: none"> • Rectangular parcel with 450 feet of frontage along Perimeter Drive. • Access is provided by two private drives from Perimeter Drive. • Existing sidewalk located along Perimeter Drive. • An approximately 14,500-square-foot shopping center with 126 parking spaces was constructed last year. |
| Development Context | <ul style="list-style-type: none"> • The Riverside North Planned Commerce District is divided into three Subareas, each with specific permitted uses, such as office, medical office, daycare, retail and restaurant. • The subject parcel is in Subarea A₃ of the Riverside North development, which includes 24 acres at the northwest corner of Perimeter Drive and Avery-Muirfield Drive. • The site was approved with a parking agreement with Champaign Bank, immediately to the east of the site. • Subarea A₃ permits uses as listed in §153.026(A) Suburban Office and Institutional District, which includes personal services as a conditional use. • Subarea A₃ was rezoned in September of 2014 to allow a drive-thru as a conditional use. • The PCD has been under development for several years and currently includes the Shoppes at Avery shopping center, Huntington National Bank, Champaign Bank, the Primrose School daycare and medical office buildings. |
| Background | <ul style="list-style-type: none"> • City Council approved Ordinance 100-14 on October 13, 2014, which rezoned Subarea A₃ of the Riverside North PCD. The approval of the rezoning allowed for the development of a Starbucks coffee shop with a drive-thru on the east end of the center. • On August 21, 2014 the Planning and Zoning Commission recommended approval to Council of a request for review and approval of a rezoning with preliminary development plan for Subarea A₃ to modify the permitted uses of an existing development text. The modification to the development text was to allow a drive-thru as a conditional use in |

Facts

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| Background | <p>Subarea A₃. The Commission simultaneously approved a request for a final development plan and a conditional use for the Starbucks drive-thru that approved all final details for the site improvements associated with the drive-thru, including stacking, changes to access and parking.</p> <ul style="list-style-type: none"> The Commission commented informally on a request for review and feedback for a Starbuck Coffee Shop with a drive-thru on June 6, 2014. Council approved the rezoning for Subarea A₃ in January of 2013. The Commission recommended approval of the rezoning on December 6, 2012, after reviewing an informal review in September of 2012. Council approved Ordinance 118-03, creating the Riverside North Planned Commerce District on April 19, 2004. The preliminary and final plats were approved on August 2, 2004. |
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Details **Minor Text Modification**

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| Proposal | <p>The proposal includes a modification to the conditional uses outlined for Subarea A₃ of the Riverside North PCD text. The applicant is proposing to add a provision to allow personal services as a conditional use for this Subarea.</p> |
| Development Text | <p>The approved development text for the Riverside North PCD, Subarea A₃, permits the uses in the Suburban Office and Institutional District (SO) of the Zoning Code (permitted uses); eating and drinking establishments no more than 11,000 square feet, except as approved by the Planning and Zoning Commission; retail and other stores supporting offices or occupants of office buildings; outdoor dining areas with a total of no more than 2,000 square feet to be administratively approved by Planning; and one drive-thru as a conditional use subject to review and approval by the Planning and Zoning Commission.</p> <p>A massage and facial spa is classified in the Zoning Code as a personal service (beauty shop) which are considered a conditional use in the SO District and therefore not allowed in this Planned District.</p> |
| Text Modification | <p>The applicant is proposing to modify the text to add a provision to allow beauty shops and barber shops as a personal service as a conditional use for this Subarea, which is compatible with the surrounding uses. The text modification will be limited to Subarea A₃ and no changes are proposed to the building exterior or the site.</p> |

| Analysis | | Minor Text Modification |
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| 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 | To modify the development text to include a provision to allow beauty and barber shops as personal services as a conditional use within the Riverside North Planned Commerce District, Subarea A ₃ . | |

| Recommendation | | Minor Text Modification |
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| Approval | Planning recommends approval of the minor modification to the development text allowing personal services (beauty and barber shops) as a conditional use as it meets the review criteria and adds a supporting category of uses to this shopping center and the surrounding area. | |

| Analysis | Amended Final Development Plan |
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| Amended Final Development Plan | Section 153.050 of the Zoning Code identifies criteria for the review and approval for an amended final development plan. Following is an analysis by Planning based on those criteria. |
| 1. Consistency with the approved preliminary development plan. | Criterion met with Text Modification: The applicant is requesting to add personal services (beauty and barber shops) as a conditional use to the development text for Subarea A ₃ of the Riverside North PCD. The standard may be met with Commission approval of the requested text modification. |
| 2. Traffic and pedestrian safety | Criterion met: No changes to the previous approved layout are proposed. |
| 3. Adequate public services and open space | Criteria met: No additional public services or open space is required as part of this application. |
| 4. Protection of natural features and resources | Not applicable. |
| 5. Adequacy of lighting | Not applicable. |

| Analysis | Amended Final Development Plan |
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| 6. <i>Proposed signs are consistent with approved plans</i> | Not applicable. |
| 7. <i>Appropriate landscaping to enhance, buffer, and soften the building and site</i> | Not applicable. |
| 8. <i>Compliant stormwater management</i> | Not applicable. |
| 9. <i>All phases (if applicable) comply with the previous criteria.</i> | Not applicable. |
| 10. <i>Compliance with all other laws and regulations.</i> | Criterion met: The proposal complies with all other known applicable local, state, and federal laws and regulations including providing handicap accessible parking throughout various portions of the site. |

| Recommendation | Amended Final Development Plan |
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| Approval | In Planning's analysis, the proposal complies with the amended final development plan criteria with the approval of a minor modification to the development text. Planning recommends approval of this request. |

| Details | Conditional Use |
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| Proposal | This is a proposal for a 3,504-square-foot tenant space to be used as a massage and facial spa in Subarea A ₃ of the Riverside PCD North Planned District. The development text permits SO, Suburban Office uses and, with the Commission's approval of a minor text modification, massage and facial spas would be a conditional use as a personal service. |
| Operational Details | <ul style="list-style-type: none"> • No exterior modifications to the building. • The business operates Monday through Friday 9:00 AM to 10:00 PM, Saturday 8:00 AM to 8:00 PM, and Sunday 10:00 AM to 6:00 PM • Eighteen total employees and clients at peak times. |
| Parking | Following changes made in accordance with the approval of the drive-thru on August 21, 2014, the site will provide 111 spaces, which exceeds Code. The applicant has an arrangement with Champaign Bank, which was required to be executed as part of the building permit for the center, to allow employee parking at the bank weekday nights after 6 p.m. and on weekends should parking prove to be insufficient. |

| Analysis | Conditional Use |
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| <i>Process</i> | Section 153.236 of the Zoning Code identifies criteria for the review and approval of a conditional use (full text of criteria attached). In addition, the Law Department has provided a memo with additional analysis for conditional uses, which is included in the meeting materials. |
| 1) <i>Harmonious with the Zoning Code and/or Community Plan.</i> | Criterion met: This proposal is consistent with the requirements of the Zoning Code and the Community Plan. |
| 2) <i>Complies with applicable standards.</i> | Criterion met: No modifications to the site or the building are proposed. |
| 3) <i>Harmonious with existing or intended character in vicinity.</i> | Criterion met: The proposed use will not alter the essential character of the area and is compatible with surrounding uses. |

| Analysis | Conditional Use |
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| 4) <i>Will not have a hazardous or negative impact on surrounding uses.</i> | Criterion met: Proposed operations will not have an adverse effect on surrounding uses. |
| 5) <i>Will provide adequate services and facilities.</i> | Criterion met: The massage and facial spa provides personal services to area residents. |
| 6) <i>Will not harm the economic welfare.</i> | Criterion met: This proposed use contributes positively to the economic climate of the city by providing a place of employment and providing a convenient service to Dublin residents and corporate residents in the area. |
| 7) <i>Create no use or characteristic that is detrimental to the surrounding uses.</i> | Criterion met: The use will not be detrimental to the surrounding area. The shopping center has adequate access, parking and the proposed massage and facial spa fits with the commercial uses already established on the site. |
| 8) <i>Vehicular circulation will not interfere with existing circulation.</i> | Criterion met: The site has ample parking and circulation. No additional changes are proposed. |
| 9) <i>Not detrimental to property values in the vicinity.</i> | Criterion met: This proposal will not be detrimental to property values in the vicinity as the proposed use would typically be associated with a commercial area. |
| 10) <i>Will not impede the development or improvement of surrounding properties.</i> | Criterion met: This proposal uses are contained on site and will not impede development or improvement to the surrounding properties. |

| Recommendation | Conditional Use |
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| Approval | In Planning's analysis, the operation of the proposed use is consistent with the applicable review criteria of a conditional use. Planning recommends approval of this request. |

REVIEW CRITERIA

MINOR DEVELOPMENT TEXT MODIFICATION

Code Section 153.053(E)(2)(b)4 b permits the Commission to approve a modification from the development text and Zoning Code if they determine that all of the following provisions are satisfied.

- (i) The Planning and Zoning Commission determines that, for this Planned District, the code compliance is not needed in order to ensure that the Planned District is consistent with the Community Plan and compatible with existing, approved, or planned adjacent development; and
- (ii) The 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 amended final development plan, will have no adverse impact upon the surrounding properties or upon the health, safety or general welfare of the community.

AMENDED FINAL DEVELOPMENT PLAN

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:

- 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);
- Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- The development has adequate public services and open spaces;
- 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;
- 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;
- 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;
- 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;

- 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;
- 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
- The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.

CONDITIONAL USE

Section 153.236(C) sets out criteria for the review and approval of a Conditional Use.

- 1) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Code and/or Community Plan.
- 2) The proposed use will comply with all applicable development standards, except as specifically altered in the approved conditional use.
- 3) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- 4) The use will not be hazardous to or have a negative impact on existing or future surrounding uses.
- 5) The area and proposed use(s) will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- 6) The proposed use will not be detrimental to the economic welfare of the community.
- 7) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.
- 8) Vehicular approaches to the property shall be so designed as not to create interference with traffic on surrounding public and/or private streets or roads.
- 9) The proposed use will not be detrimental to property values in the immediate vicinity.
- 10) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.