

Planning Report

Thursday, December 3, 2015

Perimeter West PCD, Subarea 2 – Dublin Springs

Case Summary

Agenda Item	1
Case Number	14-059AFDP
Proposal	To replace an existing six-foot, privacy fence with a 10-foot, galvanized steel fence in the rear of the existing building.
Request	Amended Final Development Plan Review and approval of a <u>minor modification to the development text</u> and review and approval of an <u>amended final development plan</u> under the Planned District provisions of Zoning Code Section 153.050.
Site Location	7625 Hospital Drive Southwest corner of the intersection of Hospital Drive and Perimeter Drive.
Property Owner	Lafayette Propstone, LLC.
Applicant	Gary Hoyes, Applicant; represented by Brian M. Zets; Isaac, Wiles, Burkholder & Teetor, LLC.
Case Manager	Tammy Noble, Senior Planner (614) 410-4649 tnoble@dublin.oh.us
Planning Recommendation	Approval of Minor Text Modification In Planning's analysis, this text modification is minor in nature and Planning recommends approval of a minor text modification, as the proposed modification is deemed necessary to provide adequate safety for the unique nature of this medical facility.

Proposed Modification

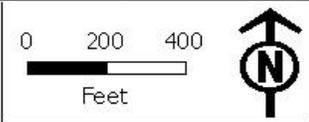
To allow a ten-foot tall fence for a site located on the southwest corner of Perimeter Drive and Hospital Drive located in Subarea 2 of the Perimeter West PCD, Planned Commercial District.

Approval of Amended Final Development Plan

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



14-059AFDP
Amended Final Development Plan
Dublin Springs
7625 Hospital Drive



Facts	
Site Area	8.97-acres
Zoning	PCD, Planned Commerce District (Perimeter West plan, Subarea 2)
Surrounding Zoning and Uses	<p>North, east and west: PCD, Planned Commerce District (Perimeter West), one-story office buildings in the Perimeter West Professional Village to the north, the previous Pacer Global Logistics building to the east, and vacant land to the west.</p> <p>South: PUD, Planned Unit Development (Ohio Health plan), is vacant. The Dublin Methodist Hospital is southeast of the site.</p>
Site Features	The site contains a one-story, 55,115-square-foot specialty hospital and associated infrastructure, including a 111 space parking area, a gazebo and a fenced-in outdoor area behind the building.
Case Background	<p>Amended Final Development Plan The current proposal was first heard by the Planning and Zoning Commission on September 4, 2014 as a request to replace an existing six-foot, solid fence with a ten-foot, open fence located to the rear of the property. In this original proposal, the fence was completely along the building setback and contained three areas of fenced-in yard. The Planning and Zoning Commission requested the applicant pursue other safety measures before requesting the proposal for a ten-foot fence, including locking the exterior gates of the fenced in area that, to date, are not locked. The Commission also suggested the applicant consider permanently affixing the outdoor furniture and removing or modifying the existing gazebo to prevent the furniture and gazebo being used for patients scaling the existing fence. The Commission also requested the applicant to address possible operational changes to help with the security of the facility. The application was tabled, as requested by the applicant.</p> <p>Preliminary Development Plan/Rezoning The Perimeter West PCD, Planned Commerce District was approved in October 1999. The rezoning included 83 acres on the south side of Post Road, north of U.S. 33, approximately 900 feet west of Avery Muirfield Drive, with three subareas with phased development. The rezoning was to create a high quality office park for 944,000 square feet of offices, hotel and ancillary commercial and restaurant uses.</p> <p>Various additional approvals, including this applicant, have taken place for this site.</p>

Details		Minor Text Modification
Proposal	The proposal includes a modification to development text for Subarea 2 of the Perimeter West PCD development text. The applicant is proposing to add a provision to allow a ten-foot tall fence for a property located on the southwest corner of Perimeter Drive and Hospital Drive.	
Development Text	The site is within Subarea 2 of the Perimeter West Planned Commercial District. The approved development text states that the development standards of the City of Dublin Zoning Code is applicable for any development standards that are not specified in the text. Code restricts open fences in commercial areas to a maximum of six feet in height.	
Text Modification	The applicant is proposing to modify the text to allow a ten foot tall privacy fence which will be compatible with the surrounding area. The text modification will be limited to this site and will be compatible with the architectural façade and design characteristic of the site. It will also provide a necessary level of security to the unique nature of this medical facility.	

Analysis		Minor Text Modification
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	The requested modification is: To allow a ten foot tall fence on a property located on the southwest corner of Perimeter Drive and Hospital Drive in Subarea 2.	

Recommendation		Minor Text Modification
Approval	Planning supports the minor modification to the development text allowing a ten foot tall fence in this specific location and subarea as it meets the review criteria and provides a necessary level of security to the unique nature of this medical facility.	

Details	Amended Final Development Plan
Proposal Overview	<p>The applicant is proposing to remove an existing six-foot, wood privacy fence behind the building with a 10-foot, galvanized steel fence. The proposed fence will extend across the rear of the building and increase the fenced-in area from what currently exists. The fence will be located along the building line setback with the exception of two safety dispersal areas that are required by the Building Code, which stipulates that the safety dispersal areas be located a minimum of fifty feet from all portions of the building. Both of these dispersal areas extend ten feet into the required building line setback.</p> <p>The newly fenced-in area would be divided into two sections that are accessible only through the adjacent wings of the building. This is intended to allow all patients to have access to the outdoor space without having to interact amongst patient populations. The applicant prefers the patient interactions be restricted. This is related to the variety of inpatient and outpatient services for medical issues ranging from substance dependency, geriatric care, and patients with dual diagnoses, according to the applicant.</p> <p>This request was prompted by patient safety and security issues that have arisen. The City of Dublin Division of Police has responded to several incidents where patients have left the facility without permission. The facility is attempting to address the issue by ensuring the fence is taller, the gates are locked, and there is a 10-foot separation between the gazebo and fence and the existing gazebo to prevent patients using it to climb the existing fence. The applicant has also secured the outdoor furniture and made operational changes to address the patients leaving the facility without proper discharge. This includes requiring two staff members in attendance when patients are outside, using hand held radio devices to increase communication, not permitting involuntary patients to be permitted in the outdoor area, and having staff positioned at gate openings. The applicant has continued to have patients leaving the facility, without permission, after the operational changes and modifications to the outdoor furniture completed.</p>
Approved Fence Details	<p>The approved fence is behind the existing building directly south of the walking path. The fence is a six-foot wooden privacy fence interspersed with stone columns. The fence is approximately 97 feet long and extends 34 feet from the side of the building. This area is accessed from a courtyard that extends behind the building and is available for all patients.</p>

Details	Amended Final Development Plan
Proposed Fence Details	<p>The applicant is proposing to expand the fenced-in area, as well as increase the height. The fence is proposed to be along the entire length of the building and located on the existing building line setback with the exception of two areas of the fence that are required to be located within the setback based on the Building Code. The fence would be galvanized steel and is the "Monroe 3-Rail Fence Style" with locked gates that are identified as "Merchants/Metal Turf-Guard" pre-hung security gates. The fenced area will be separated into two sections with individual access points for the existing building.</p> <p>The two areas of the fence that encroach the building line setback are required by the Building Code and extend 10 feet into building line setback. After review of the fence regulations, Planning has determined that this is permitted, by Code, based on code permitting perimeter fences located within the rear yard setback if the property exceeds 30,000 square feet in size. The applicant's site is 8.9 acres in size.</p>
Proposed Landscaping	<p>The applicant is also proposing additional landscaping to buffer the fence from the view along Perimeter Drive, as well as buffer the two safety dispersal areas required by code. The landscaping plan includes adding Colorado Spruce, Hydrangea Paniculata Limelight, Variegated Liriope, and Dense Yew soften and screen the proposed fence.</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 is met with text modification. The preliminary development plan requires that fences be restricted to six feet in height. The applicant is proposing a text modification that will allow for the proposed 10-foot tall fence which is architecturally compatible with the existing wrought iron fences that surrounded several outdoor areas on the site.
2) <i>Traffic & pedestrian safety</i>	Criterion is met. The applicant's request is based on the security of the patients that are attending the facility for either inpatient or outpatient services, as well as the security of the surrounding area. It is also based on the facility being less reliant on the City of Dublin Police who have provided assistance on several occasions when patients have left the facility without following proper release protocol. The applicants has attempted other security and operational measures to help ensure that patients do not leave the facility without proper release. These measures have not been successful and the applicant has stated that in other facilities that have similar outdoor fences, these security issues have not been experienced. Therefore, the proposed fence will aid in the security of the facility and surrounding community, as well as use less governmental resources to effectively ensure the safety of their operations.
3) <i>Adequate public services & open space</i>	<i>Not Applicable.</i>
4) <i>Protection of natural features & resources</i>	<i>Not Applicable.</i>
5) <i>Adequacy of lighting</i>	<i>Not Applicable.</i>
6) <i>Signs consistent with preliminary development plan</i>	<i>Not Applicable.</i>
7) <i>Appropriate landscaping to enhance, buffer, & soften the building and site</i>	Criterion met. The applicant has proposed additional landscaping that would provide some visual relief to the size and scale of the fence. The landscaping is a mixture of tall, dense vegetation and ornamental, low level vegetation that will soften the appearance of the rigidity of the fence.
8) <i>Compliant stormwater management</i>	<i>Not Applicable.</i>

Analysis	Amended Final Development Plan
9) All phases comply with the previous criteria	Not Applicable.
10) Compliance with other laws & regulations	Not Applicable.

Recommendation	Amended Final Development Plan
Approval	In Planning's analysis, this proposal complies with the amended final development plan criteria and existing development in the area, as well as provides the necessary safety considerations for the patients attending the facility and the general public surrounding the facility. Planning has determined that the improvements to the site are necessary based on the unique needs of the facility that do not equate to the safety considerations of other facilities within the City of Dublin. Therefore, Planning recommends approval of the amended final development plan.

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:

- 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.