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City of Dublin Planning and Zoning Commission

Planning Report

Thursday, April 7, 2016

Perimeter West PCD, Subarea 1 - Kumon of Dublin Avery

Case Summary

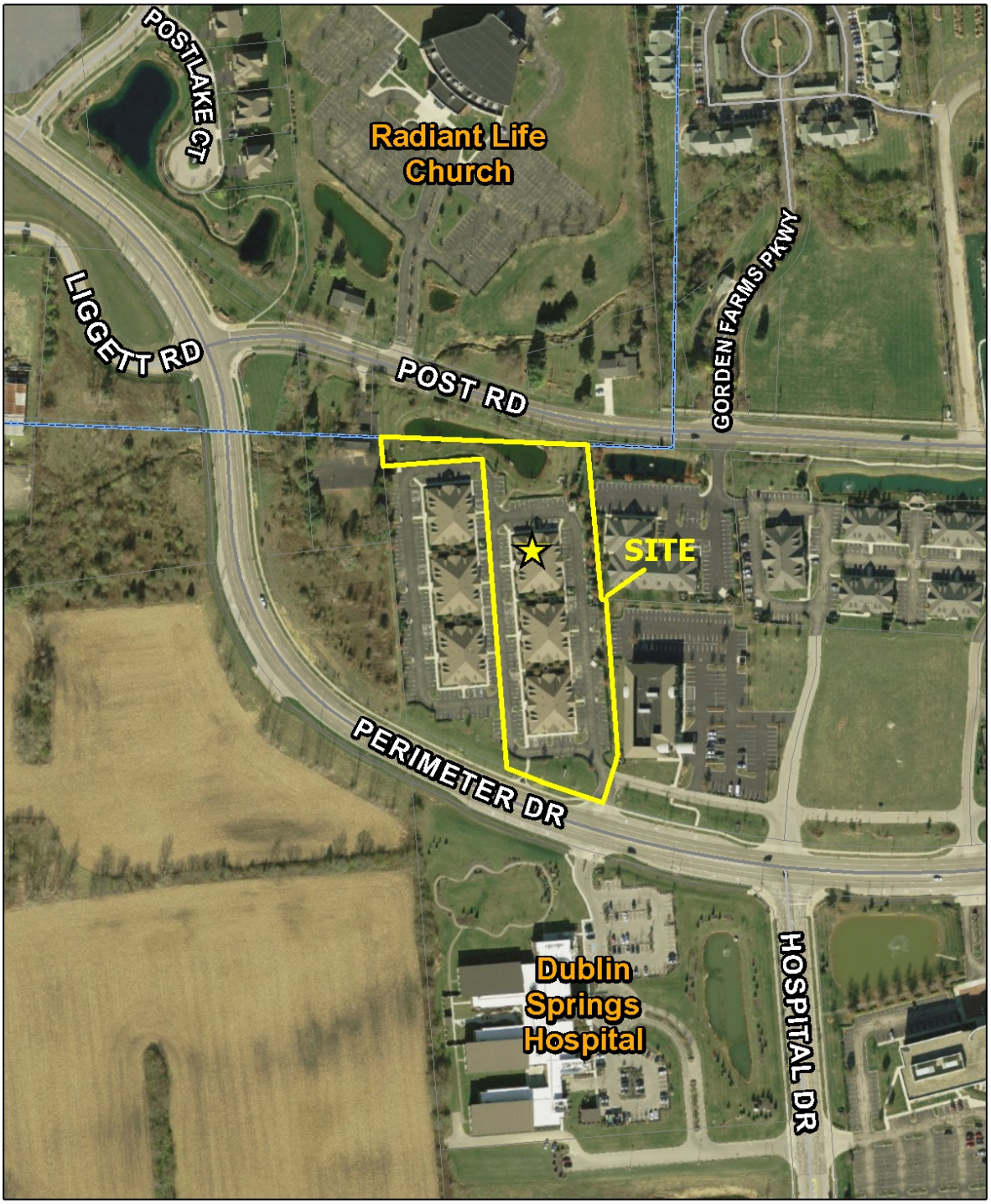
Agenda Item	4
Case Number	16-016AFDP/CU
Proposal:	A 3,862-square-foot tenant space to be used as an educational use not elsewhere classified.
Request:	1) Review and approval of a minor modification to the development text to permit a conditional use (School and educational services not elsewhere classified) within the Perimeter West PCD under the provisions of Code Section 153.050. 2) Review and approval of an amended final development plan under the provisions of Code Section 153.050. 3) Review and approval of a conditional use under the provisions of Zoning Code Section 153.236.
Site Location	6860 Perimeter Drive, Suite C. North side of Perimeter Drive approximately 500 feet south of the intersection with Post Road.
Applicant	Sriridhyah Swaminathan.
Case Manager	Logan Stang, Planner I│ (614) 410-4652│ lstang@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 use is compatible with existing uses in the shopping center area. Proposed Modification *To modify the development text to permit School and educational services not elsewhere classified as a conditional use within the Perimeter West Planned Commerce District.*

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 a Conditional Use

In Planning's analysis, this proposal complies with all applicable review criteria of a conditional use. Approval of this proposal is recommended.



City of Dublin	16-016AFDP/CU Amended Final Development Plan/Conditional Use Kumon of Dublin Avery 6860 Perimeter Drive, Suite C	0 150 300 Feet N

Facts	
Site Area	Two parcels totaling 6.5 acres in size and containing six buildings totaling 53,466 square feet.
Zoning	PCD, Planned Commerce District, Perimeter West, Subarea 1
Surrounding Zoning And Uses	North: R: Rural District (Radiant Life Church) East: PCD: Planned Commerce District – Perimeter West, Subarea 1 (Medical Office Complex) South: PCD: Planned Commerce District – Perimeter West, Subarea 2 (Dublin Springs Hospital) West: PCD: Planned Commerce District – Perimeter Liggett (Vacant Land) & SO: Suburban Office & Institutional District (Small Office)
Site Features	• Three identical office buildings located on two parcels • Frontage on Post Road & Perimeter Drive with access being located off Perimeter Drive • Stormwater retention pond along the Post Road frontage • Shared parking for the entire office complex • Sidewalk connections on the north and south sides
Background	Approval of an amended final development plan (Case 06-114AFDP) for Subarea 1 of the Perimeter West PCD to allow for individual suite identification signs for the Perimeter West Professional Park. The Planning and Zoning Commission approved this case on September 7, 2006. Approval of a final development plan (Case 04-073FDP) for six one-story office buildings and associated site improvements for the Perimeter West Professional Park. The Planning and Zoning Commission approved this case on July 15, 2004. Approval of Ordinance #45-99 to rezone approximately 83.09 acres to PCD: Planned Commerce District (Perimeter West). City Council approved this rezoning on November 11, 1999.

Details	**Minor Text Modification**
Proposal	The proposal includes a modification to the permitted uses outlined for Subarea 1 of the Perimeter West PCD text. The applicant is proposing to permit a conditional use, specifically *School and educational services not elsewhere classified,* to the approved development text. The modification will be limited to Subarea 1 and therefore will not impact the entire PCD.

Details	**Minor Text Modification**
Development Text	The site is located within Subarea 1 of the Perimeter West Planned Commerce District. The approved development text lists the permitted uses of the Suburban Office and Institutional District (SO) of the Zoning Code as permitted for this Subarea, in addition to other office uses. The proposed use is classified in the Zoning Code as a conditional use in the SO District under *Educational and research*.
Text Modification	The applicant is proposing to modify the text to permit a conditional use in the SO, Suburban Office & Institutional district in this subarea, which is compatible with the surrounding uses. The text modification will be limited to this subarea and no changes are proposed to the building exterior or the site.

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 modify the development text to permit School and educational services not elsewhere classified as a conditional use within the Perimeter West Planned Commerce District.*

Recommendation	**Minor Text Modification**
Approval	Planning supports the minor modification to the development text allowing educational and research as a conditional use as it meets the review criteria and adds a supporting category of uses to this office center and the surrounding area.

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. 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 a conditional use (school and educational services not elsewhere classified) to the development text for Subarea 1 of the Perimeter West 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.

Analysis	**Amended Final Development Plan**
3. Adequate public services and open space	***Criterion 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.
6. Proposed signs are consistent with approved plans	Not applicable.
7. *Appropriate landscaping to enhance, buffer, and soften the building and site*	Not applicable.
8. Compliant stormwater management	Not applicable.
9. All phases (if applicable) comply with the previous criteria.	Not applicable.
10. Compliance with all other laws and regulations.	***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**
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 with no conditions.

Details	**Conditional Use**
Proposal	This is a proposal for a 3,862-square-foot tenant space to be used as a school and educational use not elsewhere classified in the Perimeter West Professional Park in Subarea 1 of the Perimeter West Planned Commerce District. The development text permits SO: Suburban Office & Institutional uses and, with the Commission's approval of a minor development text modification, educational uses not elsewhere classified would be a conditional use.
Operational Details	• Single tenant space of 3,862 square feet • Operate after school hours from 3:30-7:30 p.m. on Mondays and Thursdays with no changes during the summer • Outside of the previously outlined times the space will operate as an office • Open to students from kindergarten through high school • 3-4 instructors at peak times with 12-15 students at any given time • On average students will remain 30 minutes in order to complete assignments • Parents can remain with younger students while older students can be dropped off and picked up
Parking	Code requires one parking space per 200 square feet of office space. This site requires 267 spaces with 7 ADA spaces and was approved for 275 spaces with 14 ADA spaces exceeding the code requirement. No changes to the approved parking plan are proposed or required with this application.

Analysis	**Conditional Use**
Process	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. Harmonious with the Zoning Code and/or Community Plan.	***Criterion met:*** This proposal is consistent with the requirements of the Zoning Code and the Community Plan.
2. Complies with applicable standards.	***Criterion met:*** No modifications to the site or the building are proposed.
3. Harmonious with existing or intended character in vicinity.	***Criterion met:*** The proposed use will not alter the essential character of the area and is compatible with surrounding uses.

Analysis	**Conditional Use**
4. Will not have a hazardous or negative impact on surrounding uses.	***Criterion met:*** Proposed operations will not have an adverse effect on surrounding uses.
5. Will provide adequate services and facilities.	***Criterion met:*** The educational use provides a use to area residents that is currently not available.
6. Will not harm the economic welfare.	***Criterion met:*** This proposed use contributes positively to the economic climate of the city by providing a place of employment for up to 10 people and providing a convenient service to Dublin residents.
7. Create no use or characteristic that is detrimental to the surrounding uses.	***Criterion met*:** The use will not be detrimental to the surrounding area. The office complex has adequate access, parking and the proposed educational use fits with the commercial uses already established on the site.
8. Vehicular circulation will not interfere with existing circulation.	***Criterion met:*** The site has ample parking and circulation. No additional changes are proposed.
9. Not detrimental to property values in the vicinity.	***Criterion met:*** This proposal will not be detrimental to property values.
10. Will not impede the development or improvement of surrounding properties.	***Criterion met:*** The proposed use is contained on site and will not impede development or improvement to the surrounding properties.

Recommendation	**Conditional Use**
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:

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.

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.