



PLANNING REPORT

PLANNING AND ZONING COMMISSION

Thursday July 6, 2023

Panera Drive-Thru 22-109AFDP

www.dublinohiousa.gov/pzc/22-109

Case Summary

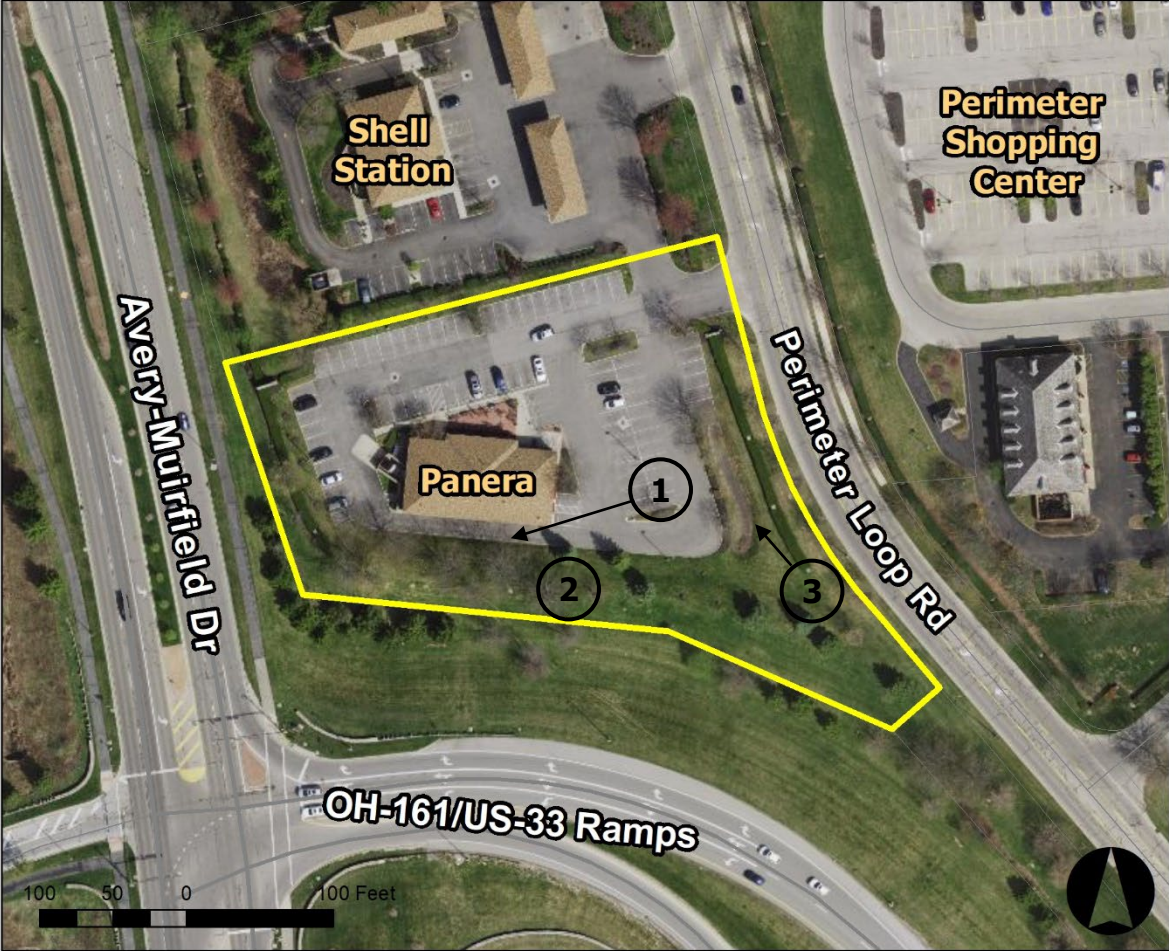
Address	6665 Perimeter Loop Rd
Proposal	Proposed drive-thru and associated site modifications to an existing restaurant and Minor Text Modifications to; (1) permit and establish standards for a digital menu board and (2) amend for parking modifications.
Request	Request for review and approval of an Amended Final Development Plan and Minor Text Modifications under the provisions of Zoning Code Section 153.055 and 153.053, respectively.
Zoning	Planned Commerce District: Perimeter Center – Subarea L
Planning Recommendation	<u>Approval of Amended Final Development Plan with conditions and Approval of associated Minor Text Modifications.</u>
Next Steps	Upon approval of the AFDP, the applicant may file for building permits through Building Standards.
Applicant	Ben Siembida, MS Consultants
Case Manager	Christopher Will, AICP, Planner (614) 410-4498 cwill@dublin.oh.us

Site Location Map

22-109AFDP | 6665 PERIMETER DR



- Site Features**
- 1 One-way Lane
 - 2 Landscape Berm
 - 3 Dry-Basin



1. Background

Site Summary

The 1.96-acre site is located approximately 600 feet southeast of the intersection of Perimeter Loop Rd. and Avery-Muirfield Dr. and within the Perimeter Center Planned Commerce District (PCD). Perimeter Center and other surrounding planned districts in proximity to the OH-161/US-33 and Avery-Muirfield Dr. interchange support auto-oriented commercial development with a variety of retail, restaurant, and other personal services.

The site is accessed from Perimeter Loop Rd. and a cross-access to the north shared with the Shell gas station. A 30-foot pavement and 50-foot building setbacks are required along both Avery-Muirfield Drive and Perimeter Loop Road, while OH-161/US-33 requires a 50-foot building and pavement setback. The restaurant and existing parking area are screened from public streets by mature landscape, including hedges along Avery-Muirfield Dr. and Perimeter Loop Rd. and a berm along the OH-161/US-33 limited access right-of-way.

Development History

April 19, 2001

PZC approved a Final Development Plan (FDP) and Conditional Use (CU) for the Panera restaurant.

May 21, 2001

City Council approved Ordinance 33-01, providing a change in zoning for the 1.96-acre Panera site. The zoning change created a new Subarea L from Subarea E with the intent of the new subarea to retain the general standards of Subarea E but allow an increase in the maximum building height, reduction of parking requirements, and establishment of outdoor seating as a conditional use. Parking reductions had been the case with other commercial development within other Planned Commerce Districts (Burger King, Wendy's, and Walgreens).

September 20, 2018

The Commission approved an AFDP (18-035AFDP) and Minor Text Modification of a digital menu board for the McDonald's restaurant within Subarea E of the Perimeter Center PCD.

October 20, 2022

PZC provided feedback for an informal review of the Panera Bread drive-thru. A majority of the Commission members supported the proposed implementation of a drive thru and the site layout. The Commission expressed support for a parking reduction to accommodate the drive thru but want to ensure there is adequate parking to support the use. Members asked for careful consideration of the previously required crosswalk and parking agreement with the Giant Eagle site to determine how and whether those should be implemented with a future application. The Commission also discussed additional opportunities for access and parking with the adjacent parcel to the north. The Commission did express concern with how the proposed layout and configuration would be impacted by a different user.

Process

AFDP review and approval from the Commission is required for changes to a final development plan. The Code provides procedures to allow the Commission to approve modifications to development standards text if they determine that all review criteria are satisfied. Upon

approval of the AFDP and completion of any necessary conditions of approval, the applicant may file for building permits through Building Standards.

Interim Land Use Principles

As Envision Dublin, the City's Community Plan update, is developed, City Council has adopted Interim Land Use Principles to guide development during this transition time. The following principles apply to this request:

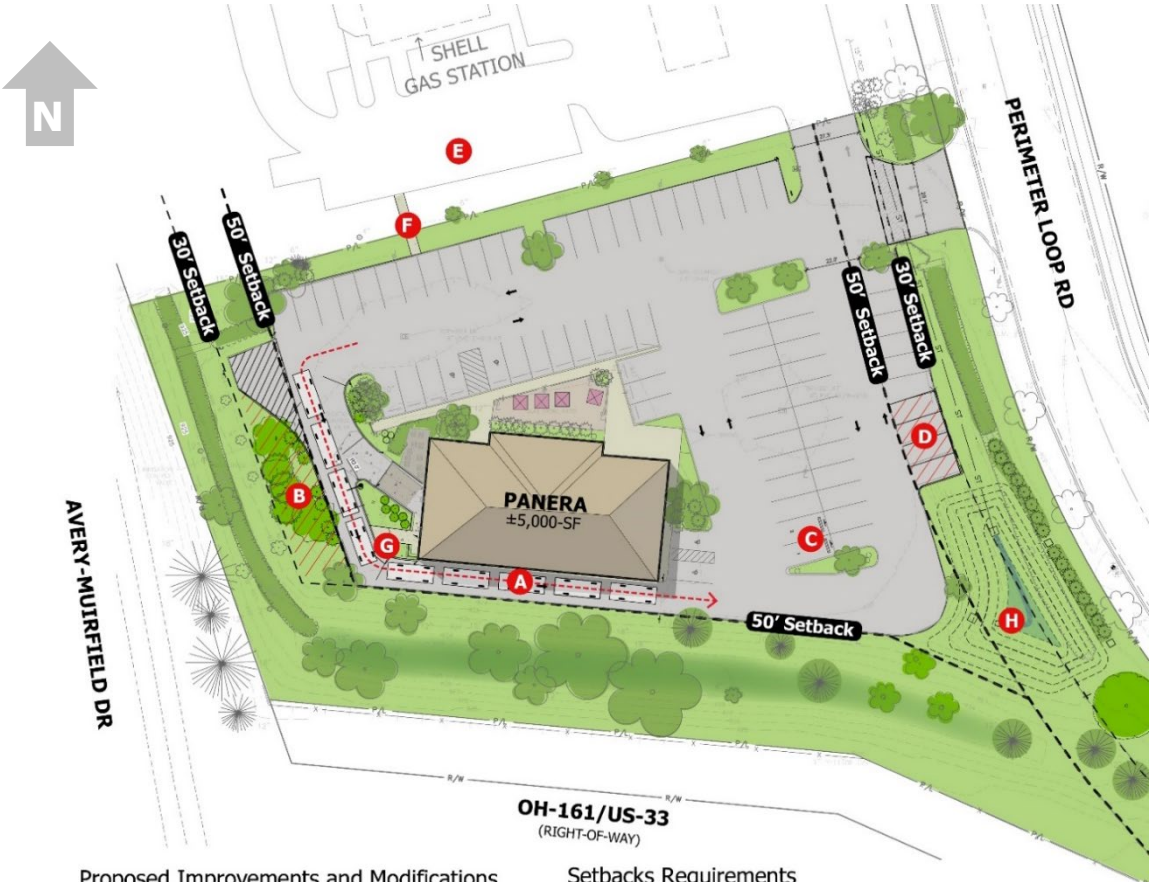
- Focus Growth. *This proposal is a reinvestment in the existing property, based on changing customer patterns post-pandemic.*
- Be Distinctly Dublin. *The proposal maintains significant vegetative screening, and the drive-thru shall be well buffered from right-of-way views.*

2. Proposal

Overview

The applicant is proposing to adapt an existing drive lane at the rear of the existing restaurant to provide a drive-thru. While the general site layout is maintained, modifications proposed to enable the drive-thru include; removal of 13 existing parking (including reserving 2 existing spaces for drive-thru pull-ahead), constructing 4 new parking spaces, reshaping an existing 3,500SF dry detention basin, and general site circulation. Site modifications would result in a slight reduction in total impervious surface (lot coverage) from 49.9% to 48.9%.

Proposed Site Improvements and Modifications



Proposed Improvements and Modifications

- A** Proposed Drive-thru Lane
- B** Removal of Parking/Asphalt (11 Spaces)
- C** Proposed Pull-ahead Parking (2 Spaces)
- D** New Parking (4 Spaces)
- E** Proposed Shared Parking (8 Shared Spaces)
- F** Proposed Walk to Shared Parking
- G** Proposed Digital Menu Board
- H** Modified Dry Detention Area

Setbacks Requirements

Street/Frontage	Building	Pavement
OH-161/US-33	50-ft	50-ft
Avery-Muirfield Dr.	50-ft	30-ft
Perimeter Loop Rd.	50-ft	30-ft

Note: The diagram above illustratively depicts proposed modifications, please see applicant submitted AFDP drawings for more detail.

Drive-thru and Circulation

The applicant is proposing to repurpose an existing one-way lane at the rear of the building for a drive-thru lane. The existing drive lane at the rear of the building is less than 12-foot and does not meet the specification for a fire lane. The 50-foot building and pavement setback along OH-161/US-33 frontage would prohibit the widening of the existing lane to provide an “escape” lane.

Drive-thru facilities developed in association with a permitted use is permitted. Drive-thru queuing for the restaurant is required to accommodate a minimum of eight spaces per exchange window. One window is proposed and the minimum eight queuing spaces are illustrated in the proposal (plus two reserved pull-ahead spaces). There is no loading zone as the all loading activity is required to occur within the building; however, the enclosed refuse area is located to the west of the building. The proposed layout would result in dead-end parking condition northwest of the building though the required drive-thru queue is largely clear

of the parking area. To accommodate the exchange window the applicant is proposing to modify two window lights (of a five light opening) of an existing opening. New window mullions will match existing.

The applicant is proposing a drive-thru height clearance bar painted Panera Slate to match other proposed site improvements. Staff recommends the "DRIVE-THRU" text and the white circle with the number 1 be omitted from the clearance bar to maintain the character of the development. The applicant is also proposing to move the cloth awnings at the rear of the building for drive-thru clearance. However, the existing awnings do not extent beyond the curb into the drive-thru lane and there are existing exterior building vents/elements directly above the existing top awning line. Additionally, the awnings are a design element adding to the character of the building and are integrated into building design throughout Perimeter Center which adds to the cohesive aesthetic of the larger development. Staff recommends the applicant work with Staff to resolve the awning placement while retaining the aesthetic value the awnings add to the building and larger development's character.

Parking

The 5,000SF restaurant and 850SF outdoor seating area require 117 parking spaces, including 17 spaces for the 850SF outdoor seating dining area. The total number of required spaces was reduce to 82 (per City Council 5/21/01). There are 81 existing parking spaces due to parking lot restriped in 2017-18, resulting in the loss of one space.

The applicant is proposing to remove 11 spaces along the west edge of the site (Avery-Muirfield Dr.) and to construct 4 new spaces along the east of the existing parking area to replace a portion of the removed parking. Additionally, the applicant is proposing to reserve two existing parking space for drive-thru pull-ahead parking, these two spaces do not contribute to the total parking provided. Site modifications would result in a net loss of 9 parking spaces on-site (5 less than the previously approved parking reduction). The applicant has entered into a shared parking agreement with the adjacent Shell gas station to provide 8 parking spaces for shared parking. The applicant is proposing a sidewalk 4-foot in width to connect to the shared parking. A total of 80 parking spaces would be provided for patrons (2 less than the previously approved parking reduction).

Parking Summary	Total Spaces
Code Required	117
Previously Approved Reduction Allows*	82
Existing Parking	81
Proposed Parking Provided On-site (72) Shared, Off-Site (8) Drive-thru Pull-ahead (2, not included)	80
*Parking reduction approved by CC with creation of new Perimeter Center PCD Subarea L in 2001.	

Minor Text Modification

A Minor Text Modification is required to allow for less parking than was is currently required. Following support from the Commission reduction of parking at the October 20, 2022 Informal Review, Staff recommends a Minor Text Modification to provide for a modification in parking under the Perimeter Center PCD Subarea L, Parking (14) sub-section, to state:

14. If deemed necessary, subject to staff approval, ~~additional parking is to be provided~~ modifications to parking provided may be established.

Landscape

Avery-Muirfield Drive Setback

The applicant is proposing to remove pavement closest to Avery-Muirfield Drive. Where pavement is removed the applicant is proposing to landscape with additional trees and shrubs to add to the existing landscape in the setback. Additionally, proposed pavement modification to accommodate the drive-thru provide an additional pocket of landscape to further screen the existing enclosed refuge area west of the building.

Perimeter Loop Drive Setback

Remove and replace a section of hedge row and two masonry columns. The new masonry columns will remain outside the right-of-way. Match existing. The masonry columns are permitted within the Perimeter Loop Drive setback.

US-33/SR-161 Setback

The 50-foot setback includes mature trees which screen the rear of the building from the roadway. To accommodate modifications to the small dry-basin three, two-inch diameter trees will be removed and replanted. Temporary fencing is proposed to protect existing trees during construction. Trees removed due to site modification are replanted on site.

Stormwater, Utilities and Public Services

To enable the 4 new parking spaces the applicant is proposing to modify the existing 3,500 SF dry-basin, storm line, and replace pavement and curb for a section of the entry drive from Perimeter Loop. The proposed modifications meet the City's stormwater management Code requirements. The pavement removal elsewhere on the site would result in a slight reduction in total impervious surface (lot coverage) from 49.9% to 48.9%. Other site improvements do not impact public services to the site.

Signs, Graphics and Wayfinding

Wayfinding

The applicant is proposing new wayfinding/directional signs for the drive-thru. The wayfinding is proposed to be Panera Slate in color to match other proposed site elements. The wayfinding is propped to be 3-foot, 5 inches in height and meets Code requirements.

Proposed Menu Board and Preview Board

A new menu board is proposed with the new drive-thru lane. The menu board is 31.65SF in size and includes a five-panel traditional menu with an integrated 10-inch by 10-inch digital confirmation screen and speaker. Though the menu board is not entirely digital, this menu board would be reviewed as a digital menu board. A canopy over the ordering area is also

proposed, it is painted Panera Slat in to match other proposed site elements. The applicant is also proposing a 14.13SF preview menu board.

The development text for the Perimeter Center PCD does not contain any specific provisions for menu board signs and review defaults to provision outlined in Zoning Code Sections 153.150 - 153.164. Zoning Code Section 153.161(N) outlines the regulations pertaining to drive-thru menu board signs which the proposed menu and preview board meet. The Perimeter Center Development Text contains a set of "General Development Standards" that were established to provide uniform regulations for the various subareas and are applicable to all properties located within the zoning district in addition to any standards identified in the individual subareas. One sub-section pertains to "Signage and Graphics and states that no flashing, traveling, animated or intermittently illuminated signs may be used nor billboards, or electrical or other advertising signs shall be allowed other than a sign carrying the name of the business occupying the site. Digital menu boards however, represent technological advancement which allow for clearer, updated menu content. The digital menu board is of equal or higher quality to what is permitted within the City of Dublin Sign Code. The Commission approved an electronic menu board for Tim Hortons in the Avery Square Shopping Center PUD and the Perimeter Center McDonald's in 2021 and 2018, respectively. A Minor Text Modification is required to permit a digital menu board. Staff recommends the Commission modify the development text; under Perimeter Center PCD Subarea L, Graphics sub-section, similarly to add:

2. Digital Menu Board

- a. One digital menu board is permitted board in accordance with the follow:
 1. The sign is located on the property to which it refers;
 2. The sign is not visible from the public right-of-way;
 3. The sign does not exceed 32 square feet in size;
 4. The sign does not contain continuous movement, flashing, scrolling, video, or animation, except for the customer order image which shall not exceed more than 20% of the menu board sign area;
 5. The sign is turned off during non-operational business hours;
 6. The sign does not contain any additional speakers or sound; and,
 7. The sign changes no more than three times per day.

Previous applications have submitted for preview menu board and have been denied by the Commission. Because the development text place a high importance of limiting the graphic clutter within the development, Staff recommends that the applicant remove the proposed preview digital menu board from the proposal to follow precedent set forth with previous applications.

3. Plan Review

Minor Text Modifications: Section 153.053(E)(2)(b)(4)(b)

Criteria

- 1) 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;

- 2) 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;
- 3) 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);
- 4) The principles of §153.052(B) are achieved; and
- 5) 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.

Request	Review
1. To modify the development text; under the Perimeter Center PCD Subarea L, Graphics to permit and establish standards for a digital menu board.	Criteria Met: The proposed text modification retains consistency with the recommendations of the Community Plan and allows the development to operate in an orderly and efficient manner. Digital menu boards represent technological advancement which allows for clearer, updated menu content. The digital menu board is of equal or higher quality to what is permitted within the City of Dublin Sign Code.
2. To modify the development text; under the Perimeter Center PCD Subarea L, Parking (14) subsection to all for parking modifications, subject to approval.	Criteria Met: The proposed text modification retains consistency with the recommendations of the Community Plan and allows the development to operate in an orderly and efficient manner. Modifying the text to allow for creative parking solutions aligns with City’s goals for sustainability and innovation. The text modification also retains a level of review and approval.

Amended Final Development Plan

Criteria	Review
1. The plan conforms in all pertinent aspects to the approved preliminary development plan.	Criteria Met with Condition: Drive-thru facilities developed in association with a permitted use are allowed. The applicant is proposing to move the existing cloth awnings at the rear of the building, moving the awnings may put them in conflict with existing building ventilation and other exterior building elements. Staff recommends the applicant work with Staff to resolve the awning placement while retaining the aesthetic value the awnings add to the building’s character, subject to Staff approval. Additionally, the application is proposing a drive-thru clearance bar, Staff recommends the “DRIVE-THRU” text and the white circle with the number one be omitted from the drive-thru clearance bar to maintain the character of the development.
2. Adequate provision is made for safe and efficient pedestrian and	Criteria Met: The proposed layout would result in dead-end parking condition northwest of the building though the required drive-thru queue is largely clear of the parking area.

Criteria	Review
vehicular circulations within the site and to the adjacent property.	The applicant is proposing a sidewalk to the shared parking lot adjacent to the site.
3. The development has adequate public services and open spaces.	Criteria Met: The site layout allows for fire and rescue access and circulation. No other modifications would impact public services. The development has adequate open spaces.
4. The development preserves and is sensitive to the natural characteristics of the site.	Not Applicable: The site is developed.
5. The development provides adequate lighting for safe and convenient use without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.	Not Applicable: No modifications to site lighting are proposed.
6. The proposed signs are coordinated within the PUD and with adjacent development.	Criteria Met with Conditions: Digital menu board signs are appropriate to surrounding developments, and the request is of similar nature to previous applications that have been approved for digital menu boards with different applicants within the City. The applicant should remove the digital preview menu board from the proposal to be consistent with previous approvals.
7. The landscape plan will adequately enhance the principle building and site; maintain the 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.	Criteria Met: The applicant is adding additional landscaping to areas where pavement is proposed to be removed. Additionally, proposed site modifications are provided additional landscaping of the existing enclosed refuge area. Temporary fencing is proposed to protect existing trees during construction. Trees removed due to site modification are replanted on site.
	Criteria Met: Though overall site impervious coverage will be reduced, the applicant is proposing to modify the existing dry-

Criteria	Review
8. Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in the Code and any other design criteria established by the City or any other government entity which may have jurisdiction over such matters.	basin. The proposed modification meet the City’s stormwater management Code requirements.
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.	Not Applicable: Phasing is not proposed as part of this application.
10. The proposed development is compliant with other laws and regulations.	Criteria Met: The proposal meets all other applicable laws and regulations.

Reccomendations

Planning Recommendation: Approval of Minor Text Modification to modify the development text; under Perimeter Center PCD Subarea L, Graphics sub-section, to add:

- 3. Digital Menu Board
 - b. One digital menu board is permitted board in accordance with the follow:
 - 8. The sign is located on the property to which it refers;
 - 9. The sign is not visible from the public right-of-way;
 - 10. The sign does not exceed 32 square feet in size;
 - 11. The sign does not contain continuous movement, flashing, scrolling, video, or animation, except for the customer order image which shall not exceed more than 20% of the menu board sign area;
 - 12. The sign is turned off during non-operational business hours;
 - 13. The sign does not contain any additional speakers or sound; and,
 - 14. The sign changes no more than three times per day.

Planning Recommendation: Approval of Minor Text Modification to modify the development text; under Perimeter Center PCD Subarea L, Parking (14) sub-section, to state:

14. If deemed necessary, subject to staff approval, ~~additional parking is to be provided~~ modifications to parking provided may be established.

Planning Recommendation: Approval of Amended Final Development Plan with conditions:

- 1) The applicant resolve the awning placement while retaining the aesthetic value the awnings add to the building's character, subject to Staff approval;
- 2) The "DRIVE-THRU" text and the white circle with the number one be omitted from the drive-thru clearance bar prior to submitting for a building permit; and
- 3) The applicant remove the digital preview menu board from the proposal to be consistent with previous approvals when submitting for a building permit.