



CITY OF DUBLIN.

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Creating a Legacy

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

SEPTEMBER 17, 2009

The Planning and Zoning Commission took the following action at this meeting:

**3. Perimeter Center PCD, Subarea E – McDonald's 6830 Perimeter Loop Road
09-006AFDP Amended Final Development Plan**


Proposal: Reconfiguration of the drive-thru lane for the existing McDonald's restaurant within Subarea E of the Perimeter Center PCD, Planned Commerce District, located at the intersection of Perimeter Loop Road and Avery-Muirfield Drive.
Request: Review and approval of an amended final development plan under the Planned District provisions of Code Section 153.050.
Applicant: Jodi Hill, Williams Shepherd Architects.
Planning Contact: Jennifer M. Rauch, AICP, Planner II.
Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION: To table this Amended Final Development Plan application at the request of the applicant.

VOTE: 6 – 0.

RESULT: This Amended Final Development Plan was tabled.

STAFF CERTIFICATION


Jennifer M. Rauch, AICP
Planner II



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Creating a Legacy

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

MAY 7, 2009

The Planning and Zoning Commission took the following action at this meeting:

**1. Perimeter Center PCD, Subarea E - McDonald's 6830 Perimeter Loop Road
09-006AFDP Amended Final Development Plan**

Proposal: Modifications of the configuration of the drive-thru lane, site circulation and parking for the existing McDonald's restaurant within Subarea E of the Perimeter Center PCD, Planned Commerce District, located at the intersection of Perimeter Loop Road and Avery-Muirfield Drive.

Request: Review and approval of an amended final development plan under the Planned District provisions of Code Section 153.050.

Applicant: Jodi Hill, Williams Shepherd Architects.

Planning Contact: Jennifer M. Rauch, AICP, Planner II.

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION: To table this Amended Final Development plan application at the request of the applicant for modifications of the configuration of the drive-thru lane, site circulation and parking.

VOTE: 6 - 0.

RESULT: This Amended Final Development plan application was tabled.

STAFF CERTIFICATION


Jennifer M. Rauch, AICP
Planner II

**1. Perimeter Center PCD, Subarea E – McDonald’s 6830 Perimeter Loop Road
09-006AFDP Amended Final Development Plan**

Jennifer Rauch presented this request for review and approval of an Amended Final Development Plan for modifications to the site design and parking for the McDonald’s Restaurant located on a 1.2-acre site at the northeast corner of Avery-Muirfield Drive and Perimeter Loop within the Perimeter Center PCD, Planned Commerce District. She said adjacent development includes Chase Bank to the north and commercial uses to the east all within Perimeter Center. She said the Final Development Plan for this site was approved in 1995 and a Variance was granted by the Board of Zoning Appeals (BZA) to reduce the overall parking requirement in 1995. She said in addition to that Variance, the applicant received a shared parking agreement with the Perimeter Center shopping center for 12 spaces. Ms. Rauch said currently, the 3,200-square-foot building is located in the center of the site and parking is located along the periphery of the site and along the eastern side of the building.

Ms. Rauch said access to the site is provided from the private drive which connects to Perimeter Loop Road. She said upon entrance into the site a driver could enter the drive-thru at the northeast corner of the building. She said this configuration, as the applicant has stated, provides numerous stacking and congestion problems at the entrance to the site, as well as off-site

stacking issues onto the private drive and in extreme cases onto the public roadway system. Ms. Rauch said this proposal is a means to rectify the problem.

Ms. Rauch said Planning conducted two site visits during two peak times, morning and lunchtime, to gain an understanding of the current traffic and circulation issues. She reported during the morning peak a total of 230 vehicles went through the drive-thru during a two-hour timeframe. She said during the two-hour timeframe there were several instances of traffic blocking the entrance and stacking into the driveway, with the longest occurrence lasting 11 minutes. Ms. Rauch reported a similar number of vehicles with a shorter period of time that vehicles were blocking the entrance during the lunch peak time.

Ms. Rauch explained the proposed site plan includes the creation of a designated drive-thru lane along the eastern side of the building in place of the existing parking spaces. She said the drive-thru entrance is then moved to the southeastern corner to encourage site circulation around the building, resulting with on-site stacking and the elimination of the off-site impacts to the public roadway. Ms. Rauch said the goal of the drive-thru lane design is to provide a barrier to encourage drivers to circulate around the building to create a physical or visible barrier again. She said given the site restraints, the applicant is proposing an 18-inch wide striped area with flexible posts. Ms. Rauch said while not typically used throughout the City, it does provide the needed barrier the applicant desires.

Ms. Rauch said Planning is requesting the use of a mountable curb instead of the 18-inch wide stripe to help delineate the drive-thru lane and separate it from the internal driveway.

Ms. Rauch said in order to accommodate the new drive-thru lane the proposal includes the removal of six parking spaces along the eastern side of the building. She said this modification will reduce the number of parking spaces below the 53 spaces approved as part of the variance. She pointed out that the applicant continues to meet the parking requirement with the shared parking agreement with Perimeter Center. She said parking modifications were made on the southern border, which include restriping the parking spaces to ensure a more maneuverable area. She said this area also includes the relocated ADA spaces with a connecting walkway to provide patrons access and safe travel across the drive-thru lane into the building.

Ms. Rauch said during the site visit, the maximum number of vehicles parked at any one time in the morning and at lunchtime was 15. She said the applicant had indicated that a majority of their business is done thru the drive-thru.

Ms. Rauch said proposed site modifications include additional landscaping plan, the removal of an interior parking island, and an interior landscape tree due to the creation of the new drive-thru. She said the inches removed will be replaced, and the applicant is proposing to locate the tree in the southwestern corner of the site. She said Planning recommends the creation of a landscape island along the southern side of the parking lot in order to help distribute the trees evenly throughout the site and decrease the impervious surface.

Ms. Rauch said the applicant has agreed to provide a sidewalk along Perimeter Loop Road connecting with the existing bike path along Avery-Muirfield Drive and the existing sidewalk

east of the site along Perimeter Loop Road. Ms. Rauch said Planning is recommending the location of the sidewalk be moved within a foot of the right-of-way, in order to move it further away from the curb and then locate it closer to the road to avoid the two existing street trees.

Ms. Rauch said based on Planning's analysis, this proposal will allow for on-site drive-thru stacking, correct the long-standing circulation issues, and minimize the negative impacts on the public roadway. She said Planning views the proposal as a significant site improvement, given the site constraints. Ms. Rauch said Planning believes the criteria for the adopted plan and policies are met and the site safety circulation and development details are met with the four conditions listed in the Planning Report, and recommends approval of this application.

Dave Warren, McDonald's Corporation, Two Easton Oval, Columbus, Ohio thanked Ms. Rauch for working with him and for an excellent job presenting the issues. He said the use of an asphalt mountable curb would trap water inside the drive-thru lane. Mr. Warren said the picture within the packets showed another alternative of mountable curb, where the posts are mounted into the curbing allowing water underneath and between the sections. He said however, if the Commission wanted, they could make the asphalt acceptable.

Ms. Amorose Groomes invited public comments and confirmed there were none.

Mr. Taylor said he did not recall seeing them on any public roadways in Dublin or any other place in the City. Ms. Rauch confirmed.

Mr. Taylor asked if the site remained in conformance with the landscape requirements with the removal of the 162-square-foot landscape island. Ms. Rauch confirmed the proposal was in compliance with Code.

Mr. Taylor said he understood the stacking problems because he visited the site. He said he was supportive of the reduced number of parking spaces and the continued use of the shared parking agreement was appropriate, as it is appropriate elsewhere in the City.

Mr. Taylor said he was concerned about the visual impact of the flexible posts. He asked if a physical barrier was needed.

Mr. Warren said without the physical barrier customers would continue using the drive-thru the way it is currently setup. He said the physical barrier is more substantial and people would be less likely to drive over for fear of damaging their cars. He said he understood and agreed with Mr. Taylor's concern and they could find a different type of post.

Mr. Taylor said he was not sure he liked them at all, because of the large visual impact they created on-site. He said it cheapens the overall site. He said even though the posts are a more durable product, he was concerned people would run over them.

Mr. Taylor expressed concern about how a vehicle might get out of the drive-thru lane since there is no bailout area once you are in the designated lane. He said as a customer, he would be

very concerned that he would be trapped and could not get out of the lane until he was at the ordering window.

Warren Fishman said he would never vote for the use of the proposed flexible posts. He said several places in Columbus have a concrete curb with poles in it that let the water drain, so it is possible. He preferred something ornamental such as a curb covered with brick.

Mr. Fishman stated he would like all the replacement inches accommodated on-site. He said he did not want to get rid of any trees; he wanted to add landscaping. Mr. Fishman noted that the existing landscaping is not in great shape and the site needs to be buffered much more than it is. He said he was in favor of using every tree they can and using them in the perimeter.

Mr. Fishman said the site was too small, and even this plan is going to create problems for parking. He said he thought the reason people do not park on this site is because it is a nightmare. Mr. Fishman reiterated he would not want the proposed flexible posts and he thought the same idea could be accomplished with concrete covered with brick. He agreed with Mr. Taylor's concerns regarding the lack of a bailout point once you are in the drive-thru lane. He deferred the landscaping issues to Ms. Amorose Groomes.

Ms. Kramb said she agreed a physical barrier is needed because people will cut in line without it. She said the circulation pattern proposed is the best that can be done and it was almost identical to the one on Tuttle Crossing Boulevard. Ms. Kramb recommended a crosswalk to the door on the southwest corner because most people would park on the western side of the site, and she would like the crosswalk stripped from the last two parking spaces to the front door. She said she understood that there has to be a physical barrier. She suggested the curbing be made shorter and not have to round the northeast corner, but make it a straight line on the east side so when a driver enters the site they cannot cut right into the drive-thru. Ms. Kramb said she loved the idea of adding the sidewalk along Perimeter Loop Road.

Todd Zimmerman expressed concern about the potential circulation issues on the west side, with the drive-thru window area, the double-stacking of cars and the 14 parking spaces all occurring in the same place. He was also concerned about the need for a crosswalk to the eastern side entrance door. He said he agreed with Mr. Fishman regarding the landscaping and that the eight-inch caliper of trees should stay on site. He said he also agreed with Mr. Taylor about the design of the flexible posts and that an alternative design was needed for the drive-thru curbing.

Flite Freimann pointed out Review Criteria 2: *Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site into adjacent property*, and respectfully said the project did not meet these criteria. He agreed an exit point was needed once someone was in the drive-thru. He expressed similar concerns to Mr. Zimmerman's regarding the number of potential conflicts at the southwest corner of the site. He said this plan did not provide safe and efficient circulation.

Mr. Freimann said he witnessed vehicles stacking out onto Perimeter Loop Road and had never had a problem parking his car because there were always extra parking spaces. He suggested that McDonald's revisit the parking and explore a larger easement with Perimeter Center. He

said the applicant should start from scratch using the existing site constraints but work on a proposed configuration that more closely meets the review criteria. Mr. Freimann said a revised proposal should return to the Commission with reduced parking of 25-20 spaces around the building, employee parking offsite at the Giant Eagle, and an improved drive-thru configuration. Mr. Freimann applauded the applicant for trying to resolve the stacking problem. He suggested the applicant think outside of the box and create a safer and more efficient site design for patrons. He said he would not have a problem reducing the number of parking spaces to 25 or 30 with the understanding that employees would be required to park at Giant Eagle.

Ms. Amorose Groomes summarized that the other Commissioners were concerned that the proposed Amended Final Development Plan failed to meet Review Criteria 2: *Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property.*

Ms. Amorose Groomes said the Commission is looking for a bigger picture fix. She said drainage issues were discussed but she did not think it was an impossible problem to correct. She said the Commission wants the property to look as though it fits in this location. Ms. Amorose Groomes said Dublin's commercial community has worked long and hard on getting beautiful hedges that are sheared at a proper height and kept in a healthy condition to mitigate the visual impact of the parking on the adjacent roadways, and McDonald's has failed. She said they have not kept their plant material in good health and they have beaten down their shrubbery as much as they possibly can to increase the visibility of their restaurant. She said McDonald's is more interested in removing trees and paying a fee than they are in locating new trees on site.

Ms. Amorose Groomes said that she thought the proposal also fails to meet Review Criteria 7: *The landscape plan will adequately enhance the principal building and site; that it would maintain existing trees to the extent possible and that it would buffer adjacent uses and break up large expanses of pavement with natural material and provide appropriate plant materials for the building's site and climate.*

Ms. Amorose Groomes said she thought it was a hard hurdle to meet Review Criteria 4: *The development preserves the natural characteristics in a manner that complies with the applicable regulations set forth in the Code.* She said McDonald's is not demonstrating that they are good stewards of their environment with regard to the site landscaping and its impact on adjacent uses.

Ms. Amorose Groomes concluded this proposed Amended Development Plan has problems meeting Review Criteria 2, 4 and 7.

Ms. Amorose Groomes asked Mr. Warren how he would like to proceed with this application given the comments. Mr. Warren said the new owner is a successful operator who wants to solve the outstanding issues, which is apparent by this application. He said the goal of the application is to fix the circulation issues. He said there are a number of options for the design of the drive-thru lane, but they need to do something that will force the customers to circulate the building. He said the mountable curb, without any posts is a viable option. Mr. Warren said they were looking for a long-term, viable solution.

Ms. Amorose Groomes said she thought a revised proposal needs to include a concrete curb with an enhanced brick inlay for the drive-thru curb detail, at a minimum.

Mr. Taylor said historically it seems the restaurant began as primarily a walk-in restaurant with a drive-thru lane, and now it is a drive-thru restaurant with a few parking spaces. He said the applicant should use this perspective when approaching the redesign of the site. He said they should find a way to create an attractive separation between the traffic and the drive-thru lane. He agreed with Mr. Freimann's suggestion of eliminating a number of parking spaces to accommodate the design.

Mr. Fishman said the Commission wants to see something that functions safely and is also very, very attractive.

Ms. Amorose Groomes said Mr. Taylor's comments were insightful regarding how this McDonald's restaurant functions. She suggested McDonald's pick who they want to be and design the site around that. She said the site is too small to be a full drive-thru and full walk-in restaurant. She recommended that Mr. Warren request this application be tabled, however if he would like the Commission to vote, they would be happy to do so at this time.

Mr. Warren said McDonald's has changed from 50/50 drive-thru and inside dining in 1995 to 75/25 now. Mr. Warren said he would prefer to table.

Ms. Amorose Groomes asked if a summary of the Commission issues was needed. Mr. Warren said he had a pretty good handle the Commissioners comments. Ms. Rauch asked for more clarification regarding the use of shared parking and less parking on-site. She asked if the Commission would be supportive of less parking if the applicant decided they were more of a drive-thru oriented site.

Mr. Freimann said he would like to see McDonald's start from a blank slate and come up with a creative solution to the point that the Commission could get fairly accurate information on the use of the site. He said if the peak parking was 20 percent of the business then the reduced number of on-site parking spaces could be added to the appropriate easement on Giant Eagle and he would be very comfortable with that.

Ms. Kramb said the proposed sidewalk would be great for the parking at Giant Eagle. She said she was okay with removing more parking spaces, particularly if the handicap spaces could be made more usable and safe, by moving them away from that convergence point in the southwest corner. Ms. Amorose Groomes suggested perhaps they could be moved to the west. Ms. Kramb suggested the first two parking spaces on the southwest would be safe for handicap spaces.

Ms. Amorose Groomes said the Commission would like to see McDonald's best effort for the nicest way to resolve these issues before it is brought back.

Mr. Warren asked if the Commission would be willing to approve an additional entrance point and then exit point only. Ms. Amorose Groomes asked that their most creative, most thoughtful,

most environmentally sensitive solution to this problem be brought back for the Commission to review. Mr. Fishman added it should be the best looking also.

Mr. Warren said he understood.

Mr. Zimmerman agreed with Mr. Freimann on the reduction of the parking, because it created a better circulation pattern. He said his biggest concern was solving the off-site stacking problems.

Motion and Vote

Mr. Freimann made a motion that this Amended Development Plan be tabled. Mr. Fishman seconded the motion.

The vote was as follows: Mr. Taylor, yes; Mr. Zimmerman, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Freimann, yes. (Tabled 6 – 0.)

Ms. Amorose thanked Mr. Warren and said that the Commission really hoped they could come to great solution. She said Planning will work diligently with him and hopefully, there will be a quick resolution.



**BOARD ORDER
BOARD OF ZONING APPEALS**

September 28, 1995

CITY OF DUBLIN

5800 Shier Rings Road
Dublin, OH 43016-1236
Phone/TDD: 614/761-6550
Fax: 614/761-6506

2. Variance Application V95-021 - McDonald's - Perimeter Center - 6830 Perimeter Loop Road

Location: 1.237 acres located at the northeast corner of Avery-Muirfield Drive and Perimeter Loop Road.

Existing Zoning: PCD, Planned Commerce District

Request: A variance to Section 1193.04(a) to permit joint use parking, a variance to Section 1193.13 to reduce the required minimum number of parking spaces from 64 spaces to 53 spaces, and a variance to the Perimeter Development Text, Subarea E, General Condition #4, to reduce the required minimum width of the green belt between properties from 10 feet to five feet.

Proposed Use: A new 3,200 square foot fast food restaurant with drive-thru service.

Applicant: Raymond J. Riska, Remodeling Manager, McDonald's Corporation, 635 Brooksedge Boulevard, Westerville, Ohio 43081.

MOTION: To approve this variance application with the following eight conditions:

- 1) That the joint parking agreement be acceptable to staff and receive written approval from the law director;
- 2) That landscaping along the Avery-Muirfield frontage reflect the Avery-Muirfield landscape plan approved by the Planning Commission on September 21, 1995;
- 3) That the trash dumpster and the storage shed be faced with brick matching the principle structure;
- 4) That twelve feet of additional right-of-way along Avery-Muirfield Drive be dedicated by general warranty deed at the time of building permit application;
- 5) That one menu board be permitted, not to exceed 44 square feet in area, not to exceed seven feet in height, internally illuminated with an opaque background, and oriented to the interior of the site; directional signs should be limited to approved lettering per the sign code; and ground sign stone bases and stone columns should match Perimeter Center stone columns relative to materials and design;
- 6) That awning materials should be submitted which meet the architectural standards of Subarea E, awnings should be opaque and should not be backlit;
- 7) That exterior lighting conform to the Dublin Lighting Guidelines, and be submitted for staff review and approval prior to issuance of a building permit; and

BOARD ORDER
BOARD OF ZONING APPEALS
September 28, 1995

2. **Variance Application V95-021 - McDonald's - Perimeter Center - 6830 Perimeter Loop Road (Cont.)**
- 8) That the brick be more consistent with existing out parcels along Avery-Muirfield Drive.
- * Dan Gunsett, Attorney, 65 East State Street, Columbus, Ohio, representing the applicant, agreed to the above conditions.

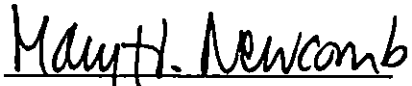
VOTE: 3-0.

RESULT: This variance application was approved.

RECORDED VOTES:

John Belton	Yes
Thomas McCash	Absent
Chester Porembski	Absent
William Sherman	Yes
Jim Sprague	Yes

STAFF CERTIFICATION:


Mary H. Newcomb
Mary H. Newcomb
Graduate Landscape Architect

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held August 7, 1995 19

and High Streets. Staff is requesting this be held for second reading. There will be a second reading of the resolution at the August 21 Council meeting.

Other

Motion of Clarification Regarding Brighton Park rezoning text pertaining to fence restrictions

Mrs. Stillwell reported that the other members of Council were not provided with background materials for this matter which was on the agenda of the July 17 meeting. Staff is in the process of putting together this packet, and Brighton Park resident Mike Baker is out of town tonight and had expressed his desire to be present for discussion. For these reasons, she would move to table this matter until August 21.

Mr. Zawaly seconded the motion.

Vote on the motion - Mr. Kranstuber, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. King, yes; Mrs. Boring, yes; Mrs. Stillwell, yes; Mayor Campbell, yes.

* Appeal by Continental Real Estate to Planning & Zoning Commission Recommendation on Final Development Plan for McDonald's Restaurant at Perimeter Center

Mayor Campbell stated that this is an appeal to a disapproval of a Final Development Plan by the Planning Commission for McDonald's Restaurant at Perimeter Center. It will be handled by providing the appellant 10 minutes for a presentation on the issues; staff then will provide a 10-minute response if they choose to do so; and then there will be a five minute rebuttal by the appellant. At the conclusion, Council can offer any questions prior to making a decision of whether to grant the appeal.

Dan Gunsett, attorney, Baker & Hostetler stated that he represents McDonald's Corporation and Continental Real Estate, applicants for the project. He noted the following:

- 1. The 30-day period for appeal was waived by the applicant in order to allow additional time for preparation and to relieve the heavy Council agenda.
2. The proposed facility contains all of the features required by Dublin Code. Staff recommended 8 conditions and the applicant has agreed to all.
3. Planning Commission disapproved the plan based on concerns about stacking, parking, and the drive-through area.
4. The applicant has prepared a new site plan for tonight's hearing, incorporating all of the things agreed upon at the Planning Commission hearing.
5. The new site plan shows the change in location of the handicapped parking which has been moved immediately to the south and will not be blocked by potential stacking from the drive-through.
6. This plan meets and exceeds the Perimeter Center development standards which call for 8 stacking spaces for a drive-through. This plan allows 14 stacked cars on the premises.
7. Dublin staff conducted surveys which demonstrated that the 14 on-premises stacking will be more than adequate for the peak hour stacking.
8. Drive-throughs are self-limiting - when they are full, customers will go elsewhere or go inside the restaurant versus stacking off site.
9. They have also identified that off-duty police could be hired to service the traffic if the need is justified.
10. For P & Z to impose a higher standard than what Council had approved with the Perimeter Center development standards would require additional empirical information to justify it. The empirical data does not justify imposing this higher standard.
11. They respectfully request that City Council approve the plan presented by McDonald's and Continental Real Estate.

Ms. Clarke stated the following:

- 1. This corner site within Perimeter Center is zoned PCD and was reviewed by Planning Commission in May and July. It was tabled in May because there were a number of issues to be corrected, including increasing landscaping, increasing parking, and making improvements to the drive-through stacking.
2. The applicant's site plan was submitted as of June 1, and it does meet the minimum criteria established in Dublin's Landscape Code. It meets the minimum criteria established for drive-through stacking under the Perimeter Center text.
3. The site plan does not meet the parking requirement of 61 spaces for a restaurant of this size. This site provides 52. So even if the appeal is granted, the reduction in parking will have to be approved by the Board of Zoning Appeals.
4. The applicant has stated that he has a lease with the Perimeter Center shopping center for

Variance Applicatic V95-021 McDonald's Perimeter Center

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DUBLIN LEGAL BLANK CO. FORM NO. 1078

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- the additional parking spaces required and will have under lease adequate spaces to combine with on-site parking to meet the 61 spaces required by Code. This would still require a variance from the BZA since the parking spaces would not all be on site.
5. Although this application meets the stacking requirements, the concern is that it will not function on the site well due to the one-way circulation pattern around the building.
 6. The issues cited as bases by the Planning Commission for their disapproval as outlined in the corrected Record of Action were:
 - a) the development plan does not satisfy concerns relative to traffic safety due to proposed traffic configuration;
 - b) that under the criteria for development plan approval for the PCD district, the plan fails to meet criteria under Section 1181.09(e) relative to ensuring appropriate traffic accessibility and ensuring non-conflicting circulation;
 - c) the impact from conflicting circulation will negatively impact adjacent properties through conflicts with the off-site circulation system.
 7. The fourth basis for disapproval which was cited by staff but not included by Planning Commission was that the site was too small to support adequate drive-through stacking.
 8. She added that the applicant has made some improvement to the site plan in terms of eliminating the interference with the disabled parking. Staff believes that the Planning Commission took the correct action at its June 1 meeting in disapproving this plan.

Mr. Gunsett noted that when the driveway was changed in the plan from 36 feet to 30, it allowed extra parking space, so there are now actually 53. For safety purposes, they will install a sidewalk to access the employee parking area. They understand that approval is needed from the BZA, and that has already been accepted as a condition of approval.

Mr. Smith stated that five votes are required to overturn the recommendation of the Planning Commission.

Mrs. Boring asked how the neighboring businesses feel about this issue.

Mr. Gunsett responded that Bank One representatives have indicated they favor the McDonald's development at the Center. They also have had favorable reaction from the Lowell Trace and Indian Run residents at a meeting last Thursday.

Mr. Kranstuber noted that this application meets the standards adopted by Council for the Perimeter Center and yet Planning Commission denied it. This could affect a judge's decision if it were appealed to the court.

Mr. Smith noted that this is a three-window operation which should speed up the stacking. He does have some concerns that standards would be imposed that exceed the requirements of the text.

Mr. Zawaly commented that the overall impression of Planning Commission was that it was too much building for this particular site. The adequacy of the stacking space seems to be sufficient as demonstrated by the data from comparable stores surveyed by staff.

Mr. Strip asked if the parking issue is outside of Council's jurisdiction and to be determined by the Board of Zoning Appeals.

Mr. Smith responded that it is a variance that they are allowed to seek from the BZA. It is a separate issue for BZA to rule upon.

Mrs. King noted that the problem is really one of traffic flow - that there is only one way in and the parking spaces line up in a way that you can only approach them from one direction. She does not have concerns with the off-site parking agreement. The circulation problem should be a solvable one.

Mrs. Boring commented that if they meet the stacking criteria, she does not believe the City should bear the responsibility for customers getting in and out of the restaurant during peak times. It is a personal choice whether or not to patronize an establishment during the peak period of traffic.

Mr. Strip noted that if circulation is the problem, why is there just one point of ingress and egress? Ms. Clarke responded that there are limitations within Perimeter Center: curb cuts are not allowed on Avery-Muirfield Drive except for Perimeter Drive and Perimeter Loop Road. The other is that putting two driveways onto the service road will eliminate a couple of parking spaces when parking is already deficient.

Variance Application
V95-021
McDonald's
Perimeter Center

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 10748

Held August 7, 1995 19

Mayor Campbell noted that since Planning Commission took no affirmative action, there are no conditions recommended. He asked if the applicant is willing to accept all of the conditions contained in the staff report.

Mr. Gunsett responded that they agree to abide by the 8 conditions noted in the staff report as future issues for consideration.

Mrs. Stillwell commented that standards have been established in the approved Perimeter Center text and this application meets the standards. She then moved to approve the final development plan subject to the 8 conditions listed as future issues for consideration in the staff report and with the understanding that the Board of Zoning Appeals will have to review the parking variances.

Mrs. King seconded the motion.

Vote on the motion - Mr. Zawaly, yes; Mrs. Boring, yes; Mr. Kranstuber, yes; Mayor Campbell, yes; Mrs. King, yes; Mrs. Stillwell, yes; Mr. Strip, yes.

Mayor Campbell summarized that the appeal has been granted with the understanding that the applicant accepts the 8 considerations listed in the staff report as conditions.

Villas of Earlington - Brand Road Right-of-Way Easement and Dedication Plat

Mayor Campbell noted that Mrs. King will chair this portion of the meeting since he represented the Villas of Earlington and prepared the filings for the condominium. He will therefore abstain from voting.

Mr. Kindra stated that all of the commitments have been included on this plat.

Mr. Strip moved to accept the plat.

Mr. Kranstuber seconded the motion.

Vote on the motion - Mr. Strip, yes; Mrs. King, yes; Mr. Zawaly, yes; Mrs. Boring, yes; Mr. Kranstuber, yes.

Post Road, Wilcox Road, Perimeter Drive - Right-of-Way Easement and Dedication Plat

Mr. Foegler stated that this relates to and is in fulfillment of a tax increment financing ordinance approved by Council. The plat provides the necessary right-of-way easements for the extension of Perimeter Drive, the easements for the bikepath along Post Road, and for the landscaping along Post Road.

Mr. Kindra noted that emergency action will be requested at the next Council meeting for an ordinance awarding the bid for the Post Road buffer planting/Perimeter street trees project.

Mr. Strip moved to accept the plat.

Mr. Zawaly seconded the motion.

Vote on the motion - Mrs. Boring, yes; Mr. Strip, yes; Mayor Campbell, abstain; Mrs. King, yes; Mr. Zawaly, yes.

Trinity Park Section 2, Phase 1 - Final Plat

Ms. Clarke noted that Trinity Park is a subdivision on Wilcox Road and this phase includes 35 single family lots. Planning Commission recommended approval of this final plat at their July meeting with several conditions:

- 1. That the parkland in Section 1 be dedicated to the City of Dublin by general warranty deed with the final plat of Section 2, Phase 1.
2. That the final plat be revised to indicate "no parking" zones along the fire hydrant side of all streets and throughout cul-de-sacs and eyebrows.
3. That the final plat be revised to indicate that the maintenance of landscaped islands will be the responsibility of the homeowners.

The developer has agreed with these conditions.

Mr. Strip moved to approve the final plat with the conditions as noted.

Mrs. King seconded the motion.

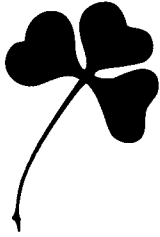
Vote on the motion - Mrs. Boring, yes; Mr. Strip, yes; Mr. Zawaly, yes; Mrs. King, yes; Mayor Campbell, yes; Mr. Kranstuber, yes.

Wellington Place Section 2 - Final Plat

Ms. Clarke stated that Wellington Place subdivision is located north of Brand Road on the west side of Dublin Road. This plat is for 26 new single-family lots, and Planning Commission approved the plat at their June 9, 1994 meeting with several conditions, one of which needs to be corrected:

- 1. That the security requirements of Section 1109.03(b)(2) be met by the applicant prior to consideration at the Planning Commission on June 9, 1994;
2. That the final plat be revised to indicate "no parking areas" along one side of all 26-foot streets;
3. That the final plat be revised to indicate an 8-foot no build zone and "no fencing along

Variance Application V95-021 McDonald's Perimeter Center



CITY OF DUBLIN

5800 Shier Rings Road
Dublin, OH 43016-1236
Phone/TDD: 614/761-6550
Fax: 614/761-6506

**AMENDED
DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
JUNE 1, 1995**

The Planning and Zoning Commission took the following action at its regular meeting June 1, 1995:

- 1. Development Plan - Perimeter Center - McDonald's Restaurant**
Location: 1.237 acres located at the northeast corner of Avery-Muirfield Drive and Perimeter Loop Road.
Existing Zoning: PCD, Planned Commerce District (Subarea E of the Perimeter Center Plan).
Request: Review and approval of a Development Plan under the provisions of Section 1181.09 of the Planning and Zoning Code.
Proposed Use: A new 3,014 square foot fast food restaurant with drive-thru service.
Applicant: McDonald's Corporation, c/o William Dargusch, Continental Real Estate Companies, 150 East Broad Street, Columbus, Ohio 43215.

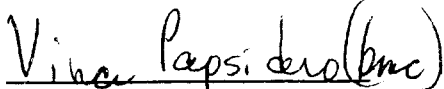
MOTION: To disapprove this Development Plan for the following reasons:

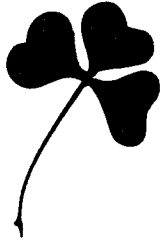
- 1) The Development Plan does not satisfy concerns relative to traffic safety, due to the proposed stacking configuration.
- 2) Under the criteria for Development Plan approval in the PCD District, the plan fails to meet criteria under Section 1181.09(e) relative to ensuring appropriate traffic accessibility and ensuring non-conflicting circulation.
- 3) The impact from conflicting circulation will negatively impact adjacent properties through conflicts with the off-site circulation system.

VOTE: 5-0.

RESULT: This development plan was disapproved.

STAFF CERTIFICATION


Vince Papsidero
Senior Planner



CITY OF DUBLIN

**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
JUNE 1, 1995**

The Planning and Zoning Commission took the following actions at its regular meeting June 1, 1995:

1. **Development Plan - Perimeter Center - McDonald's Restaurant**
Location: 1.237 acres located at the northeast corner of Avery-Muirfield Drive and Perimeter Loop Road.
Existing Zoning: PCD, Planned Commerce District (Subarea E of the Perimeter Center Plan).
Request: Review and approval of a Development Plan under the provisions of Section 1181.09 of the Planning and Zoning Code.
Proposed Use: A new 3,014 square foot fast food restaurant with drive-thru service.
Applicant: McDonald's Corporation, c/o William Dargusch, Continental Real Estate Companies, 150 East Broad Street, Columbus, Ohio 43215.

MOTION: To disapprove this Development Plan for the following reasons:

- 1) The site is too small to support adequate drive-through stacking.
- 2) The Development Plan does not satisfy concerns relative to traffic safety, due to the proposed stacking configuration.
- 3) Under the criteria for Development Plan approval in the PCD District, the plan fails to meet criteria under Section 1181.09(e) relative to ensuring appropriate traffic accessibility and ensuring non-conflicting circulation.
- 4) The impact from conflicting circulation will negatively impact adjacent properties through conflicts with the off-site circulation system.

VOTE: 5-0.

RESULT: This development plan was disapproved.

STAFF CERTIFICATION

Vince Papsidero bmc

Vince Papsidero
Senior Planner



DUBLIN PLANNING AND ZONING COMMISSION

MEETING MINUTES

JUNE 1, 1995

5800 Shier Rings Road
Dublin, OH 43016-1236
Phone/TDD: 614/761-6550
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1. **Development Plan - Perimeter Center - McDonald's Restaurant (Disapproved 5-0)**
2. **Revised Final Development Plan - Morgan House - 5300 Glick Road (Approved 6-0)**
3. **Revised Final Development Plan - Indian Run Meadows - Kindercare Learning Center - 6036 Tara Hill Drive (Disapproved 4-2)**
4. **Zoning Code Amendment - Addition of Multi-Family Appearance Code (Tabled 6-0)**
5. **Development Plan - Tuttle Crossing - The Atrium at Tuttle Crossing - 5525 Park Center Circle (Postponed without vote or discussion)**
6. **Corridor Development District Application CDD95-005 - Riverside Grille (formerly Abner's Restaurant) - 6860 Riverside Drive (Approved 6-0)**
7. **Conditional Use Application /Corridor Development District CU94-013/CDD94-014 - Village Square - All American Brewing Company - 6258 Riverside Drive (Approved 6-0)**
8. **Conditional Use Application CU95-009/Corridor Development District CDD95-004 - Dublin Village Center - Donerick's Pub - 6711 Dublin Center Drive (Approved 6-0)**
9. **Preliminary Plat - Wilcox Place (Approved 6-0)**
10. **Preliminary Plat - Bellepoint Place (Approved 6-0)**

The meeting was called to order at 6:37 p.m. by Chairman Dick Rauh. Other commission members present were: Marilee Chinnici-Zuercher, John Ferrara, Warren Fishman, Peter Zawaly, and Dan Sutphen. George Peplow was absent. Staff members present were: Bobbie Clarke, Lisa Fierce, Tom Rubey, Vince Papsidero, Mary Newcomb, Ken Johnstone, Balbir Kindra, Randy Bowman, Mitch Banchefsky, and Libby Farley.

Mr. Rauh explained the meeting procedures.

Mr. Zawaly said that he would be leaving the meeting but would return later.

1. **Development Plan - Perimeter Center - McDonald's Restaurant**

Vince Papsidero presented this development plan under the Planned Commerce District for a new 3,014 square foot fast-food McDonald's restaurant with drive-through service. The site is located on 1.2 acres at the northeast corner of Avery-Muirfield Drive and

Perimeter Loop Road. It is in Subarea E of Perimeter Center. A private service drive to the east of the site provides access. The Plan indicates it to be 36 feet in width and by Code cannot exceed 30 feet. The applicant has agreed to reduce the width to meet code. The structure will be located in the center of the site. Mr. Papsidero said 40 square feet have been added to the building since last reviewed by the Commission. On the northeast corner of the site, there is a trash dumpster to be enclosed within a brick wall with a storage structure next to it. Staff recommends that it be faced in brick to match. The City Engineer has requested an additional 12 feet of right-of-way for a continuous right turn lane on Avery-Muirfield Drive into Perimeter Drive to the north and the applicant has agreed to it. Fifty-two parking spaces are shown, but 61 spaces are required. The applicant has proposed a parking agreement with the proposed shopping center to the east for 12 employee parking spaces. The agreement remains to be approved by Big Bear and the City Law Director. Mr. Papsidero said the structure has three windows for drive-in service with eight parking spaces. Under the district requirements, at least eight are required per window for drive-through use. Staff is concerned that given the small size of the site, there is a limited amount of extra stacking space that could empty off the site onto the service drive, impeding circulation and blocking handicap parking.

Mr. Papsidero said the landscape plan submitted met Perimeter Center and interior landscaping requirements. The applicant is providing the three-foot hedge and column treatment approved for the Perimeter Center outparcels. This plan reflects the Avery-Muirfield Drive mound and landscaping treatment currently required under the Perimeter Center rezoning.

The 50 square foot primary sign is located on the northeast corner of Avery-Muirfield Drive. He said two signs total 66 square feet as permitted by Code. The signs are integrated into the columns as required. The golden arches cannot exceed twenty percent of the sign face. Three menu boards are proposed, and Staff recommended that there be only one 44 square foot menu board, seven feet in height and internally illuminated, oriented away from Avery-Muirfield Drive. The applicant has verbally agreed to delete two boards. There is no speaker system. Ordering is to be done at the first of the three windows directly to restaurant employees.

Mr. Papsidero said the south elevation would be primarily glass. The brick to be used will be one from the approved Perimeter Center palette. The selected brick does not match BankOne or State Savings Bank; however, it matches the Crown-Mercedes brick. Four navy awnings with a beige stripe are proposed. Mr. Papsidero said the subarea palette required the stripe to be gray, not beige. There is also a trim that is burgundy which meets the palette for the subarea.

Mr. Papsidero said a handout had been distributed regarding drive-thru stacking. Staff had surveyed two McDonald's restaurants with the same design: one at Fishinger and Riverside Drive in Upper Arlington on April 4 and the last week of May for one hour during lunchtime, and the other at Alum Creek Drive and Groveport Road in Obetz. The maximum number of stacking spaces was twelve and the lowest minimum was three. Previous surveys done at other larger fast-food establishments revealed that stacking spaces were as high as 25. Staff is still concerned about stacking on such a small site of 1.2 acres. They asked the applicant to look at several building configurations to maximize the stacking spaces on the site. It has not been indicated to the Staff that this has been done. Mr. Papsidero said the applicant had provided the Commission with stacking figures. Mr. Papsidero said Staff had

recommended disapproval prior to receiving these statistics from the applicant, because they felt the site was too small and that the provision of stacking would inhibit on site and off site circulation. Staff had eight issues for consideration which could become conditions if the Commission recommended approval of this application. Those issues are as follows:

- 1) The trash dumpster enclosure should be faced with brick matching the principle structure.
- 2) A joint parking agreement with Big Bear that is acceptable to the Law Director for 12 parking spaces should be approved by the Board of Zoning Appeals prior to applying for a building permit and a connecting sidewalk be constructed subject to Staff approval.
- 3) Twelve feet of additional right-of-way along Avery-Muirfield Drive should be dedicated by general warranty deed at the time of building permit application.
- 4) The driveway should be reduced in width from 36 feet to 30 feet.
- 5) One menu board should be permitted, not to exceed 44 square feet in area, not to exceed seven feet in height, internally illuminated with an opaque background, and oriented to the interior of the site; directional signs should be limited to approved lettering per the sign code; and ground sign stone bases and stone columns should match Perimeter Center stone columns relative to materials and design.
- 6) Awning materials should be submitted meeting the architectural standards of Subarea E. Awnings should be opaque and should not be backlit.
- 7) A lighting plan should be submitted meeting the Dublin Lighting Guidelines, including the use of cut-off fixtures, for Staff review and approval prior to issuance of a building permit.
- 8) The brick needs to be more consistent with existing outparcels along Avery-Muirfield Drive.

Mr. Fishman asked if disapproval was still recommended. Mr. Papsidero said, without the presence of the Planning Director, his answer was yes.

Mr. Ferrara asked if Staff wanted the driveway narrower. Mr. Papsidero said the curbcut onto the private service road exceeded Code and should be reduced to 30 feet.

Mr. Sutphen asked about the brick color consistency with the existing outparcels. He suggested coordination with the apartments or the bank instead of the Mercedes Dealership. Mr. Papsidero said there were three adopted schemes for parcels fronting onto Avery-Muirfield Drive. Mr. Sutphen asked if Staff preferred the brick used on State Savings Bank. Mr. Papsidero said Super America had been asked to match State Savings Bank. The brick used on BP is to be the same as used on the shopping center. Mr. Papsidero said that matching them would give a consistent shade along Avery-Muirfield Drive.

Dan Gunsett, attorney, 65 East State Street, Columbus, Ohio, represented the applicant.

Mr. Ferrara asked if the eight issues became conditions of approval would Mr. Gunsett agree to them. Mr. Gunsett said McDonald's believed that all requirements of Code had been met and was willing to meet the future considerations as conditions of approval.

Mr. Gunsett said the Staff recommendation of disapproval had been materially impacted by the survey done where it was found that the average number of stacked cars was 6.8 to 8.3, exactly in tune with the Code requirement.

A major consideration of the Commission on May 4 was parking. Mr. Gunsett said the parking requirement had been satisfied, subject to approval of Big Bear and the developer to use twelve spaces across from the access drive. They are also constructing a sidewalk.

Ray Riska, Project Engineer, said the original proposal was based upon the Perimeter Center Big Bear building plan and the development standards. He said if another color scheme was required, they could easily do it. Many of the materials, however, have changed since 1989. The awning color is "4604 Natural" because the original "6800 Natural" is no longer made. Mr. Riska said the landscape plan was very extensive and met Code.

Mr. Riska said most of the traffic on Perimeter Loop Road would be to McDonald's. He said the speed of service for the cars should be examined. Vehicles do not come one at a time, if so, no stacking lane would be required. They want to move a car out of the lane every thirty seconds. The stacking lane time is important. A six month stacking lane survey would be more accurate. McDonald's requirement is eight for a stacking lane.

Ms. Chinnici-Zuercher asked about the stacking lane requirement. She had noticed that from 11:00 a.m to 1:30 p.m. stacking was out in the street or in inappropriate areas. When more than eight cars were stacked, the cars would cover the handicap parking spaces. She had noticed this at the McDonald's at Main and Grant Streets in Columbus. She had never personally been moved through a McDonald's in thirty seconds. She asked if McDonald's considered location when it established the number eight for stacking, or was that the standard used. Mr. Riska said that the eight spaces should not block anything. He said it was the standard operating procedure. Mr. Riska said stacking out into the street would have to go quite a length (four cars). Mr. Riska said it should take thirty seconds to make the order, fifteen seconds to pick it up, and thirty seconds travel time, totalling ninety seconds.

Mr. Sutphen asked what was done when a food order is not readily available. He thought this would cause a backup into traffic. He asked where they would wait for their food. Mr. Sutphen said there was not enough ground to accomplish what was needed in the way of parking.

Ms. Chinnici-Zuercher said they would be the first fast-food establishment in the area and they would very likely have stacking problems until there is some other competition.

Greg Alexander, said assumptions made with respect to McDonald's traffic count at this location included that it would develop over time as the area developed. This restaurant will result in less traffic at the West Bridge Street restaurant.

Ms. Chinnici-Zuercher agreed but said that at least on Bridge Street, the stacking went into the parking lot, causing less impact.

Mr. Alexander said they were looking at developing more, rather than larger, restaurants. They have been developing sites of less than one acre.

Mr. Rauh said this area has the potential of having more development than the Fishinger Road area. He asked if a second McDonald's might be considered at Perimeter Center. Mr. Alexander said no. Mr. Rauh said the Tuttle Road area had been designed to handle the traffic, but all three restaurants' stacking lanes had traffic backing out onto the street at lunch. He asked how they would handle that at this site.

Mr. Dargusch said a handheld order taker would be used so that less time would be taken through the three stops. He said it was successfully used at the State Street restaurant in Westerville. They want to move customers through as quickly as possible.

Mr. Rauh saw no problem with the stacking lanes as designed, but he knew many times things looked good on paper but in actuality they did not work because of peak times, etc.

Mr. Fishman asked if they agreed to match the brick on State Savings Bank. Mr. Riska agreed.

Mr. Fishman said other areas did not have the same landscape code as Dublin, and other sites have two entrances. He was concerned that stacking could not be avoided onto Perimeter Drive. He suggested that there might be more appropriate sites for McDonalds across the street at the Riverside Hospital site.

Mr. Ferrara agreed that a single entrance would pose a major stacking problem and people wanting to go inside would be unable to park. He predicted the restaurant would be swamped with business given the amount of approved development in the area.

Mr. Gunsett said the Staff survey had favorably impressed the Staff that this site met code and had an average that met the stacking requirements. He said the only reason that Staff had not changed or reconsidered the recommendation was the absence of their director. He said the stacking requirements of the code are met. He suggested that the Commission consult with legal counsel about that.

Mr. Rauh asked if it did now meet Code. He understood that three spaces were needed per window. Mr. Papsidero said that although there were three windows, they technically are used for each transaction.

Mr. Rauh asked if technically the code was met with eight spaces for stacking. Mr. Banchevsky referred to the Perimeter Center development text, which he understood was patterned off the City of Columbus' ordinance. He believed there was flexibility because it was built on the Columbus ordinance. He was concerned that when there was stacking, the handicap parking spaces would not be accessible.

Mr. Sutphen asked about the handicap parking accessibility and the holding parking.

Mr. Gunsett said, if required, they would convert to a speaker stand and single window. He requested that the Commission recommend approval of this application.

Mr. Sutphen said the private street would be backed up with people trying to get in and out and he had a problem with one curbcut. He liked the three window concept, but there could be stacking into the road.

Mr. Rauh asked if they would guarantee there would be no stacking onto the service road and/or Perimeter Loop and that the handicap spaces would still be accessible.

Bill Darsaugh, the applicant, said he had an agreement with Big Bear regarding employee parking. He said this site had been approved for a restaurant, and he wants a wider curbcut.

Mr. Rauh said if the curbcut were widened there might be a car stacked at the curb that would block circulation.

Mr. Gunsett said this meets the code and the development text and should be approved. He said handicap spaces could be moved.

Mr. Fishman said there was no "right" to have twelve parking spaces across the road, off-site. It should be approved only if the Commission deemed it appropriate. He said the land was platted for four lots, not necessarily restaurants, possibly banks.

Mr. Darsaugh said they were very close to meeting the standards and had met code. There may be times where they have stacking problems.

Mr. Rauh asked if the proposal met code with the stacking requirements. Ms. Clarke said typically with three windows in the side of the building it would be three transaction windows, but with McDonald's it is one transaction. She said one window with a speaker box would still cause stacking problems off site. She said a letter had been received from McDonald's explaining that this site layout was substantially different from other designs. Staff therefore, surveyed those specific sites. The main question is whether it will work or not on this site. Staff believes there is a good chances it will not, negatively impacting the Perimeter Center development and the community as a whole.

Mr. Rauh asked if it were a matter of safety which Staff was concerned. Ms. Clarke said yes.

Mr. Ferrara said it was clearly a safety issue. He has seen many single entry situations that did not work. He believed it would be a magnet, and traffic would spill out onto the street.

Mr. Fishman liked the look of the structure, the brick, etc. He said a safety problem would be a burden on the community. Mr. Fishman said the site was too small.

Mr. Sutphen agreed with Mr. Fishman and Mr. Ferrara.

Ms. Chinnici-Zuercher said the issue was stacking. She was still concerned about the handicap parking spaces; they may be unavailable when needed. Moving them would make them further away for handicap persons. She asked for legal guidance regarding meeting the technical expectation of the Code when there were other issues that may be problematic with the particular site being used on the project.

Mr. Banchefsky said public health, safety and welfare was always an issued needed to be examined. If it would cause a traffic problem, it was well within the commission's power to address it. Within the zoning code and the Perimeter text there is a functionality issue; it has to work. If the Commission is convinced from Staff's presentation and/or the applicants presentation that it is or is not going to work, that is the base for it to vote accordingly.

Mr. Sutphen made a motion to disapprove this application based on reasons cited in the Staff Report. Mr. Ferrara suggested deletion of the first basis.

Mr. Sutphen made an amended motion to disapprove this Development Plan based on the following findings:

- 1) The Development Plan does not satisfy concerns relative to traffic safety, due to the proposed stacking configuration.
- 2) Under the criteria for Development Plan approval in the PCD District, the plan fails to meet criteria under Section 1181.09(e) relative to ensuring appropriate traffic accessibility and ensuring non-conflicting circulation.
- 3) The impact from conflicting circulation will negatively impact adjacent properties through conflicts with the off-site circulation system.

Mr. Ferrara seconded the motion and the vote was as follows: Mr. Fishman, yes; Mr. Sutphen, yes; Mr. Rauh, yes; Ms. Chinnici-Zuercher, yes; Mr. Zawaly, absent; Mr. Ferrara, yes. (Disapproved 5-0.)

2. Revised Final Development Plan - Morgan House - 5300 Glick Road

Mary Newcomb presented this revised Final Development Plan for expansion of the Morgan House. It is a 5.5 acre site located on the northwest corner of Dublin Road and Glick Road. After a lengthy discussion on May 4, 1995, regarding lighting, landscaping, and notification issues, this application was tabled. The applicant has modified site lighting and landscaping.

Ms. Newcomb said a split rail fence is proposed to meet the screening requirement. The applicant proposes either an additional rail on top or reduced spacing along the Dublin Road and Glick Road portions of the parking lot. Other areas are to be screened with a combination of mounding and split rail fence or a privacy fence. Regarding site lighting, lighting per Code and the Dublin Guidelines is proposed in the parking lot closest to the building. A chain is proposed to be used to block access to the unlit portion of the parking lot. Ms. Newcomb said the gravel parking lot will be blacktopped.



**DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
APRIL 6, 1995**

The Planning and Zoning Commission took the following action at its regularly scheduled meeting:

5. Development Plan - Perimeter Center - McDonald's Restaurant

Location: 1.237 acres located at the northeast corner of Avery-Muirfield Drive and Perimeter Loop Road.

Existing Zoning: PCD, Planned Commerce District (Subarea E of the Perimeter Center Plan).

Request: Review and approval of a Development Plan under the provisions of Section 1181.09 of the Planning and Zoning Code.

Proposed Use: A new 2,958 square foot fast food restaurant with drive-thru service.

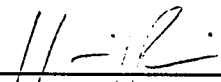
Applicant: McDonald's Corporation, c/o William Dargusch, Continental Real Estate Companies, 150 East Broad Street, Columbus, Ohio 43215.

MOTION: To table this Development Plan.

VOTE: 6-0.

RESULT: This Development Plan was tabled, as requested by the applicant, after substantial discussion related to parking, stacking, landscape plans, and signage.

STAFF CERTIFICATION



Vince A. Papsidero
Senior Planner

**Development Plan
McDonald's Resturant
Perimeter Center
History**

adding additional evergreens at the northern portion of the parking lot, and adding street trees to the plant list,

- 4) That floodway, floodway plus 20 feet, and floodplain boundaries be accurately shown on all plat, planning, building permit, and engineering documents and that all City Codes be met regarding floodways and floodplains;
- 5) That signage conform to Code and be externally illuminated; and
- 6) That the driveway be widened to 22 feet.

Mr. Ferrara seconded the motion. The vote was as follows: Mr. Zawaly, yes; Mr. Ferrara, yes; Mr. Fishman, yes; Ms. Chinnici-Zuercher, yes; Mr. Sutphen, yes; Mr. Rauh, abstain. (Approved 5-0-1.)

4. Rezoning Application Z95-004 - McKitrick Property - Revised Preliminary Development Plan

This case was postponed to April 20, 1995, prior to this meeting.

5. Final Development Plan - Perimeter Center - McDonald's Restaurant

Vince Papsidero presented this case and slides of a Development Plan for construction of a new 2,958 square-foot fast food restaurant with drive-thru service. The site is 1.237 acres located at the northeast corner of Avery-Muirfield Drive and Perimeter Loop Road. It is in Subarea E of the Perimeter Center PCD development, which permits free-standing fast food restaurants. Architecture, site planning, traffic, lighting, etc., are within the Commission's authority.

Mr. Papsidero said the structure is in the center of the site, there is one service drive, three proposed pick-up windows, and a stacking lane for eight cars. Under the standards for the subarea, eight stacking spaces per window are required. The standard follows the Columbus Code. For multiple windows, six spaces per window are required, for a total of 18. There is a 10-foot buffer yard on the north property line and a 5-foot yard abutting a 5-foot buffer along the Bank One site. 59 parking spaces are required by Code, and the plan shows only 52, one of which blocks the trash dumpster. The interior landscaping within the parking area falls short of Code. Staff also recommends the inclusion of additional plant material. The proposed parking and stacking are indications of overdevelopment of the site.

Regarding right-of-way along Avery-Muirfield Drive, Mr. Papsidero noted an error in the Staff Report. An additional 12 feet is requested for a continuous right-turn lane in front of both properties to accommodate Perimeter Drive. A more suitable area is provided for a permanent landscape buffer. Mr. Papsidero showed a slide of a proposed landscape plan submitted today responding to the Staff Report. It has not been evaluated. Street trees are an issue. It does show the 3-foot hedge/column treatment for the shopping center.

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Mr. Papsidero showed a colored elevation of the proposed architecture. The roof shingle is somewhat lighter than the shingles on the adjacent Bank One. There is burgundy trim and a burgundy and white stripe on the awning. The text stated these would be earthtones, which is more fitting with the palette; the burgundy is not in the palette for the subarea. Mr. Papsidero showed proposed signage submitted the day before this meeting. The changeable copy boards were deleted. In general, the signs meet the requirements, with the possible exception of the sign with a base. The sign needs to be directly mounted onto the base. The logo is limited to 20 percent of the sign face, and one appears too large (24 percent). Signs are limited to three colors, but the illustration shows a fourth color. The directional sign does not meet Code due to the colors, logo treatment, and the internal illumination. Directional signs need to be two colors and carry a generic message such as "welcome" or "enter." Menu boards, advertising boards, and a speaker post total approximately 70 square feet, which is too large.

Mr. Papsidero said Staff recommended that the applicant consider getting a joint parking agreement with the shopping center, which might solve the parking problem. The issue of possible overdevelopment of the site remains. Three wall signs were shown and are not permitted within Subarea E. There was no lighting plan submitted, as required.

Mr. Papsidero said Staff recommends disapproval of the application, principally because it appears to be an overdevelopment of the site. It does not meet Code or subarea standards for parking, drive-thru stacking, lighting, and architecture. Ten areas were noted in the Staff Report for future consideration dealing with the right-of-way issue, changes to the site plan, the access point, and others. Staff recommends as a solution enlarging this site or using a different, larger parcel.

Mr. Papsidero pointed out the fast food lunch-hour surveys distributed to Commission members. They were done for both parking and stacking needs. Five sites were studied - three restaurants at the Sawmill-Billingsley area north of 270, the Dublin Wendy's, and the McDonald's on West Bridge Street. Drive-thru stacking numbers observed were as high as 19 spaces, and as low as three. For McDonald's, they were in the mid- to high teens. Given the size of the proposed site, to provide additional stacking spaces would probably spill traffic out onto the service drive.

Mr. Rauh said the drawings received since the Staff Report was written, according to Commission policy, would not be accepted at this meeting.

Mr. Ferrara and Mr. Fishman commended Staff on the stacking survey.

Ms. Chinnici-Zuercher pointed out on the survey that the Fishinger Road McDonald's the observed stacking capacity of the drive-thru is approximately eight or nine, but the total impedes the use of four or five parking spaces. Mr. Papsidero said it may be a concern with the proposed project, also.

Bill Dargusch, Continental Real Estate, said he has worked out an arrangement with Big Bear to use part of their lot. With regard to stacking, the three windows are to serve one customer at a time - order at one, pay at the next, pick up at the third. It is not like a bank where three

Development Plan
McDonald's Resturant
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windows would be serving three customers. Mr. Dargusch said if there were only one window, the line would back up even further because all three functions would have to be carried out there.

Ms. Chinnici-Zuercher said off-site parking might not work for consumers. Mr. Dargusch said the outlying parking would be for employees.

Ms. Chinnici-Zuercher also noted there is a speaker post on one of the menu boards.

Mr. Sutphen said the multiple-window setup seems to expedite service. However, he is concerned about the parking.

Mr. Zawaly echoed Mr. Sutphen's concern about parking. He asked if any of the stacking data duplicated the proposal, which is three windows without a speaker box. Mr. Rauh said the Fishinger Road McDonald's does. Mr. Papsidero said he does not have specific data, but the building is the same prototype.

Mr. Dargusch said there are 40 spaces at Fishinger Road, and 51 are proposed here.

Mr. Zawaly did not see the logic in Staff's recommendation for stacking. Ms. Clarke said the Dublin Code was based on Columbus', who had just done surveys and revised their own Code. The way the number of required stacking spaces is determined is by the number of pick-up spots. The field survey was done because Staff wanted to know how many cars were actually in line at the lunch hour, regardless of how many pick-up stations there were, or what the Code said. Staff wanted to determine what actually works.

Mr. Zawaly asked why Staff interpreted it as three windows. Ms. Clarke said it was a literal reading, and the survey was done to see what happens in the real world. Mr. Zawaly said that approach has justification.

Mr. Fishman said he believes the site is too small and the off-site parking is too far away. Mr. Dargusch said the Fishinger Road store works with less parking. He stated that McDonald's is the best in the fast food market, and they agree the 52 spaces are adequate. He understands he will need a variance from the parking code for remote employee parking.

Mr. Fishman asked whether Boston Chicken had a bigger lot because he has been there when he said the stacking lane was not adequate because cars stack into the road. Ms. Clarke said it is a similarly-sized parcel.

Mr. Fishman said, referring to the stacking survey, nine vehicles stacked at the Fishinger Road location, and the proposal is for only eight. Mr. Dargusch said each store is unique.

Mr. Fishman suggested there are larger sites available. McDonald's had a Commission-approved development plan for a larger parcel within Perimeter Center, but McDonald's gave up that site. It will now be the site of a BP gas station.

Mr. Ferrara would like to know average service time at the drive-thru. He anticipates the Perimeter location will do very good business, especially as the only fast food in the immediate area. He agrees with Staff's assessment of the stacking problem.

Mr. Zawaly asked why McDonald's was not looking for a larger site that would accommodate a play area, as it seemed to be a major issue at the West Bridge Street McDonald's location.

Ray Riska, McDonald's Corporation, said larger sites cost more money and because they make only one penny profit per hamburger, they cannot afford the property.

Mr. Dargusch requested this application be tabled to address the issues which had not been addressed due to late submittals.

Ms. Chinnici-Zuercher made a motion to table this Development Plan. Mr. Fishman seconded the motion. The vote was as follows: Mr. Ferrara, yes; Mr. Sutphen, yes; Mr. Zawaly, yes; Mr. Rauh, yes; Mr. Fishman, yes; Ms. Chinnici-Zuercher, yes. (Tabled 6-0.)

6. Revised Development Plan - Perimeter Center - Big Bear Grocery Store

Vince Papsidero presented this case and slides. This is a request for review and approval of a modified Development Plan to revise the screening for rooftop mechanicals on the proposed Big Bear Grocery Store. The Development Plan for an 85,000 square-foot grocery store was approved by the Planning Commission in December, 1994, with a condition of approval that all mechanical units be screened to their full height. The applicant, at that time, discussed the desire for an alternative solution.

Two options are proposed. One option fully meets Code, and the other is a compromise solution. The Code requirement is that service structures be completely screened by 100 percent opaque screening material, enclosing the structure on all four sides to its full height. The largest rooftop unit on Big Bear is nine feet high and 68 feet long. There are several other very large units, as well. One option is that a number of steel fence screens could be erected on the roof to enclose the mechanicals. The front of the structure screens some of the rooftop mechanicals. Mr. Papsidero said the second option involves a parapet wall to be raised higher than the roof on the north side and a parapet on the southeast side, and any unit above that parapet would be painted to match the stucco. In every case, the painted surface is smooth. The architect is concerned that the fences, although they meet Code, may attract more attention because of their size.

Mr. Papsidero said Staff is in favor of the second option with the following three conditions:

- 1) That the rooftop mechanical units identified in this Staff report that are not fully screened by parapets, are painted to match the grocery store stucco and that only smooth surfaces are visible, to the satisfaction of Staff;

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5. Engineer's approval of drainage design is needed, including a roadway ditch; and
6. Substitution of sugar maples or Norway maples for red maples, and either soil amendment or substitute plant material for concolor fur.

The motion was seconded by Mr. Manus, and the vote was as follows: Mr. Kranstuber, yes; Mrs. Melvin, yes; Mr. Manus, yes; Mr. Berlin, yes; Mr. Leffler, yes; Mr. Amorose, yes. (Approved 6-0).

The applicant had been notified that Dublin is currently under a sewer connection ban imposed by the Ohio EPA, and approval of this development plan does not include approval to tap into the sewer.

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Ms. Clarke presented slides of the site and surrounding area along with detailed information regarding the development proposal as described in the Staff Report dated March 8, 1990.

-The subject site contains 2.2 acres located within Subarea E, Services Zone, of Perimeter Center (zoned PCD) on the east side of Avery Road. The proposal is to build a McDonald's restaurant of slightly less than 5,100 square feet. Exterior materials follow Scheme A for outparcels within Perimeter Center. Site details, architecture and exterior materials are to be coordinated and controlled to give a non-commercial look along the Avery Road frontage. The site plan shows two full-service driveways onto the property, parking for 99 automobiles (Code requires 102) and stacking for 11 vehicles at the drive-thru window. Signage is limited to two signs: a consistent Avery Road outparcel sign, and a uniform ground sign of a not-yet-approved design. Staff recommended approval of the Development Plan with several conditions.

Mr. Mack addressed the following engineering concerns:

-Two 36-foot wide drives exceed Dublin standards, but Engineering Staff believes them to be appropriate.

-The location of the north drive on the roadway curve is a negative sight distance situation. There are some concerns regarding visibility of southbound traffic by vehicles leaving the site. Mr. Mack stated that the applicant has indicated his intention to modify the sight distance.

Mrs. Melvin questioned notes on this plan making reference to the applicant needing to address the landscape buffer along Avery Road. It was her understanding that the developer would be responsible for installing that buffer. Ms. Clarke stated that the developer is, in fact, responsible for the installation. However, the maintenance/replacement of this plant material on-site will be the responsibility of the property owner, and the landscape plan needs to reflect all of the commitments for the site.

Mr. Terry Andrews of Planned Communities, Inc., acting as applicant together with McDonald's Corporation on this project, noted that a letter to Staff dated March 8, 1990, from McDonald's Corporation which addressed the Staff Report conditions had been distributed to the Commission.

Mr. Frank Shepherd, the architect for the project, presented several plan boards demonstrating site plan, elevation drawings and perspective and discussed the redesign of the standard McDonald's building architecture. Mr. Shepherd indicated that the mechanicals would be located along the rear elevation of the building.

Mrs. Melvin asked about the location of the menu board. Mr. Shepherd Development Plan demonstrated the location and proposed landscape screening.

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Mr. Gust Mecera, project manager for the McDonald's Corporation, presented details of the proposed site plan. He stated that the plan has been amended to reflect corrected building and parking setbacks. He also noted that the driveways will line-up with other major curb cuts for driveways within Perimeter Center. Some manipulation of signage location and mounding may be required to provide a clear sight triangle onto Perimeter Loop Road. On-site traffic will flow in a unidirectional movement. All utilities will be underground. Lot lighting will be consistent with Perimeter Center, and photometrics have been forwarded to City Staff for review.

Mr. Leffler questioned the appropriateness of the dumpster location. Mr. Mecera explained that the dumpster will be contained in a corral consistent with the building design and effectively screened by an abundance of landscaping.

Mr. Amorose expressed concern about the location of several parking spaces requiring McDonald's patrons to cross the drive-thru lane. Mr. Mecera explained that McDonald's main concern is visibility of those patrons leaving the building, and a railing is provided to create a safer pedestrian movement.

Mr. Greg Crobot of James Burkhard Associates, landscape architect representing the applicant, demonstrated the proposed landscape plan and explained that it will conform to the landscaping for Perimeter Center by incorporating similar plant materials. Mr. Amorose suggested that the Austrian pines screening the dumpster area be substituted with spruce. Mr. Crobot agreed. Mr. Amorose commended Mr. Crobot on his use of some unique plant materials on the plan.

Mr. Manus moved for approval of the Development Plan for McDonald's Restaurant with the following conditions:

- 1) Landscape plan to be revised to include Avery Road buffer, evergreen screening, and materials of other outparcels;
- 2) Site plan to be revised to reflect angled setback at intersection;
- 3) Signs to be in strict compliance with intentions of zoning and absolutely consistent with other outparcels;
- 4) Lighting fixtures and lighting plan with photometric analysis to be consistent with other outparcels;
- 5) Drainage design to be as per Perimeter Center criteria and approved by City Engineer;
- 6) The driveways to be demonstrated to exactly align with the shopping center (or be offset by 100 feet) and provision to be made to share southern driveway with adjacent parcel; and
- 7) Location of north driveway on the roadway curve to be adjusted to satisfaction of City Engineer.

Mr. Berlin seconded the motion, and the vote was as follows: Mr. Manus, yes; Mrs. Melvin, yes; Mr. Kranstuber, yes; Mr. Amorose, yes; Mr. Leffler, yes; Mr. Berlin, yes. (Approved 6-0)

The applicant had been notified that Dublin is currently under a sewer connection ban imposed by the Ohio EPA, and approval of this development plan does not include approval to tap into the sewer.