

**TH Midwest LLC
Turkey Hill Center
6233 Shier Rings Road
Dublin, Ohio
Case #: 20-161CU Version of January 11, 2021**

**CONDITIONAL USE STATEMENT FOR RESTAURANT DRIVE-THROUGH
ELEMENT**

Property Description

The site is a 5.489 acre parcel located at the southwest corner of Shier-Rings Road and Avery Road in Dublin, Ohio. This is the former Dublin Building Systems campus. There currently are three structures on the property which will be razed to allow a clean sheet design for the site. There currently are two curb cuts on Avery Road and one curb cut on Shier Rings Road. The curb cut on Shier Rings Road and the southern curb cut on Avery Road have unrestricted full-service access.

Intended Use of Property

The property is currently zoned Community Commercial District, Dublin Code §153.028, which broadly permits retail uses. Additionally, permitted Conditional Uses are Auto-Oriented Commercial Facilities and Outdoor Service Facilities under Dublin Code §153.028(B)(1), which are defined to include car wash, fuel dispensing and drive through uses in Dublin Code §153.002(A)(f). The Conditional Use process is controlled by Dublin Code §153.236.

The site will have three structures: A car wash, a gas dispensing area, and convenience store/restaurant with drive-through. There will be two conditional use applications involved, this one will cover the Restaurant Drive-Through use.

Details of the Intended Use of the Restaurant Drive-Through

The Restaurant Drive-Through is an integrated use within a 7,500 square foot building that houses a convenience store and two restaurants. Initially, the convenience store will be operated under the *Turkey Hill* brand, one restaurant under the *flip'd by IHOP* brand and the second restaurant under the *Sbarro* brand. The drive-through will be associated only with the *flip'd by IHOP* restaurant use. Inside restaurant sales and dining will also be available. *Flip'd by IHOP* and *Sbarro* are new brand partners since the initial filing of this application and their advent has required changes to the both the interior layout and the external configuration of the drive-through. *Flip'd by IHOP* is a new concept fast-casual restaurant concept that approaches this market

segment differently in a number of ways. Notably, there are no human order-takers, all sales are done either at an electronic order-kiosk for inside sales or online application for the drive-through. The drive-through will have a menu board but no interactive speaker.

Operation of the convenience store and the *flip'd by IHOP* restaurant and drive-through will be 24/7. The *Sbarro* restaurant hours will be 6AM to 10PM seven days per week.

The restaurants are anticipated to have one general manager and two assistant managers to cover multiple shifts. There will be 50-55 employees to open which will adjust to 35-40 employees after two to three months.

The restaurant drive-through lane wraps around the east, north and west sides of the building. There is a menu board for outside ordering from vehicles using an online application but no interactive speaker. The pickup window is on the west side of the building. There are 15 automobile stacking spaces; code requires 11 per drive-through window. A bypass lane on the north and west sides of the structure allows for vehicles to leave the stacking lane and for emergency vehicle access. This drive-through concept is at the forefront of current restaurant drive-through layout. The applicant operates stores with restaurant drive-throughs and has developed experience in the design and operation of restaurants integrated with its convenience stores and believes this new concept will be a forerunner of future designs.

The three current curb cuts will be abandoned and replaced with two new curb cuts. One will be an eastbound right-in/right-out curb cut on Shier Rings Road; it has been determined that a right turn lane is not warranted due to the fact that the Avery Road curb cut is full access, and as a result a turn lane will not be provided. This will be combined with a median to prohibit westbound access. Additionally, directing curb structures, commonly referred to as "pork chop curbs", will further channel traffic in and out in the desired path. The second curb cut will be a full-service curb cut on Avery Road at the southern portion of the site aligned with a curb cut on the east side of Avery Road. This curb cut will allow left turn out northbound on Avery Road as well as left turn in from Avery northbound. Right turn in and right turn out for southbound Avery will also be permitted. A turn lane southbound will be provided and restriping will provide a turn lane for the northbound left turning movements.

Stormwater retention will be accomplished through underground storage structures which discharge to the Cosgray Ditch along the southern boundary of the site. This ditch is protected by a Stream Corridor Protection Zone which requires the southern 63' of the site from the ordinary high water mark of the ditch to remain undeveloped.

Necessity or Desirability of the Use for the Proposed Use for Neighborhood/Community

Food service uses, both prepared food and grocery supply, are totally lacking in the area south of US Rt 33/SR 161 at present. This proposal will make drive through restaurant food service available for the first time. Although the residential areas will certainly provide customers, the burgeoning business uses in the nearby areas, especially the new OSU hospital, will provide a new customer base. Spin-off medical office development will bring an enlargement of this customer base.

The restaurant co-brand partner utilizing the drive-through, *flip'd by IHOP*, is a new concept by the established *IHOP* restaurant chain with this being one of the earlier stores, and, the first in central Ohio. The *flip'd by IHOP* concept builds from the established *IHOP* sit-down breakfast chain and presents an expanded 24 hour menu optimized for take-out use (eg. pancake bowls) as well as burgers and shakes for lunch and dinner menus.

The availability of the *flip'd by IHOP* to-go drive-through breakfast menu, particularly with traditional breakfast items optimized for take-out, along with signature coffee, will support early arriving employees at the new OSU hospital and adjacent medical offices, visitors and ambulatory patients, as well as Dublin residents on the way to work in other locations. The variety of other menu items will also provide similar support throughout the day and night time hours for third shift employees and travelers when other sources of food are not available.

The *Sbarro* Italian food menu is an established nationwide brand providing pizza, pasta, salads and Italian sandwiches that will provide meals from early morning to late evening for employees in the area as well as neighborhood residents.

Relation to Adjacent Properties, Existing Land Uses in Vicinity, Dublin Community Plan and other Applicable Standards

Dublin planning resources such as the Shier Rings Road Corridor Study, the Avery Road Corridor Plan, The Shier Rings Tech Flex District (and zoning), the West Innovation District 2013 Plan, the Future Land Use Plan and the Thoroughfare Plan are all resources that have been prepared to analyze current and future development in the area south of the freeway.

However, these multiple planning documents do not paint a consistent picture for the future of the area, and in fact emphasize the lack of consistency in existing development which has taken place over time, in different governmental jurisdictions, and, with varying presence of utility infrastructure.

One consistent factor is the fact that Avery Road and Shier Rings Road west of Avery Road will see increased traffic volumes due to both development and roadway connections in the immediate area and to the south and west. This increased traffic forecast has driven roadway improvements that have widened the Avery Road right-of-way and have also brought new setbacks and landscaping improvements that have started to bring a consistent, unified feel, to the roadway as well as the area overall. There are ongoing plans in place to continue these roadway improvements.

The Shier Rings Tech-Flex District and zoning, and, the West Innovation District Plan have also brought plans and zoning for a new vision both east and west of Avery Road along Shier Rings Road on two sides of the subject site. These influences are helpful at this point in time, particularly in light of the major new influence of the OSU hospital on Shier Rings Road. There is also the observation that many of the existing uses in the vicinity are aged and in need of upgrades to both structures and uses to take advantage of the nature of the developing market that will allow and attract more dense, more profitable and more upscale uses.

The general result is that the clean industrial nature of the Tech-Flex District to the east and the West Innovation District to the West, which has modern architectural standards and

materials, will serve as bookends for the Avery Road Corridor where the subject site of this application is located. This area will likely redevelop in the near term influenced by the two planning areas to the east and west, but without specific architectural standards. The large residential areas to the south on the east and west side of Avery Road, especially Balantrae, also provide an additional influence to the area. Perhaps the most likely result of all these influences is that the new development will be of a higher quality than is currently present and will probably be more influenced by the West Innovation District than the Tech-Flex District.

As stated above, these newly developing uses to the east and west, both in the immediate as well as nearby areas, will require services this proposed development will supply, and, the architecture, landscaping and roadway access will be on the quality levels expected for the future changes in the area. Zoning is the ultimate implementer of land planning and the comparatively recent Community Commercial zoning on this parcel is already well positioned to fit into the future retail service needs of future higher intensity development in the area. Roadway access also plays a role; such retail zoning typically is located at major intersections as is the case here.

The greatly increased residential component of Dublin's southwest area is also an important factor to consider as the residents in those communities will also be consumers of the services provided by this site and the proposed use. Moreover, retail services are not plentiful in the southwest area at this time. This site's development, as well as this proposed use, will provide services without the need to cross the freeway where traffic volumes are high and delays are more prevalent. This proposal's 24/7 services will also benefit travelers on the Freeway, both those entering and those leaving the Metro area.

Architecture

The Architecture of the two buildings on the site, as well as the fuel transfer facility, will utilize the same materials and general contemporary design. Masonry façade materials, brick and stone, will follow typical Dublin palates. The design is not traditional, but is oriented towards the modern influences of the West Innovation District. Material colors, for instance the dominant brick color, follow what is likely to be a standard unifying factor in both new development to the west as well as redevelopment of the immediately surrounding area.

The palate of uses on this site obviously place a premium on careful planning and design of a well thought out operational layout, and this challenge is the dominant planning objective for this proposal. Architecture's role is thus to provide a pleasing and comfortable visible environment for those uses to function in. The proposed architecture presents a high quality, well landscaped view that will be compatible with redevelopment of the area. In fact, this proposal is the first example of this area redevelopment.

In addition to the extensive landscaping, including a large amount of vehicular use area screening, a "Dublin" stone wall at the northeast quadrant of the site will serve as a visual linkage to similar stone walls throughout Dublin and on nearby sites, both private and public.

Summary

To a large degree, this proposal responds to imperatives that are naturally occurring. The retail zoning in place for the site is basically what would be expected: There clearly is a demand for the retail services being proposed, and, this clearly is the natural location that would be expected—at a major intersection on two major roadways and near to a freeway interchange.

Similarly, the access and onsite organization for the movement of the vehicular customers is a straightforward engineering project. In basic terms, the site design is one of efficient operation. The Applicant has significant experience in such projects and brings that experience to the table in this plan.

Of course, Dublin imposes constraints and requirements within which the Applicant's plan must function. Those additional challenges are, we believe, successfully implemented in this proposal.

TH Midwest, LLC

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