

20-161CU/20-162CU – TURKEY HILL – GAS STATION/CAR WASH WITH DRIVE-THRU RESTAURANT

Summary

This is a request for review and approval of two Conditional Use applications to allow for construction of a new drive-thru restaurant (Case 20-161) in conjunction with a convenient store, and for a gas station with car wash (Case 20-162), which are all designated auto-oriented commercial facilities.

Site Location

Southwest of the intersection of Avery Road and Shier-Rings Road

Zoning

CC, Community Commercial District

Property Owner

Avery Lake Partners, LLC

Applicant/Representative

Christopher Cline, Haynes, Kessler, Myers & Postalakis
Manny Paiva, EG Am
Russell Koenig, Prime Engineering

Applicable Land Use Regulations

Zoning Code Section 153.236

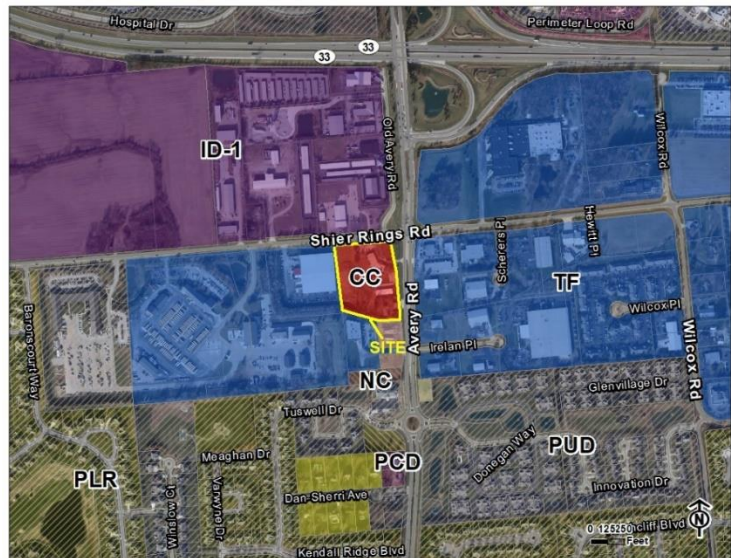
Case Manager

Nicole M. Martin, AICP, Planner II
(614) 410-4635
nmartin@dublin.oh.us

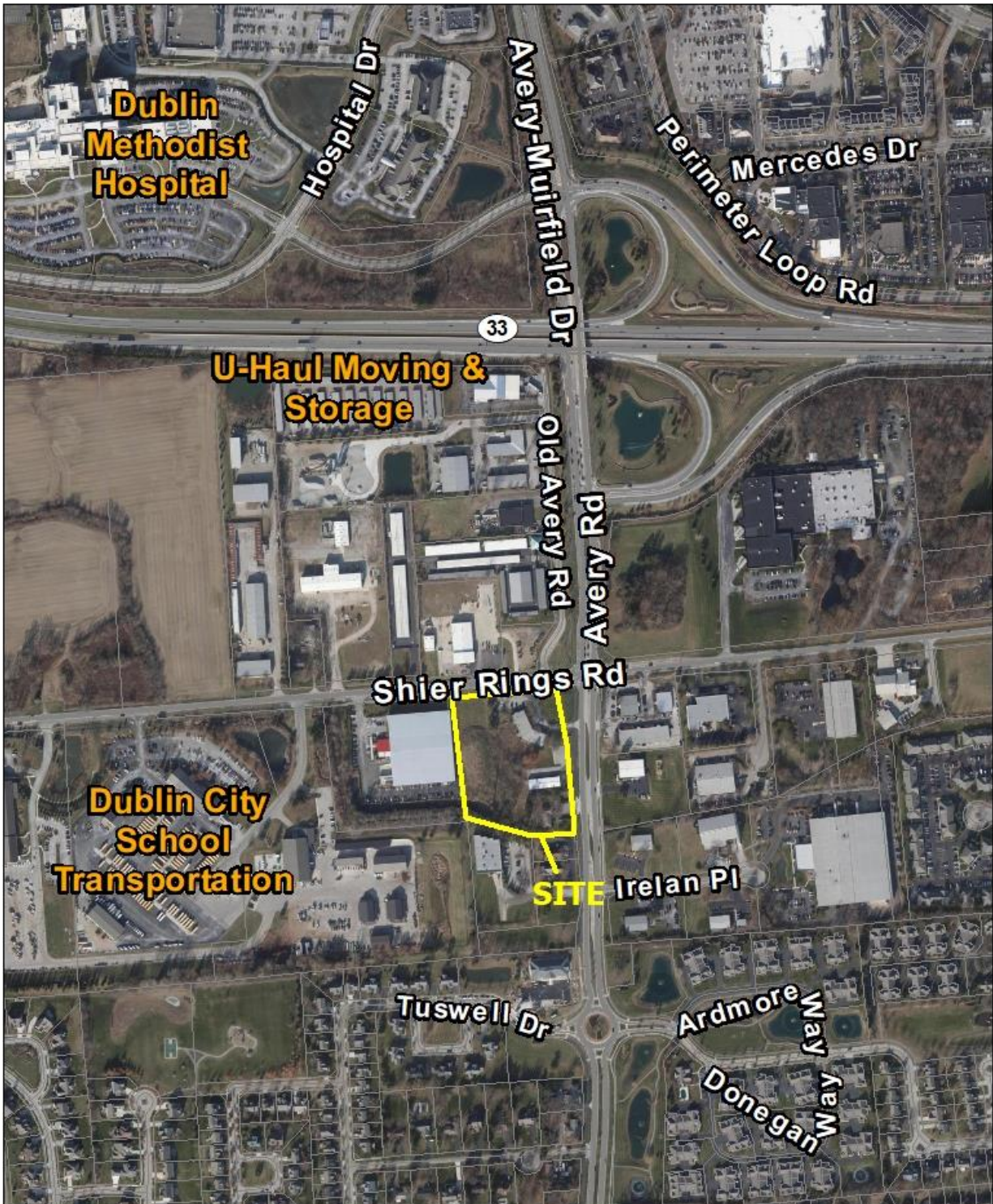
Next Steps

Upon review and approval of a Conditional Use, the applicant may file for building permits through Building Standards.

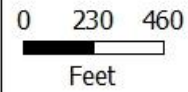
Zoning Map



1. Context Map



20-161CU
Conditional Use
Turkey Hill - Drive Through
6201-6233 Avery Road



2. Overview

Background

The site is zoned CC, Community Commercial District, is 5.48 acres in size, and is located southwest of the intersection of Avery Road and Shier-Rings Road. There are a limited number of sites in Dublin that retain CC zoning.

The site is located in a standard zoning district. The zoning identifies permitted and conditional uses. In cases where a permitted use is proposed no Planning and Zoning Commission (PZC) review is required. The applicant may proceed directly to Building Standard for a Building Permit.

In this case, the Commission is responsible for reviewing and making a determination on the proposed Conditional Use applications. Although the site layout, architecture and other elements of this development are provided, these items are for context only; the development details do not require approval from PZC.

Formerly the site operated as an office and commercial facility for Dublin Building Systems. Currently, there are three structures occupying the site. All three are proposed to be demolished as part of the redevelopment.

Site Characteristics

Natural Features

The site is relatively flat and contains a number of mature trees. A Stream Corridor Protection Zone (SCPZ) encompasses the southern quarter of the site.

Surrounding Land Use and Development Character

North: ID-1: Research Office District (Office/Commercial/Light Industrial)

East: TF: Technology Flex District (Office/Commercial)

South: SO: Suburban Office and Institutional (Office/Commercial)

West: TF: Technology Flex District (Commercial/Warehouse)

Road, Pedestrian and Bike Network

The site has frontage on Shier-Rings Road on the north and Avery Road on the east. Presently there is one vehicular access point along Shier-Rings Road and two vehicular access points along Avery Road. Access along Avery Road is restricted due to the location of medians within the right-of-way. There are shared-use paths along both frontages.

Proposal

This is a request for review and approval of two Conditional Use applications to allow for the construction of an auto-oriented commercial development which includes a drive-thru restaurant, gas station and car wash. The site is zoned CC, Community Commercial District.

In the CC district permitted uses include, but are not limited to, general retail establishments, food and lodging establishments, and administrative and business offices. The proposal calls for two auto-oriented commercial facilities, which are conditionally permitted uses. Code defines 'Auto-Oriented Commercial Facilities' as "auto-oriented service facilities or outdoor service facility developed

independently or in association with a permitted use.” Conditional Use reviews are intended to provide the Commission an opportunity to independently review uses that “although often desirable, will more intensely affect the surrounding area in which they are located”. The following provides a development overview as well as identifies conditional use considerations.

Site Layout

The proposal is for development 7,600-square-foot convenient store with drive-thru restaurant and associated ten pump gas station with self-serve car wash. A total of 60 parking spaces are provided on site along with the required vehicle stacking for each auto-oriented commercial facility.

Vehicular access is proposed to be provided via a right-in, right-out along Shier-Rings Road (future University Boulevard). A full-access access point is provided in the southeast portion of the site, along Avery Road.

The convenience store is sited along Shier-Rings Road. The drive-thru restaurant window is located on the west side of the building with a single-lane drive-thru and bypass lane along the north and west sides of the building. Parking is provided to west and south of the building. South of the building, the gas pumps and vehicular canopy are located centrally on the site. Additional parking is provided east of the fueling area. Located south of the gas pumps is the self-service car wash with two stacking lanes as well as additional parking.

Conditional Use Details

Gas Station with Car Wash

A ten pump gas station is proposed with 20 fueling positions, protected by 14-foot-4-inch tall canopy. The pumps are not permitted to contain any branding. The applicant will be required to comply with all Code requirements, which will be confirmed with the Building Permit review. The proposed stacking meets the Code requirement of five spaces per pump. Customers are able to approach the pumps from either the north or the south, and space is provided so that vehicles may bypass in between pumps. The gas station use will be managed by personnel within the 7,600-square-foot building to the north. The fuel service is proposed to operate 7 days per week – 24 hours per day.

The car wash is approximately 3,100 square feet in size, which the applicant has indicated is a standard size. The self-serve car wash accommodates one lane of thru traffic. Two pay stations are provided in two lanes immediately south of the car wash. The lanes accommodate 12 stacking spaces each, which meets the Code required 12 spaces.

The car wash is proposed to operate daily from 7:00AM-9:00PM. The applicant estimates that 85-percent of the car wash business will be from customers already on site for fuel or food. An attendant will be on duty at the car wash during normal hours of operation.

Based on the combination of retail, restaurant, gas station, and car wash uses the site requires a total of 57 parking spaces calculated at a rate of 1 space per 150 square feet of gross floor area plus 1 space per 200 square feet of storage area under the provision for Commercial Retail Center less than 100,000 square feet. The proposal provides a total of 60 parking spaces. The maximum permitted lot coverage for the site is 70 percent. With all development, the proposed lot coverage is compliant at 57 percent.

Drive-thru Restaurant

According to the applicant, the drive-thru restaurant will be an integrated use within a 7,600-square-foot convenient store. The convenient store contains a second restaurant that will not operate a drive-thru. All drive-thru sales are to be done electronically through an online application. There will not be any human order-takers or an interactive order speaker, although a menu board is proposed. Indoor sales will be completed via order kiosks. All exterior signs are required to meet the Code. Sign designs have not been finalized at this time.

The pick-up window is located on the west side of the building, with the drive-thru lane wrapping around the east, north, and west sides of the building. The drive-thru provides 15 stacking spaces, where Code requires 11. A bypass lane is provided on the north and west sides of the building to allow vehicles to exit the drive-thru lane and to allow emergency vehicle access.

The drive-thru will operate 7 days per week – 24 hours per day, as will the convenient store. The second restaurant, not requiring a Conditional Use, will be open daily from 6:00AM-10:00PM. The applicant estimates there will be 50-55 employees at opening, with that number decreasing to 35-40 after a two to three month period. These estimates are for the entire site, not solely estimates for the drive-thru component, which would likely be significantly lower.

Development Details

The following development details are provided for context only; and do not require approval from PZC.

Architecture

The applicant has indicated that the intent of the architecture is to apply traditional materials that align with those found throughout Dublin, while incorporating contemporary influences of the West Innovation District. The buildings are proposed to be clad in brick and stone. The roof lines include a combination of hipped and flat roofs, providing elements of both traditional and contemporary architecture. The hipped portions of the roof are proposed to be clad in a dimensioned asphalt shingle. Both proposed buildings are one-story in height.

Landscaping

With redevelopment of this site, the applicant will be required to meet landscape requirements outlined in the Code. All items will be confirmed with the Building Permit review. The applicant will continue to work with Staff on all landscape items. Trees are proposed to be removed to accommodate development. The applicant is required to replace protected trees per Code and may not utilize tree replacements to meet other landscape requirements. Additionally, Staff will continue to work with the applicant to ensure interior landscaping is provided per Code for vehicular use areas and parking lot islands and peninsulas. In accordance with Code, the applicant will screen the parking lot with an evergreen hedge, mound or wall.

Traffic/Access

The applicant submitted a Traffic Access Study (TAS) as part of this application, which provides analysis of the proposed access points for the development. The applicant is proposing right-in/right-out access on Shier-Rings Road and full access on Avery Road. This eliminates two existing points of access for this parcel, one on Avery Road and one on Shier-Rings Road. It also improves the spacing

between the signalized intersection and the driveways along both Avery Road and Shier-Rings Road. The TAS incorporated the future Shier-Rings Road realignment project, also known as University Boulevard, into the analysis. The submitted TAS recommends the construction of a southbound right turn lane and northbound left turn lane on Avery Road to mitigate the anticipated traffic as a result of the development.

As recommended in the TAS, the proposal includes the construction of a southbound right turn lane and northbound left turn lane on Avery Road. The turn lanes will be constructed by the applicant at the same time as the development and will be conditionally accepted by the City of Dublin to the satisfaction of the City Engineer prior to building occupancy. The TAS is considered accepted by the City of Dublin Engineering Division.

Shared-use paths exist along both Shier-Rings Road and Avery Road frontages, which provide pedestrian and bike circulation through the surrounding area.

Utilities

Sanitary and Water

The site is served by the 8-inch public sanitary sewer along the west side of Avery Road. As part of the University Boulevard project, public sanitary will be extended along the west side of Avery Road and a portion of the south side of Shier-Rings Road, within the limits of the development. Staff is recommending the applicant enter into an infrastructure agreement to reimburse the City, which would require approval by City Council, for the actual cost of the public sanitary sewer extension along the Avery Road frontage, to the satisfaction of the City Engineer prior to building occupancy. The site is served by the 12-inch public water main on the south side of Shier-Rings Road.

Stormwater Management

Stormwater management for the site consists of a network of storm sewer and associated structures that drain into an underground storage system located in the center of the site. The underground storage system outlets into the existing retention basin located at the southwest corner of the site, which ultimately drains into Cosgray Creek. Stormwater management associated with the Avery Road widening to accommodate the southbound right turn is required. The applicant will need to continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances. The development does not impact the 63-foot stream corridor protection zone and is in compliance with Chapter 53 of the Dublin Code of Ordinances.

3. Criteria Analysis

Conditional Use – Gas Station with Car Wash

- 1) *The proposed uses will be harmonious with and in accordance with the general objectives or purpose of the Zoning Code and/or Community Plan.*
Criteria Met with Condition. The proposed use is permitted conditionally within the Community Commercial zoning district. The location adjacent to US 33 and surrounding existing commercial development character are compatible with the proposed use. This proposal is largely consistent with the requirements of the Zoning Code; however, the applicant should continue to work with Staff to demonstrate compliance with all landscape requirements prior to submittal of building permits.
- 2) *The proposed uses will comply with all applicable development standards, except as altered in the approved conditional use.*

Criteria Met. The proposed gas station with car wash complies with all applicable development standards contained in the zoning district including required vehicle stacking, parking, and lot coverage.

- 3) *The proposed uses will be harmonious with the existing or intended character of the general vicinity.*

Criteria Met. The proposed use is compatible with other existing commercial uses in the general vicinity of the site. The proposal is compatible with the intent of the adjacent West Innovation District (WID) to allow for commercial, civic, and clean industrial uses with limited opportunities for supporting services.

- 4) *The uses will not be hazardous to or have a negative impact on existing or future surrounding uses.*

Criteria Met with Condition. Proposed operations will not have an adverse effect on surrounding uses. The proposal demonstrates through the TAS and stormwater analysis that potential impacts are sufficiently mitigated. Continued coordination with the City of Dublin Engineering Division is required.

- 5) *The area and proposed uses will be adequately served by essential public facilities and services.*

Criteria Met with Conditions. The site and proposed use will be adequately served by all utilities and services. The applicant is required to continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances. The applicant will need to pursue entering into an infrastructure agreement with the City of Dublin, which would require consideration by City Council, for the actual cost of the public sanitary sewer extension along the Avery Road frontage, presently estimated at \$32,000, to the satisfaction of the City Engineer prior to building occupancy.

- 6) *The proposed uses will not be detrimental to the economic welfare of the community.*

Criteria Met. The proposed uses contribute positively to the economic climate of the city by occupying an underutilized parcel and providing a supportive service to existing and future development within the West Innovation District.

- 7) *The proposed uses will not involve operations that will be detrimental to any person, property, or the general welfare.*

Criteria Met. The uses will not be detrimental to any person or the surrounding area. The site is surrounded by commercial uses including light industrial and office. The site is located within proximity of the US 33/Avery-Muirfield interchange at the intersection of two arterial thoroughfares.

- 8) *Vehicular approaches to the property shall be designed as not to create interference with traffic on public or private streets or roads.*

Criteria Met with Condition. The site is designed in a manner that provides adequate ability to circulate safely, and does not create interference with adjacent streets. The applicant will be required to construct the southbound right turn lane and northbound left turn lane on Avery Road at the same time as the development in which the turn lanes shall be conditionally accepted by the City of Dublin to the satisfaction if the City Engineer prior to building occupancy.

- 9) *The proposed uses will not be detrimental to property values in the immediate vicinity.*

Criteria Met. This proposal will not be detrimental to property values. The site is surrounded by commercial uses including light industrial and office. The site is located within proximity of the US 33/Avery-Muirfield interchange.

- 10) *The proposed use will not impede the normal and orderly development of the surrounding properties.*

Criteria Met. This proposed use is contained on site and will not impede development or improvement to the surrounding properties. All off site impacts will be mitigated as outlined in the TAS and Stormwater analysis.

Conditional Use – Drive-Thru Restaurant

- 1) *The proposed uses will be harmonious with and in accordance with the general objectives or purpose of the Zoning Code and/or Community Plan.*

Criteria Met. The proposed use is permitted conditionally within the Community Commercial zoning district. The location adjacent to US 33 and surrounding existing commercial development character are compatible with the proposed use. The drive-thru is in conjunction with a gas station/car wash.

- 2) *The proposed uses will comply with all applicable development standards, except as altered in the approved conditional use.*

Criteria Met. The proposed drive-thru restaurant complies with all applicable development standards contained in the zoning district including required vehicle stacking.

- 3) *The proposed uses will be harmonious with the existing or intended character of the general vicinity.*

Criteria Met. The proposed use is compatible with other existing commercial uses in the general vicinity of the site. The proposal is compatible with the intent of the adjacent West Innovation District (WID) to allow for commercial, civic, and clean industrial uses with limited opportunities for supporting services.

- 4) *The uses will not be hazardous to or have a negative impact on existing or future surrounding uses.*

Criteria Met with Condition. Proposed operations will not have an adverse effect on surrounding uses. The drive-thru restaurant is integrated into a convenient store proposed as part of a larger development. The proposal demonstrates through the TAS and stormwater analysis that potential impacts are sufficiently mitigated. As part of the gas station/car wash conditional use, the applicant is required to mitigate all impacts.

- 5) *The area and proposed uses will be adequately served by essential public facilities and services.*

Criteria Met with Condition. The site and proposed use will be adequately served by all utilities and services. As a condition of a companion application, the applicant is required to continue to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances. Additionally, the applicant will need to reimburse the City of Dublin via an infrastructure agreement, to be considered by City Council, for the actual cost of the public sanitary sewer extension along the Avery Road frontage, presently estimated at \$32,000.00, to the satisfaction of the City Engineer prior to building occupancy.

- 6) *The proposed uses will not be detrimental to the economic welfare of the community.*

Criteria Met. This proposed use will contribute positively to the economic climate of the city by occupying an underutilized parcel and providing a supportive service to existing and future development within the West Innovation District.

- 7) *The proposed uses will not involve operations that will be detrimental to any person, property, or the general welfare.*

Criteria Met. The use will not be detrimental to any person or the surrounding area. The site is surrounded by commercial uses including light industrial and office. The site is located within proximity of the US 33/Avery-Muirfield interchange.

- 8) *Vehicular approaches to the property shall be designed as not to create interference with traffic on public or private streets or roads.*

Criteria Met with Condition. The site is designed in a manner that provides adequate ability to circulate safely, and does not create interference with adjacent streets. As a condition of a companion application, the applicant will be required to construct the southbound right turn lane and northbound left turn lane on Avery Road at the same time as the development in which the turn lanes shall be conditionally accepted by the City of Dublin to the satisfaction of the City Engineer prior to building occupancy.

- 9) *The proposed uses will not be detrimental to property values in the immediate vicinity.*

Criteria Met. This proposal will not be detrimental to property values. The site is surrounded by commercial uses including light industrial and office. The site is located within proximity of the US 33/Avery-Muirfield interchange.

- 10) *The proposed use will not impede the normal and orderly development of the surrounding properties.*

Criteria Met. This proposed use is contained on site and will not impede development or improvement to the surrounding properties. All off site impacts will be mitigated as outlined in the TAS and Stormwater analysis.

4. Recommendations

Conditional Use – Gas Station with Car Wash

Approval of a conditional use allowing a fueling station and car wash is recommended with four conditions:

- 1) The applicant continue to work with Staff demonstrate compliance with all landscape requirements, prior to submittal of building permits.
- 2) That the applicant continues to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances.
- 3) That the applicant reimburses the City of Dublin via an infrastructure agreement, to be considered by City Council, for the actual cost of the public sanitary sewer extension along the Avery Road frontage, presently estimated at \$32,000.00, to the satisfaction of the City Engineer prior to building occupancy.
- 4) That the applicant constructs the turn lanes at the same time as the development in which the turn lanes shall be conditionally accepted by the City of Dublin to the satisfaction of the City Engineer prior to building occupancy.

Conditional Use – Drive-Thru Restaurant

Approval of a conditional use allowing a drive-thru use is recommended with one condition:

- 1) All conditions of approval associated with 20-162CU be fulfilled.