

20-206AFDP – AVERY SQUARE SHOPPING CENTER – BURGER KING

Summary

Site and building modifications for an existing outparcel drive-thru restaurant on a 3.17-acre site.

Site Location

Southwest of the intersection of Avery-Muirfield Drive with Perimeter Drive.

Zoning

PUD, Planned Unit Development District – Avery Square Shopping Center

Property Owners

CRI Outparcels LLC

Applicant/Representative

Danielle Bohannon, Technical Group, Inc.

Applicable Land Use Regulations

Zoning Code Section 153.050

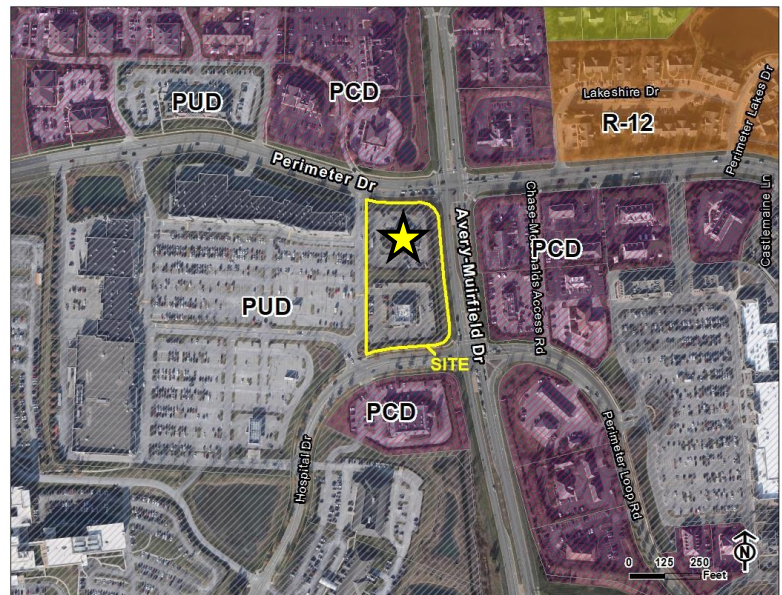
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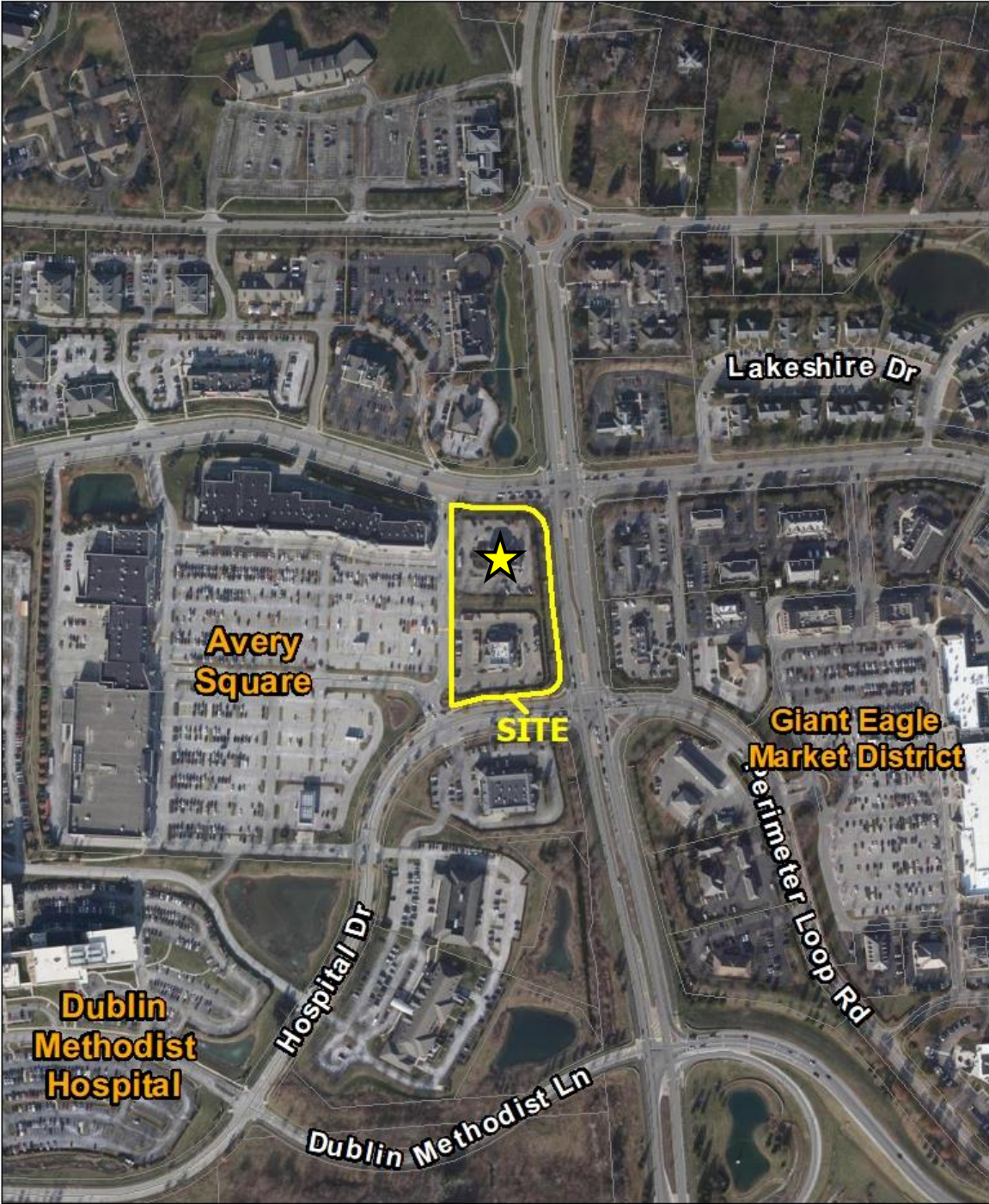
Next Steps

Upon approval from the Planning and Zoning Commission for the Amended Final Development Plan, the applicant is eligible to file for building permits and sign permits.

Zoning Map



1. Context Map



 <p>City of Dublin</p>	<p>20-206AFDP Amended Final Development Plan Avery Square Shopping Center - Burger King 6315 Perimeter Drive</p>	<p>0 155 310 Feet</p> 
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2. Overview

Background

6315 Perimeter Drive is an outparcel located within the Avery Square Shopping Center Planned Unit Development (PUD) District. The PUD is split between two subareas: the retail center and the Avery-Muirfield Drive outparcels. This site is located in the outparcel subarea. The Burger King building is located on the same 3.17-acre parcel as Tim Hortons/Wendy's to the south.

Case History

In January 2021, an Amended Final Development Plan with Minor Text Modifications was approved with the Tim Hortons/Wendy's application for the Avery-Muirfield Drive outparcels. The text modification permits digital menu boards within the Avery-Muirfield Drive outparcels subarea, subject to the following requirements:

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

In December 1999, a Development Plan and Conditional Use were conditionally approved for the development of a 4,450-square-foot fast food restaurant with a drive-thru facility for Burger King.

Site Characteristics

Natural Features

The site is fully developed with no natural features.

Surrounding Land Use and Development Character

North: PCD, Planned Commercial Development District (Riverside North)

East: PUD, Planned Unit Development District (Perimeter Center)

South: PCD, Planned Commercial Development District (Riverside)

West: PUD, Planned Unit Development District (Avery Square)

Road, Pedestrian and Bike Network

The site has frontage to the east on Avery-Muirfield Drive (± 250 feet) and to the north on Perimeter Drive (± 250 feet). The site has two vehicular access points from a private access drive to the west of the site. Sidewalks are located along the Avery-Muirfield Drive, Perimeter Drive, and access drive frontages.

Proposal

This is a request for review and approval of an Amended Final Development Plan for site and building modifications to the Burger King drive-thru restaurant. The applicant is proposing to

replace the existing primary menu board with a new digital menu board and update the existing parking lot, light poles, bollards, and dumpster enclosure.

The applicant is conducting additional maintenance items on the site, which do not require Planning and Zoning Commission approval as they are like-for-like. These include replacing the existing asphalt shingles and gutters on the building, repairing the irrigation system, pressure cleaning the site, tuck pointing the CMU dumpster enclosure, repairing the stone piers along Avery-Muirfield Drive, repairing catch basins and drainage structures, installing new wheel stops and ADA parking signage, and repairing gaps in the sidewalk.

Existing Site Conditions

The existing site contains a 4,450-square-foot restaurant building in the center of the site with the drive-thru lane wrapping around the west and south sides of the building. Parking is on the north side of the building and around the perimeter of the site, separated from the building by a drive aisle. The dumpster and menu board signs are located on west side of the building. Access to the site is provided by two access points from the internal drive within the Avery Road Shopping Center. Two existing ground signs are located along Perimeter Drive and Avery-Muirfield Drive.

Site Improvements

The proposal includes overlaying the existing asphalt parking lot and restriping the existing 53 parking spaces and additional traffic markings for the drive-thru. The parking space dimensions and drive aisles are proposed to remain unchanged. The six existing standard parking spaces adjacent to the north side of the building do not meet the minimum 9-foot width dimensions required by Code, as the spaces are 8 feet in width. Due to the existing conditions of the site, staff is recommending approval of a Minor Text Modification to permit the six parking spaces at a minimum dimension of 8 feet in width for the Burger King restaurant. The remaining parking spaces meet the Code required minimums. Should the site redevelop in the future, the development would be required to meet the minimum standards set forth in the Code.

The concrete drive-thru will be replaced, and additional concrete will be placed on the north side of the building in place of existing asphalt for the nine parking spaces adjacent to the building and dumpster enclosure. The applicant is proposing to paint the existing light poles black and replace their light shields, and install gray sleeves over the existing bollards to match the building. With the replacement of the light shields on the light poles, all light poles are required to come into compliance with the requirements listed in the development text. The development text permits parking lot lighting to be a maximum of 28 feet. The applicant should verify that the existing light poles on the site meet the maximum height requirement.

The proposal includes the replacement of the dumpster enclosure gate with a Trex composite panel in a stucco texture. Although composite panels are not specified within the permitted materials section of the development text, the text states that additional materials may be approved by Planning Commission if the Commission determines they are consistent with the other building materials and add to the overall architectural quality. If the Commission is supportive of the Trex material, the applicant should select a composite panel gate color to complement the building, subject to Staff approval.

Proposed Menu Board

The site contains an existing menu board sign located on the northwest side of the building, adjacent the drive-thru. A new primary digital menu board is proposed to replace the existing single face menu board sign. The proposed digital primary menu board is a three-panel digital menu board sign and is 24.29 square feet in size. The applicant will utilize the existing location for the sign, and will utilize the existing Order Confirmation Unit (OCU) and clearance sign located within the drive-thru and paint both structures a dark bronze 'SW7515 Homestead Brown'. Although menu boards are required by Code to not be visible from the public right-of-way, the existing locations of the menu boards are screening by landscape from Perimeter Drive to the north. The menu board sign meets all applicable requirements listed in the development text.

Landscaping

The applicant was made aware of deficiencies in their landscaping in 2020 by City Staff. The site currently has a number of dead or unhealthy trees, shrubs, and plantings located within the parking lot and on the edge of the parking lot. The applicant has provided a landscape plan with the submission of this application that shows the proposed landscaping will replace all dead and unhealthy plantings on the site, meeting the original approved landscape plan.

3. Criteria Analysis

Minor Text Modification – Parking

Request. To modify the development text; under Avery-Muirfield Drive Outparcels, Parking and Loading sub-section: To permit the six spaces on the north side of the building on the northern outparcel to have a minimum dimension of 8 feet in width. Should the site redevelop, the site shall be required to comply with the City of Dublin Zoning Code Section 153.200.

Criteria met. The proposed text modification does not violate or create inconsistencies in the recommendations of the Community Plan and allows the development to operate in an orderly and efficient manner, which adequately addresses the existing conditions of the site. The resulting site layout is of equal or higher quality to when the site was originally developed in 1999.

Amended Final Development Plan §153.055(B)

1) *The plan conforms in all pertinent respects to the approved preliminary development plan.*

Criteria Met with Conditions. The proposed menu board sign and site improvements are consistent with the approved development plan and requirements of the development text. Should the Commission be supportive of the Trex material, the applicant select a composite panel gate color to complement the building, subject to Staff approval. Additionally, the applicant should verify that the existing light poles on the site meet the maximum height requirement.

2) *Adequate provision is made for safe and efficient pedestrian and vehicular circulations within the site and to the adjacent property.*

Criteria Met. No modifications to site circulation are proposed. The menu board is proposed to be located in the same location as existing allowing for safe vehicular movement.

3) *The development has adequate public services and open spaces.*

Not Applicable. No modifications to public services or open spaces are proposed.

- 4) *The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in the Code.*
Not Applicable. The site is developed. No modifications are proposed to the existing development pattern.
- 5) *The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.*
Criteria Met. The applicant will be replacing the existing light shields on the light poles. This improvement will not impact the lighting of the site.
- 6) *The proposed signs are coordinated within the PUD and with adjacent development.*
Criteria Met. Digital menu board signs are appropriate to surrounding developments, and the request is of similar nature to previous applications that have been approved for digital menu boards with different applicants within the City.
- 7) *The landscape plan will adequately enhance the principle building and site; maintain the existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate.*
Criteria Met. The proposed landscape plan is consistent with the approved landscape plan for the site.
- 8) *Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in the Code and any other design criteria established by the city or any other government entity which may have jurisdiction over such matters.*
Criteria Met. The applicant is proposing to repair the existing storm drainage system on the site.
- 9) *If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.*
Not Applicable. Phasing is not proposed as part of this application.
- 10) *The proposed development is compliant with other laws and regulations.*
Criteria Met. The proposal meets all other applicable laws and regulations.

4. Recommendation

The proposed **Minor Text Modifications** are consistent with all applicable review criteria.

Approval is recommended for the following items:

- 1) To modify the development text; under Avery-Muirfield Drive Outparcels, Parking and Loading sub-section: To permit the six spaces on the north side of the building on the northern outparcel to have a minimum dimension of 8 feet in width. Should the site redevelop, the site shall be required to comply with the City of Dublin Zoning Code Section 153.200.

The proposed **Amended Final Development Plan** is consistent with all applicable review criteria. **Approval** of this application is recommended with two condition:

- 1) The applicant select a composite panel gate color to compliment the building, subject to Staff approval;
- 2) The applicant verify the existing light poles meet the maximum height requirement.