

## 21-083CU – DRAKE DANCE ACADEMY

### Summary

A request for review and approval of a conditional use to allow an Entertainment and Recreation, Indoor use in an existing building on a 1.77-acre site.

### Site Location

The site is west of Old Avery Road, approximately 1,050 feet north of the intersection with Shier-Rings Road.

### Zoning

ID-1, Innovation District - Research Office District.

### Property Owner

DDA Group, LLC

### Applicant/Representative

Andrew Foster, Drake Dance Academy

### Applicable Land Use Regulations

Zoning Code Section 153.236

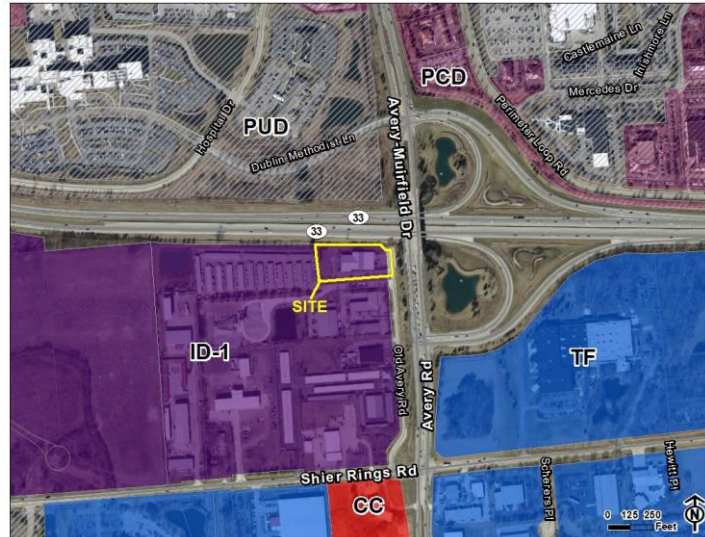
### Case Manager

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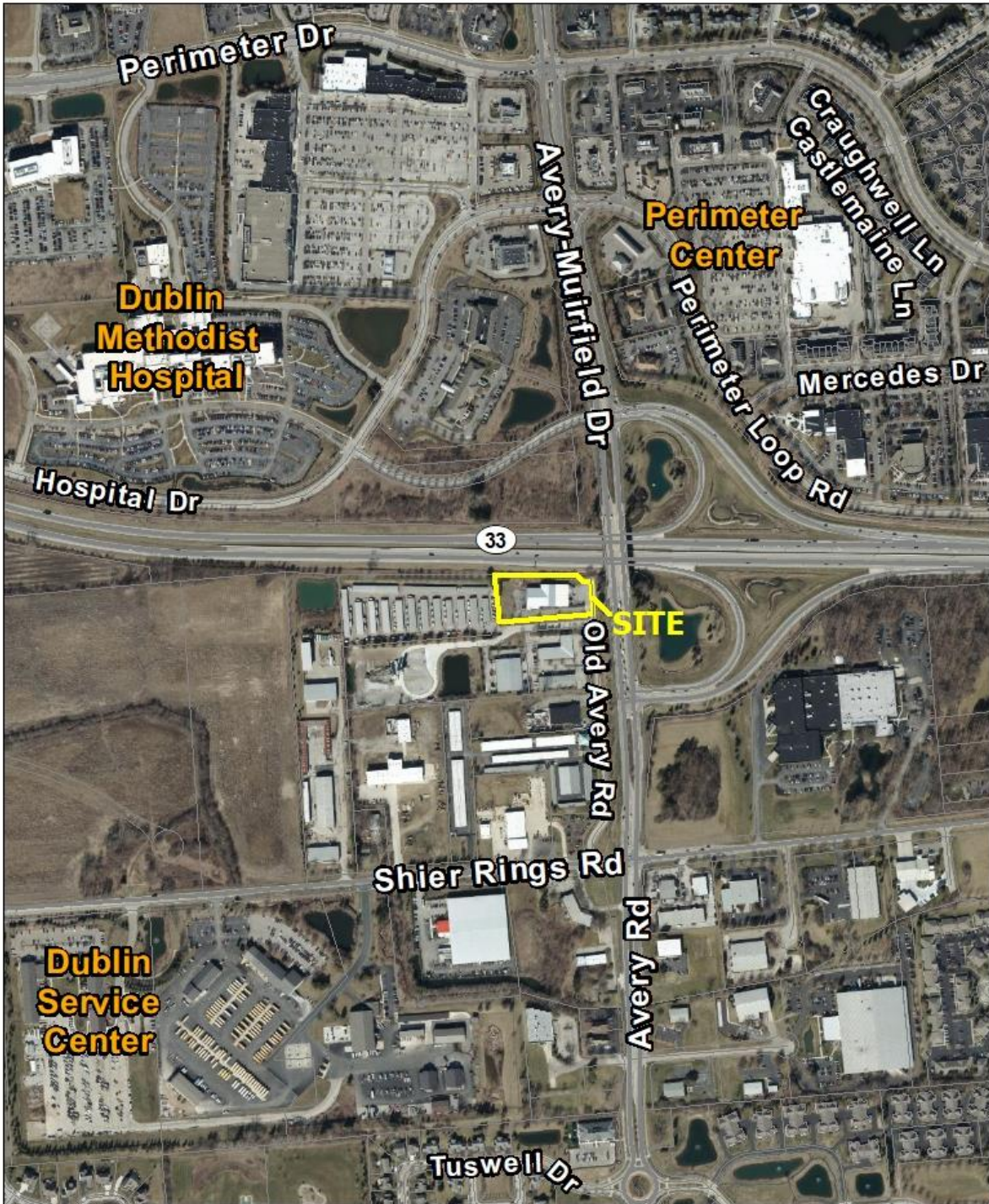
### Next Steps

Upon approval of the Conditional Use, the applicant may submit for necessary building permits through Building Standards.

### Zoning Map



## 1. Context Map



21-083CU  
Conditional Use  
Drake Dance Academy  
6419 Old Avery Road

0 250 500  
Feet

## 2. Overview

### Background

This request is for a Conditional Use, allowing for an Entertainment and Recreation, Indoor use, which will occupy the entirety of 6419 Old Avery Road. The building was previously split into two tenant spaces, which housed The Cheer Combine and Hilliards Furniture. The site is located west side of Old Avery Road approximately 1,050 feet north of the intersection with Shier Rings Road.

At the December 1, 2016 Planning and Zoning Commission (PZC) meeting, PZC members reviewed and approved a Conditional Use for the previous tenant, The Cheer Combine. The Cheer Combine was a cheer and dance studio, generally serving the same age groups and operating a similar business model to Drake Dance Academy. The PZC also approved a reduction in the required parking from 78 spaces to 29 spaces.

### Process

Conditional Uses, although often desirable, may more intensely affect the surrounding area in which they are located than the outright permitted uses of such zoning districts. In addition to the general review of a Conditional Use, the Code permits Staff the latitude to review adjustments to applicable development standards that may be required to accommodate a Conditional Use. Conditional Use Review criteria number two (§153.236(C)(2)) states that "The proposed use will comply with all applicable development standards, except as specifically altered in the approved conditional use". The applicant is requesting an alteration in the required parking in conjunction with this Conditional Use request. Staff is supportive of this request for the reasons outlined in the Parking Alteration section of this report.

### Site Characteristics

#### *Natural Features*

The site is fully developed and no significant natural features exist.

#### *Surrounding Zoning and Land Use*

North: US 33 (Highway)

East: Highway interchange (Open Space)

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

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

#### *Road, Pedestrian and Bike Network*

The site has frontage on US 33 ( $\pm 360$  feet) to the north and Old Avery Road ( $\pm 145$  feet) to the east.

### Proposal

This is a request for review and approval of a Conditional Use to allow an Entertainment and Recreation, Indoor use in an existing building. The applicant is also requesting approval for a reduction in required parking, from 113 spaces to 29 spaces.

### *Conditional Use Details*

The applicant has provided a Conditional Use statement describing the business. According to the applicant, Drake Dance Academy provides dance education for students ages 3 to 18 years old. The dance academy will occupy all of the approximately 16,800 square feet of space in the single-story building. Five dance studios of varying sizes, an office, and a lobby are proposed for the interior.

The dance academy is proposed to operate five days of the week, Monday through Thursday and Saturday, and will be closed on Friday and Sunday. The general hours of operation are from 4:00 PM – 9:00 PM on the weekdays and 10:00 AM – 1:00 PM on Saturday. The applicant has indicated that there will be six teachers on staff throughout the week, with three staff members scheduled per day. Approximately 40-60 kids are dropped off and picked up throughout the day, with 10-15 kids per class. Classes are generally 30-60 minutes long, depending on the age group.

### *Parking Alteration*

The Economic Advancement Zone (EAZ) Innovation District regulations outline parking requirements for specific uses that are separate from the City of Dublin's standard parking regulations. §153.040(F) outlines a parking requirement for restaurant, entertainment and recreation uses as 1 space per 3 persons by occupancy or 1 space per 150 sq. ft. of GFA, whichever is greater. Based on the second calculation method (the larger of the two) for the site, the applicant would be required to provide 113 parking spaces. The existing site has a total of 29 spaces which includes 2 accessible spaces on the south, west and east sides of the site. There are also 2 loading spaces on the east side of the site with access to Old Avery Road.

While the number of spaces provided (29) is significantly less than the code requirement of 113 spaces, Staff is supportive of this request given the class sizes, hours of operation, and pick-up, drop-off business model used by the business. The Code requirement has to account for various types of entertainment and recreational uses based on the square footage of a facility. This use requires a substantial amount of square footage with a minimal amount of occupancy, having a maximum of approximately 15 students and three teachers at any given time. Additionally, the proposed use aligns very closely with the previous tenant, The Cheer Combine, which operated under a similar model. The Planning and Zoning Commission approved a request to reduce parking for the previous tenant from 78 required spaces to 29 shared spaces. At the time, Hilliards Furniture was still a tenant in the building, as well. The previous calculations did not take into account the Hilliards Furniture space.

## **3. Criteria Analysis**

### *Conditional Use Review Analysis [§153.236]*

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

Criteria Met with Parking Reduction. The proposed use will be appropriate to the location and existing development character. This proposal is largely consistent with the requirements of the Zoning Code. However, the proposal is deficient on parking, and requires approval of a parking reduction by the Planning and Zoning Commission.

- 2) *The proposed use will comply with all applicable development standards, except as altered in the approved conditional use.*  
Criteria Met with Parking Alteration. The proposed use will comply with all applicable development standards contained in the zoning district, except where modified with the Parking Alteration.
- 3) *The proposed use will be harmonious with the existing or intended character of the general vicinity.*  
Criteria Met. The proposed use is compatible with other existing uses in the general vicinity of the site.
- 4) *The use will not be hazardous to or have a negative impact on existing or future surrounding uses.*  
Criteria Met. Proposed operations will not have an adverse effect on surrounding uses.
- 5) *The area and proposed use(s) will be adequately served by essential public facilities and services.*  
Criteria Met. The site and proposed use will be adequately served by all utilities and services.
- 6) *The proposed use will not be detrimental to the economic welfare of the community.*  
Criteria Met. This proposed use contributes positively to the economic climate of the city by occupying a vacant tenant space.
- 7) *The proposed use 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 the surrounding area or any persons or property.
- 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. No modifications to the existing approaches are proposed.
- 9) *The proposed use 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 existing commercial development.
- 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.

#### 4. Recommendation

Planning recommends **approval** of a Parking Alteration from 113 to 29 spaces in conjunction with a Conditional Use.