



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

PLANNING REPORT

PLANNING AND ZONING COMMISSION

APRIL 8, 2010

CASE INFORMATION

- 2. Perimeter Center PCD, Subarea F – Giant Eagle**
09-115Z/PDP/FDP **6015-6804 Perimeter Loop Road**
Rezoning with Preliminary Development Plan
Final Development Plan

Proposal: A new Planned Unit Development District (Perimeter Center, Subarea F4) for 15.19 acres currently located within Subarea F of the Perimeter Center Planned Commerce District. The rezoning is intended to facilitate the expansion of the existing Giant Eagle grocery store, the addition of a gas station and pharmacy drive-thru for the grocery store and increase the amount of outdoor dining areas in the shopping center. The site is located on the north side of Perimeter Loop Road, approximately 430 feet east of the intersection with Avery-Muirfield Drive.

Request: Review and recommendation of approval to City Council of a rezoning with preliminary development plan and review and approval of a final development plan under the Planned District provisions of Zoning Code Section 153.050.

Applicant: Developers Diversified Realty and Giant Eagle, Inc.; represented by Ben Hale and Jack Reynolds, Smith & Hale, LLC.

Planning Contact: Claudia D. Husak, AICP, Planner II.

Contact Information: (614) 410-4675, chusak@dublin.oh.us

Case Summary

Preliminary Development Plan

This is a request for review and recommendation for approval to City Council of a rezoning with a preliminary development plan to rezone 15.196 acres from PCD, Planned Commerce District (Perimeter Center, Subarea F) to PUD (Perimeter Center, Subarea F-Revised) for the purpose of expanding a grocery store, adding a drive-thru pharmacy, a four-pump fuel station, and outdoor dining areas to serve the grocery store and the shopping center.

Final Development Plan

This is also a request for review and approval of a final development plan of all final site improvements, architectural and landscaping details for the approximately 170,000-square-foot shopping center, including a 2,760-square-foot fuel station with a 220-square-foot kiosk, pharmacy drive-thru and approximately 1,500 square feet of outdoor dining areas, and all other associated improvements.

Site History

The Perimeter Center Planned Commerce District was originally approved in 1988, encompassing land between Avery-Muirfield Drive and Emerald Parkway, divided into Subareas A through M. Permitted uses include commercial, industrial, residential, and office. Subarea F was originally zoned for an enclosed shopping mall in excess of 250,000 square feet. In 1994 City Council approved a rezoning that modified Subarea F for an unenclosed, 250,000-square-foot retail center with a grocery store and free-standing multi-tenant buildings. A final development plan for Perimeter Center was subsequently approved by the Planning and Zoning Commission on December 8, 1994.

Another rezoning was approved in early 1995, which allowed an increase of the grocery store's square footage from 76,000 to 85,000 square feet in accordance with the final development plan that was approved in December of 1994. Another final development plan dealing with the screening of roof top mechanicals was approved by the Commission in April of 1995. The Commission also approved a conditional use application for several uses within the center in January of 1995.

A revised final development plan for both the Perimeter Center Big Bear store (now Giant Eagle) and the Avery Square Kroger was approved by the Commission on June 20, 2002 for standardized, manufactured cart corrals within the parking lots, which neither store had included in their original final development plans.

Site Description

Location

The 15.196-acre site is located on the east side of Perimeter Loop Road, approximately 400 feet east of the intersection with Avery-Muirfield Drive. The site has approximately 700 feet of frontage along Perimeter Loop Road.

Site Character

The parcel is irregularly shaped and includes the Perimeter Center shopping center along the site's eastern boundary with the Giant Eagle grocery store as the main tenant, two multi-tenant retail buildings in the northern portion of the site, a stand-alone ATM in the southwest corner and a garage servicing the Manor at Craughwell Village condominiums in the southeastern portion. A 732-space parking lot serves the Center.

The site's main access is from Perimeter Loop Road and includes an entry feature with a fountain and landscaping, and a landscape median dividing the ingress/egress lanes. The site also has an access point of Perimeter Drive to the north with a landscaped median. A

220-foot long section of Mercedes Drive (private) provides a third means of access for the site in the southern portion. A service court is located behind the buildings.

The site includes the landscape hedge with intermittent pillars along Perimeter Loop Road (required in the development text) and several trees located on either side of the main entrance as part of the entry feature.

Surrounding Zoning and Uses

The site (Subarea F) and surrounding parcels are zoned PCD, Planned Commerce District as part of the Perimeter Center plan. The sites to the north, northwest and west across Perimeter Loop Road include a daycare and a multi-tenant commercial building (Subarea F1), a bank and pizza shop (Subarea E) and the Shell and BP fuel stations (Subarea E). To the south are two buildings with auto-oriented commercial businesses, which are included in Subarea F. To the east are the Manor at Craughwell Village condominiums, which are also part of the Perimeter Center plan (Subarea G-1), but are zoned PLR, Planned Low Density Residential District.

Community Plan

Future Land Use

This site is designated as *General Commercial* on Future Land Use Map. The density of the proposed expansion is approximately 11,187 square feet per acre, which is higher than the Community Plan recommended range of 6,500 – 8,700 square feet per acre. The development text permits uses consistent with the Future Land Use designation. It is Planning's opinion the proposed plan and uses fit within the definition of *General Commercial* as stated in the Community Plan as land use comprising a majority of existing retail and commercial development within the city. The Plan describes this type of development as automobile dependent and classifies the uses as auto-oriented, which is consistent with the existing and proposed development.

Neighborhood Contact

The applicant met with residents of the Manor at Craughwell Village condominiums and received input from them regarding the proposal. The residents' main concerns were current traffic circulation and employees using the condominium development's drive leading to the rear of the shopping center for egress. The applicant has agreed to provide a gate on their property. The residents also requested that a sidewalk be installed connecting the condos to the shopping center along the southern property line and the applicant has included this sidewalk with the proposal. According to the applicant, the residents generally supported the plan.

Rezoning/Preliminary Development Plan Description

Procedure

Rezoning to a Planned Unit Development requires approval of a development text to serve as the zoning regulation for the development requirements noted; the Zoning Code covers all other requirements. The development text typically addresses permitted and conditional uses, setbacks, parking, landscaping, signs and architecture, among other subjects. This development text establishes a new Planned Unit Development District

with development regulations that are applicable only to these 15.196 acres. However, the site will remain within Perimeter Center.

Overview

The applicant is proposing to rezone the site to a new Subarea F4 to allow for a building expansion, pharmacy drive-thru, and a fuel station.

While the current Subarea F does not specifically address the Monroe Muffler and Bob Sumerel Tire sites, the two parcels are governed by the development text for Subarea F. The applicant attempted to secure the owners' permission to include both sites in the modification to the existing Subarea but the owners opted not to join this rezoning. Therefore, this rezoning requests the creation of a new Subarea F4 rather than a modification to an existing Subarea F, which will continue to exist at a lesser acreage to provide development standards for the Monroe Muffler and Bob Sumerel Tire sites.

Development Text

The proposed development text permits an expansion of the grocery store, the installation of a drive-thru lane for the grocery store pharmacy and a fuel station operated by the grocery store and provides for outdoor seating areas for the shopping center and the grocery store.

- *Permitted Uses.* The proposed development text refers to the Zoning Code's Community Commercial and Suburban Office and Institutional District lists of permitted uses and specifically lists ten use categories that include commercial and office uses as the permitted uses.

The text also permits outdoor dining areas, outdoor display areas for live plant material not to exceed 1,000 square feet and accessory uses for multi-family dwellings to accommodate the existing garage for the Manor at Craughwell condominiums that is located on the shopping center parcel.

Unique to this proposal are that drive-thrus and fueling stations are considered a permitted use if approved as part of the preliminary development plan. Typically, a conditional use approval is required for these types of uses; however, a review of the preliminary development plan and the final development serves a similar purpose.

- *Conditional Uses.* The proposed development text requires conditional use approval for drive-thrus if not included in the preliminary development plan, daycare uses, educational services (tutoring), animal care facilities and theaters.
- *Density/Lot Coverage.* The proposed development text specifies a maximum building square footage of 170,000 and limits any one tenant to 99,850 square feet of retail on the ground floor, and up to 20,000 square feet of second floor mezzanine space not open to the public. The maximum lot coverage for the site is proposed to be 90 percent, which is 10 percent more than permitted in the existing

text. The existing text includes the Bob Sumerel tire and Munroe Muffler parcels in the overall lot coverage calculations. Without those sites included, the permitted lot coverage for the shopping center parcel will have to be higher than what is currently permitted.

- *Architecture.* The proposed development text requires brick and stone facades with sloped roofs using cedar wood shake shingles. Historic style storefront windows and doors are required with mullions and raised panel details.
- *Parking.* Code requires 5.5 parking spaces per 1,000 square feet of gross floor area or 920 parking spaces. The proposed text requires parking at 4.4 spaces per 1,000 square feet of gross first floor area and exempts the second floor mezzanine area and the outdoor dining areas from the parking requirement. According the text, the parking requirement is 640 spaces. While Planning agrees that the Code required parking ratio is excessive, a ratio of 4.5 spaces per 1,000 square feet is widely accepted as an adequate requirement for parking for this type of use. Given the fact that the outdoor dining patios are exempted from having to provide parking, it is Planning's recommendation that the text be changed to reflect a parking requirement of 4.5 spaces per 1,000 square feet of building area.
- *Stacking.* Code requires five stacking spaces per pump for a fuel station. The proposed text requires two spaces per pump. Planning supports this reduced number as five stacking spaces require a significant amount of extra pavement and customers are not likely to wait for more than few vehicles to pump fuel. The Code does not include a specific requirement for pharmacy drive-thru stacking, but requirements range from 12 spaces for a convenience store to five spaces per fuel pump. The proposed text requires three spaces per drive-thru lane, which is adequate, based on observations of similar uses.
- *Landscaping.* Site landscaping is required to meet Code. The text further requires a continuous, three-foot tall hedge along the road setbacks with stone pillars every 50 feet. No changes are proposed to this requirement.
- *Signs.* The proposed text has different sign requirements for the shopping center, grocery store, and fuel station, with a provision for a shopping center identification sign. Appendix A and Appendix D of the approved development text includes graphics and specific sign specifications, which were included in the 1996 final development plan. None of these changed as part of the proposed text revisions.
 - *Shopping Center Signs.*
 - *Main Identification Sign.* The text permits two main identification signs for the Perimeter Center shopping center, one at the northeast corner of Perimeter Loop Road and Avery-Muirfield Drive and one on Perimeter Drive. The text stipulates that these signs may be 15 feet tall and 19 feet wide, externally illuminated with materials and colors matching the

building and the individual tenant wall signs. The Zoning Code permits one main identification sign for this site, but does permit either sign location described in the text. The property has never pursued the installation of these signs and it not proposing these signs as part of this application. The text should be modified to eliminate these main identification sign provisions.

- *Tenant Signs.* The development text permits three signs per tenant; a wall sign, an awning sign and a projecting sign, and includes specific design requirement for these signs. The wall signs are permitted to be installed at a maximum height of 16 feet. The Zoning Code permits one wall sign per tenant within a shopping center. While these provisions have not been modified since the 1995 rezoning, none of the tenants have used an awning sign and Planning recommends that the provisions for awning signs be eliminated from the text.
- *Grocery Store Signs.* The text permits an internally illuminated 100-square-foot wall sign at a maximum height of 26 feet above the finished walkway for the grocery store. A secondary “identifier” sign of 37 square feet is also permitted. The text does not include design details for this sign, which must be approved by the Commission with the final development plan. The text also permits 28-square-foot signs to identify the café, the State Liquor Agency, a bank and the pharmacy, which are all located within the grocery store.

Other than the café, none of the businesses permitted a sign by this text have a separate entrance or operate independently from the store. Planning is concerned that this text provision is intended to permit signs for activities and tenants anywhere in the interior of the grocery store that do not have a storefront and/or separate access *and* do not operate independently from the grocery store. Those types of signs should not be permitted. A similar request was made by the Kroger store across Avery-Muirfield Drive and a variance was denied by the Board of Zoning Appeals. That decision is the subject of current litigation. Wall signs should only be permitted where storefronts provide separate entrances and businesses operate independently from one another.

The proposed text includes a provision to permit a sign for the pharmacy drive-thru along the building façade and requires this sign to adhere to the wall sign standards for the shopping center.

- *Fuel Station Sign.* The text permits a monument sign located along Perimeter Road to identify the fuel station and provide the required gasoline pricing information. The text limits the sign structure to six feet in height and ten feet in width with a sign area of 20 square foot. The sign base materials must match the building materials of the shopping center.

Traffic Study

Based on the traffic study, the additional traffic generated by the proposed fuel center, grocery store expansion, and drive-through pharmacy can be accommodated on the existing roadway network. No right-of-way dedication is required for this proposal.

PLANNING ANALYSIS AND RECOMMENDATION: APPROVAL WITH CONDITIONS

Rezoning/Preliminary Development Plan

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a rezoning/preliminary development plan. The following is an evaluation by Planning based on those criteria. The criteria are arranged in the following categories and are in a different order than listed in the Code:

Adopted Policies and Plans (Criteria 1, 2, 3, and 4) The proposed development is consistent with the Dublin Zoning Code; is in conformity with the Community Plan; advances the general welfare of the City; and the proposed uses are appropriately located in the City so that the use and value of property within and adjacent to the area will be safeguarded.

Criteria met. The 2007 Community Plan identifies the land use for this site as *General Commercial*. In Planning's opinion, this proposal only expands upon uses already permitted for this site, which are consistent with the Future Land Use designation.

Parks and Open Space (Criteria 5 and 6) The proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan; and the proposed development respects the unique characteristic of the natural features and protects the natural resources of the site.

Criteria met. Not applicable.

Traffic, Utilities and Stormwater Management (Criteria 7, 8, and 11) Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided; and adequate measures have been or will be taken to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians; and adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas.

Criteria may be met with conditions. The site will have access to adequate utilities and access to this site is available from three points along two public