



CITY OF DUBLIN.

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PLANNING REPORT

PLANNING AND ZONING COMMISSION

OCTOBER 9, 2008

SECTION I – CASE INFORMATION:

2. Shoppes at River Ridge – Montgomery Inn 4656 West Dublin-Granville Road
08-062CU/CDD Conditional Use/Corridor Development District

Proposal: A 1,000-square-foot outdoor dining patio and structure for a restaurant within the Shoppes at River Ridge development. The site is located on the south side of West Dublin-Granville Road, approximately 750 feet east of the intersection of Riverside Drive.

Request: Review and approval of a conditional use under the provisions of Code Section 153.236 and for modifications within the Corridor Development District under the provisions of Code Section 153.115.

Applicant: Evan Andrews; represented by Dean Baumgartner, Ford and Associates Architects.

Planning Contact: Rachel Swisher, Planner I.

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Case Summary

This is a request for review and approval of a conditional use and Corridor Development District application for the addition of an outdoor dining patio for the Montgomery Inn restaurant located within the Shoppes at River Ridge. The proposal complies with the applicable conditional use and Corridor Development District review criteria, and Planning recommends approval of this request.

Case Background

The Shoppes at River Ridge shopping center was approved by the Planning and Zoning Commission in March, 2005. A variance to decrease the number of required parking spaces was approved by the Board of Zoning Appeals in April, 2005. The Montgomery Inn restaurant, approved by the Planning and Zoning Commission on December 6, 2007, is currently under construction.

The shopping center plan included outdoor dining areas in the approved square footage of the center; however a condition of the approval requires that all outdoor seating areas be reviewed and approved by the Planning and Zoning Commission. The Commission informally reviewed this request at the July 17, 2008 meeting, at which point the Commissioners indicated that they were in favor of the use of the proposed patio and would like to see coordination between the design of the patio structure and the main restaurant building. Some of the Commissioners suggested that a sliding glass window system be used in place of the originally proposed clear

vinyl curtains. The Commissioners were also concerned about potential neighborhood disturbances associated with live music and special events that the applicant has proposed for the patio in addition to outdoor dining. The applicant has revised their proposal and has addressed the Commission's comments.

Site Description

Site Location

The 14.73-acre Shoppes at River Ridge development is located at the southeast corner of West Dublin-Granville Road and Riverside Drive in the eastern portion of Dublin. The Montgomery Inn restaurant is located in the southwestern-most portion of the development overlooking Riverside Drive, and the proposed patio is located to the north of the restaurant.

Site Character

The Shoppes at River Ridge has 990 feet of frontage on West Dublin-Granville Road and 420 feet of frontage on Riverside Drive. Dale Drive runs north-south across West Dublin-Granville Road and terminates into the center of the site. Sharp Lane extends east from Dale Drive and runs parallel to West Dublin-Granville Road. A majority of the buildings are developed with tenants beginning to occupy many of the tenant spaces. There is a significant slope in the western portion of the site adjacent to the Montgomery Inn restaurant as the grade rises approximately 20 feet from west to east. The approved restaurant and proposed patio are situated at the top of this slope.

Site Layout

The shopping center site contains seven buildings (Buildings A through GH) that include a variety of retail and restaurant uses located along the perimeter of the site. Parking is dispersed throughout the site in groups of spaces located between and in front of the buildings. The Montgomery Inn restaurant was approved for development as Building D of the shopping center. The shopping center and subsequent parking variance accounted for 1,000 square feet of patio space for Building D. A traffic circle is located to the east of this building, and a large stormwater retention pond is located to the west of the Montgomery Inn restaurant along Riverside Drive.

Surrounding Zoning and Uses

The site and adjacent parcels are zoned CC, Community Commercial District, and a parcel zoned R-12, Urban Residential District, is located to the east. The site and all adjacent parcels are located within the CDD, Corridor Development District.

Plan Description

Overview

The applicant is proposing to construct a detached 1,000-square-foot enclosed patio on the north side of the approved restaurant to use for outdoor dining and entertainment. A gas fireplace, landscaping, lighting, heating, and a sound system are also proposed with the patio.

Patio Layout

The proposed patio is situated to the north of the approved restaurant with entrances to the patio structure located on the southern elevation in the west and east corners of the structure. The parking lot can be accessed from the proposed patio through a gate and concrete walkway located southeast of the structure. A pre-fabricated gas fireplace is proposed in the center of the

east elevation, and an additional emergency door is located north of the proposed fireplace. An ADA-accessible emergency access route to the parking lot is provided by a four-foot wide concrete sidewalk. The plans show a two- to three-foot concrete walkway with a fence on the perimeter surrounding the patio structure. This walkway will provide a space to safely clean and service the exterior of the patio structure. No outdoor seating is proposed for this area.

Patio Materials

The overall design of the patio structure is intended to coordinate with the design of the main restaurant. The applicant is proposing to enclose the patio structure with an insulated glass casement window system that utilizes aluminum storefront window frames. The proposed window system, in addition to the heating system proposed for the structure, will allow the patio to be used for outdoor dining and entertainment year round. The plans indicate floor-to-ceiling windows on the west and north elevations. On the east elevation, there are windows on the upper half of the elevation with horizontal lap siding that matches the restaurant building materials on the lower half of the elevation. The plans show horizontal lap siding between floor-to-ceiling-windows and two glass doorways on the south elevation. Each window panel is between 2.5 feet and 3.5 feet in width and will open by hinging out away from the building.

The roof of the proposed patio will be composed of asphalt shingles, and the structure will be trimmed with white fascia and columns to provide architectural interest to match the main building. The proposed chimney on the east side of the structure will be composed of brick and will be capped with a brick soldier course which will also match the approved restaurant building materials.

Fence Details

A four-foot tall white fiberglass balustrade post and railing fence is proposed on the east, west, and north sides of the proposed patio structure surrounding the two- to three-foot concrete walkway around the perimeter of the building. The proposed gate to the parking lot is constructed with wood and will be supported by masonry columns on either side of the gate, which will also match materials approved for the main restaurant.

Patio Use

The applicant is proposing to operate the patio during normal restaurant business hours. The installation of a glass storefront window system will fully enclose the structure during inclement weather. The applicant is also proposing to host live music and special events on the patio, which will also occur during restaurant business hours.

Patio Furniture

The applicant has not yet selected a type of furniture for the patio. The applicant has indicated that they will make their selection based on the Commission members' comments made at the July 17th meeting, where the Commissioners wished to see coordination between the furniture design and the architectural concept for the restaurant, and that the applicant's selection could be approved administratively by Planning.

Retaining Wall

A retaining wall is proposed on the north and west sides of the patio to support the patio in the proposed location on top of the hill located on the site. The retaining wall has been designed to coordinate both in design and appearance with the retaining wall supporting the main building to

the south and will be constructed with a “Versa-Lok” wall system with manufactured stone capping the wall.

Landscaping

The applicant is proposing to landscape the portion of the site north, west, and south of the proposed patio with Gro-Low Sumac, Everlow Yew Taxus, Black Eyed Susans, and Stella D’Oro Daylilies.

SECTION II – REVIEW STANDARDS:

Corridor Development District Review

The Planning and Zoning Commission is responsible for reviewing all site plans, exterior construction, building additions and modifications within the Corridor Development District overlay under the provisions of Code Section 153.115. The Commission is to make a recommendation within 30 days. If the application is disapproved, the Commission should state its reasons for doing so. A disapproval or approval with modifications may be appealed to the Board of Zoning Appeals in accordance with the provisions of Section 153.235.

Evaluation and Recommendation Based on the CDD Review Criteria:

Section 153.115(D)(2) of the Code identifies criteria for the review and approval of modifications within the Corridor Development District.

Code Section 153.115(D)(2)(g). Design. The design of new structures and of new additions to existing structures, including new site improvements and all new and revised signage, shall take into account architectural style, general design, arrangement, texture, material and color so that the image of Dublin is maintained as a quality community. Evaluation of the appearance of a project shall be based on the quality of its design and its relationship to its surroundings.

Criteria may be met with condition: The proposed outdoor dining area is located adjacent to the previously approved restaurant building and will provide an outdoor seating area enclosed by a glass window and door system to allow year-round outdoor dining. The applicant has indicated that the patio furniture will coordinate with the overall design of the restaurant, however the applicant has not yet made their final furniture selection. The applicant will need to submit their final selection to Planning for approval (Condition #1).

Conditional Use

The proposed outdoor dining patio use is classified as a conditional use per the Zoning Code. Conditional uses, while often desirable, differ from permitted uses in that they may have greater impact on the surrounding area. The intent of the conditional use process is to set forth development standards and criteria for locating and developing a conditional use in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.

Evaluation and Recommendation Based on the Conditional Use Review Criteria

Section 153.236(C) of the Code identifies criteria for the review and approval for a conditional use. The criteria are arranged in the following categories and may be in a different order than listed in the Code:

Policies of the Community (Criteria 1 & 2). The proposed use will be harmonious with and in accordance with the specific objectives of the Zoning Code and/or Community Plan and comply with all applicable development standards.

Criteria met. The general land use of the site will remain retail/service-oriented, which is consistent with the commercial nature of the Community Commercial District, as well as the future land use recommendations of the Community Plan. The Community Plan encourages the development of gathering places in order to provide areas where the community can interact. The proposed outdoor dining patio location was approved with the original shopping center development and will create a place for patrons of the Shoppes at River Ridge and the Montgomery Inn restaurant to gather and interact.

Impact to the Surrounding Community (Criteria 3, 4, 6, 9, & 10). The proposed use will be harmonious with the existing or intended character of the general vicinity, will not be hazardous to or have a negative impact on surrounding uses, will not be a detriment to the economic welfare of the community or property values in the immediate vicinity, and will not impede the orderly development of the surrounding properties.

Criteria may be met with condition. The proposed patio will operate during normal business hours; however in order to alleviate concerns regarding potential noise disturbances, Planning recommends that outdoor performances be limited to normal noise levels no greater than the typical traffic noise levels subject to the requirements of the Noise Ordinance, and that the hours of operation for outdoor entertainment be limited to no later than 10:00 p.m. (Condition #2).

Necessary Infrastructure (Criteria 5, 7 & 8). The area and proposed use(s) will be adequately served by essential public facilities and services and will have vehicular approaches that are appropriately designed to not create interference with traffic on surrounding public or private road systems.

Criteria are met. The proposed patio will be adequately served by essential public facilities and services. No changes to the traffic circulation on surrounding public or private road systems are proposed. Because the square footage of the patio is accommodated by the shopping center parking variance, all parking requirements have been met.

SECTION III – PLANNING OPINION AND RECOMMENDATION: Approval.

The proposed outdoor dining patio use is consistent with the Community Plan goal of creating gathering places throughout the community. In Planning's opinion, this proposal complies with the Conditional Use and the Corridor Development District criteria and the existing development standards within the area, and approval of this request is recommended with the following two conditions:

Conditions:

- 1) That the final patio furniture selection coordinate with the design of the restaurant building and that the final selection be approved by Planning; and
- 2) That any performances be limited to normal noise levels no greater than the typical traffic noise levels, subject to the requirements of the Noise Ordinance, and that the hours of operation for outdoor entertainment be limited to no later than 10:00 p.m.

Conditional Use

Review Criteria:

Section 153.236(C) sets out criteria for the review and approval of a conditional use.

(C) *Action by the Planning Commission.* The Planning and Zoning Commission shall hold a public hearing and shall not approve a conditional use unless it finds that such use at the proposed location meets all of the following requirements:

- (1) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Code and/or Community Plan.
- (2) The proposed use will comply with all applicable development standards, except as specifically altered in the approved conditional use.
- (3) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- (4) The use will not be hazardous to or have a negative impact on existing or future surrounding uses.
- (5) The area and proposed use(s) will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (6) The proposed use will not be detrimental to the economic welfare of the community.
- (7) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.
- (8) Vehicular approaches to the property shall be so designed as not to create interference with traffic on surrounding public and/or private streets or roads.
- (9) The proposed use will not be detrimental to property values in the immediate vicinity.
- (10) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Corridor Development District

Review Criteria:

Section 153.115(D)(2) of the Code identifies criteria for the review and approval of modifications within the Corridor Development District.

(g) *Design.* The design of new structures and of new additions to existing structures, including new site improvements and all new and revised signage, shall take into account architectural style, general design, arrangement, texture, material and color so that the image of Dublin is maintained as a quality community. Evaluation of the appearance of a project shall be based on the quality of its design and its relationship to its surroundings.