



**CITY OF DUBLIN.**

## PLANNING REPORT

### PLANNING AND ZONING COMMISSION

**JANUARY 21, 2010**

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

#### CASE INFORMATION

**7. Oakland Nursery  
09-102CDD/CU**

**4261 West Dublin-Granville Road  
Corridor Development District/Conditional Use**

Proposal: Approval of outdoor display and plant storage space and the addition of an arbor at the front entrance of a nursery located on the south side of West Dublin-Granville Road, approximately 1,750 feet east of Riverside Drive.

Request: Review and approval of a Corridor Development District application under the provisions of Code Section 153.115 and a Conditional Use under the provisions of Code Section 153.236.

Applicant: Sandy Warner, Oakland Nursery.

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

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

#### UPDATE

This case was postponed from the January 7, 2010 Planning and Zoning Commission meeting, which was canceled due to inclement weather. The content of this report has not changed. This application was postponed prior to the December 10, 2009 Planning and Zoning Commission meeting at the request of the applicant.

#### Case Summary

This is a request for review and approval of a conditional use for an outdoor service facility, specifically outdoor plant display areas, and a Corridor Development District application for the addition of an arbor over the front entrance of the Oakland Nursery garden center. It is Planning's opinion that the proposed materials and design of the arbor are compatible with the character of the surrounding area, and outdoor display is typical of nurseries and will not be out of character for the area. Planning recommends approval for both the conditional use and the Corridor Development District requests with conditions.

#### Site Description

##### *Location*

The 3.18-acre site is located on the south side of West Dublin-Granville Road, approximately 1,750 feet east of Riverside Drive in the CDD, Corridor Development District. The rectangular parcel is approximately 430 feet deep and contains two buildings.

##### *Site Character and Layout*

The nursery and garden center are located toward the rear of the site with designated areas for plant storage and display north, east, and south of the building. The primary sales building is 16,654 square feet and a 2,600 square foot secondary storage building is to the east. A fence is

located along the rear property line and on portions of the side property lines behind the main building. A 152-space parking lot is located in front of the building. Access to the site is from two driveways on Sharp Lane, which runs parallel to West Dublin-Granville Road.

#### *Surrounding Zoning and Uses*

The site and parcels to the north and west are zoned CC, Community Commercial District, and the parcels south and east of the site are zoned R-12, Urban Residential. To the west is the Tommy's shopping center and east is the LaScala Italian Bistro. Wendy's International is across West Dublin-Granville Road and the Wood Hill condominiums are behind the nursery.

### **Plan Description**

#### *Overview*

The applicant is requesting a conditional use approval to use portions of the site for outdoor display of plant materials. The applicant is also requesting a Corridor Development District approval to build an arbor along the front façade of the primary sales building and place paver stones on an approximately 500-square-foot landscaped area beneath the proposed arbor. The paver area is part of the conditional use request for outdoor display area.

### **Conditional Use**

#### *Outdoor Display*

The proposal includes outdoor plant display on the front lawn of the building, the rear of the site, and in portions of the parking lot. Approximately 48,409 square feet of outdoor display is requested to the rear of the site behind the building, and 5,320 square feet is proposed in front of the building.

The portion of the parking lot that would be used for displaying seasonal plant material is generally limited to March through June and September through December. The proposed area in the east portion of the parking lot would total 10,710 square feet (the area of 50 parking spaces in five parking rows plus 2,160 square feet of drive aisle). This area will continue to be striped for parking spaces that will be used for customer and employee parking during the remaining portions of the year.

Planning is concerned that using the parking spaces nearest to West Dublin-Granville Road for outdoor display could create visibility issues and impair vehicular circulation in the parking lot. Additionally, outdoor plant display in the parking lot would result in increased pedestrian activity, potentially creating conflicts between pedestrians and vehicles. Planning recommends that the outdoor display area in the parking lot be reduced to eliminate the 10 spaces nearest West Dublin-Granville Road and that barriers to alert vehicles of pedestrian activity be placed in the parking lot around the display areas to create a physical boundary for the plant display.

#### *Setbacks*

A five-foot side yard setback is required on the west and east sides of the site, and a 47-foot rear yard setback is required for the rear of the site, since the adjacent property to the south is zoned R-12, Urban Residential District. No setbacks are proposed, but the area has been in place for a considerable time and is considered nonconforming.

*Parking*

The City of Dublin Zoning Code requires that commercial uses have a minimum of one parking space per 150 square feet of retail space and a minimum of one space per 200 square feet of storage space. The required parking is as follows:

Parking Standards		Existing Area (sq. ft.)	Code Required Parking Spaces	Existing Parking Spaces
Retail space- 1 space/150 sq. ft.	Indoor Retail Space	16,654	111	
	Outdoor Retail/ Display Space	63,900	425	
Storage space- 1 space/200 sq. ft.		2,940	15	
Total Parking Spaces			<b>551</b>	<b>152</b>
Proposed Parking Spaces for Display			50	
Remaining Seasonal Parking (If Approved)				<b>102</b>

The City of Dublin Zoning Code does not designate a specific parking ratio for nurseries, or a separate requirement for outdoor display areas, so the required parking measurement for this site uses only a retail use calculation. The requirement of one parking space for every 150 square feet of retail and one space for every 200 square feet of storage area yields a requirement of 551 parking spaces. This requirement, if met, would result in an excessively large parking area and would require a parking lot almost five times the size of the existing lot.

The applicant has stated that the parking needs are minimal and the largest demand for parking is seasonal and for a few special events during the year. The applicant is requesting to use 50 parking spaces out of the 152-space lot for temporary display area, leaving 102 parking spaces for eight months of the year. The applicant has stated that the remaining 102 parking spaces are adequate for daily operational needs. If additional spaces are needed, the applicant has stated the nursery has informal arrangements with surrounding property owners (Tommy’s shopping center and LaScala restaurant) to utilize their parking areas for overflow parking, such as that needed for the special events.

Based on the different needs for peak hour parking, shared parking between the uses meets the operational needs of these businesses and eliminates the need to create expansive parking areas for each use. Section 153.236(C)(2) permits the Planning and Zoning Commission to approve deviations from development standards, in this instance not meeting the minimum number of parking spaces, through the review and approval of a conditional use.

*Stormwater Management*

The applicant is proposing to install paver stones over an approximately 500-square-foot landscaped area. The Stormwater Code states that additions of less than 500 square feet of impervious surface are exempt from stormwater quantity controls. If approved, and the paver area beneath the proposed arbor is *not* reduced to less than 500 square feet, a stormwater management plan must be submitted as part of the Certificate of Zoning Plan Approval.

## **Corridor Development District**

### *Arbor*

The proposed arbor will cover an area of 500 square feet on the north side of the building and consist of light colored wood. Eight posts hold the arbor in place and the top will have a lattice design. The plans also indicate an option for a “patio” beneath the arbor, where approximately 500 square feet of lawn will be covered with paver stones. The applicant has stated that this area is intended as a seating area but will also display plant material, and therefore Planning recommends that the “patio” label be eliminated since its primary purpose would be for plant display. Since paver materials have not been selected at this time, Planning recommends that the paver design and color complement the building and the arbor.

## **PLANNING ANALYSIS AND RECOMMENDATION**

### **Conditional Use Review**

Section 153.236(C) sets out criteria of approval for a conditional use. The following is an evaluation by Planning based on those criteria. 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 are met with conditions.** Outdoor service facilities, or outdoor display areas, are characteristic of nursery uses, which are permitted in the CC, Community Commercial District. Planning recommends that the display area proposed for the parking lot be reduced to exclude the ten parking spaces located closest to West Dublin Granville Road (Condition #1). Maintaining this portion of the site as drive aisle and parking spaces will result in better vehicular circulation and will limit pedestrian activity to the southeast corner of the parking lot.

Planning also recommends that the display area proposed for the parking area be limited to seasonal operation from March through June and September through December (Condition #2) to maintain some limitation on the time during which outdoor display may occur in the parking lot.

To alert vehicles of potential pedestrian traffic in the proposed parking lot display area, Planning recommends that the outdoor display area located in the parking area be sectioned off with wood barriers, or an equivalent, to be approved by Planning (Condition #3).

*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 are met.** The applicant informally shares parking with adjacent uses, and based on the peak parking demands of the three businesses, the parking area can accommodate each of the businesses’ parking needs without requiring an excessive amount of paved surface. Furthermore, by limiting the outdoor display area to a

designated portion of the parking lot (Conditions #1-3) parking circulation and pedestrian safety will be maintained.

*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.** Access will remain from Sharp Lane and the proposed outdoor display areas will not impede traffic on existing roads.

### **Corridor Development District Review**

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 met with conditions:** The new arbor structure adds an element of interest to the existing building and the proposed materials will maintain Dublin's image as a quality community. No details have been provided regarding the pavers, and therefore Planning recommends that the paver design and color complement the building subject to approval by Planning (Condition #4). Planning also recommends that the plans be revised to remove the "patio" label from the proposed paver area beneath the arbor (Condition #5).

If the paver area is not reduced to less than 500 square feet, a stormwater management plan for the proposed paver area that complies with the Stormwater Code must be submitted as part of the application for a Certificate of Zoning Plan Approval (Condition #6).

### **Recommendation: Approval with Conditions**

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 six conditions:

#### **Conditions**

- 1) That the display area proposed for the parking lot be reduced to exclude the ten parking spaces located closest to the Dublin Granville Road;
- 2) That the display area proposed for the parking lot be limited to seasonal operation from March through June and September through December;
- 3) That the outdoor display area located within the parking lot be sectioned off with wood barriers or an equivalent, subject to approval by Planning;
- 4) That the paver design and color complement the building and arbor, subject to approval by Planning;

- 5) That the plans be revised to remove the “patio” label; and
- 6) That a stormwater management plan for the paver area that complies with the Stormwater Code is submitted as part of the application for a Certificate of Zoning Plan Approval should the paver area not be reduced to less than 500 square feet.

## **CORRIDOR DEVELOPMENT DISTRICT DESIGN REVIEW**

### **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.

#### **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.

## CONDITIONAL USE REVIEW

### REVIEW STANDARDS

#### Conditional Uses

Conditional uses, while often desirable, may more intensely affect the surrounding area in which they are located than permitted uses. 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 the development, and with regard to appropriate plans. The Planning and Zoning Commission is the final stage in approving or disapproving a conditional use.

The conditional use request includes all of the details of the proposed use, and the Commission may approve, disapprove, or approve with modifications. Upon a favorable finding, the Commission shall approve a conditional use application within 30 days following the public hearing. Appeal of any action taken by the Commission shall be to the Court of Common Pleas in the appropriate jurisdiction. Following approval by the Commission, the applicant may proceed with the building permit process. A Certificate of Zoning Plan Approval for a conditional use must be issued within one year of Planning and Zoning Commission approval, or the approval expires.

#### Review Criteria

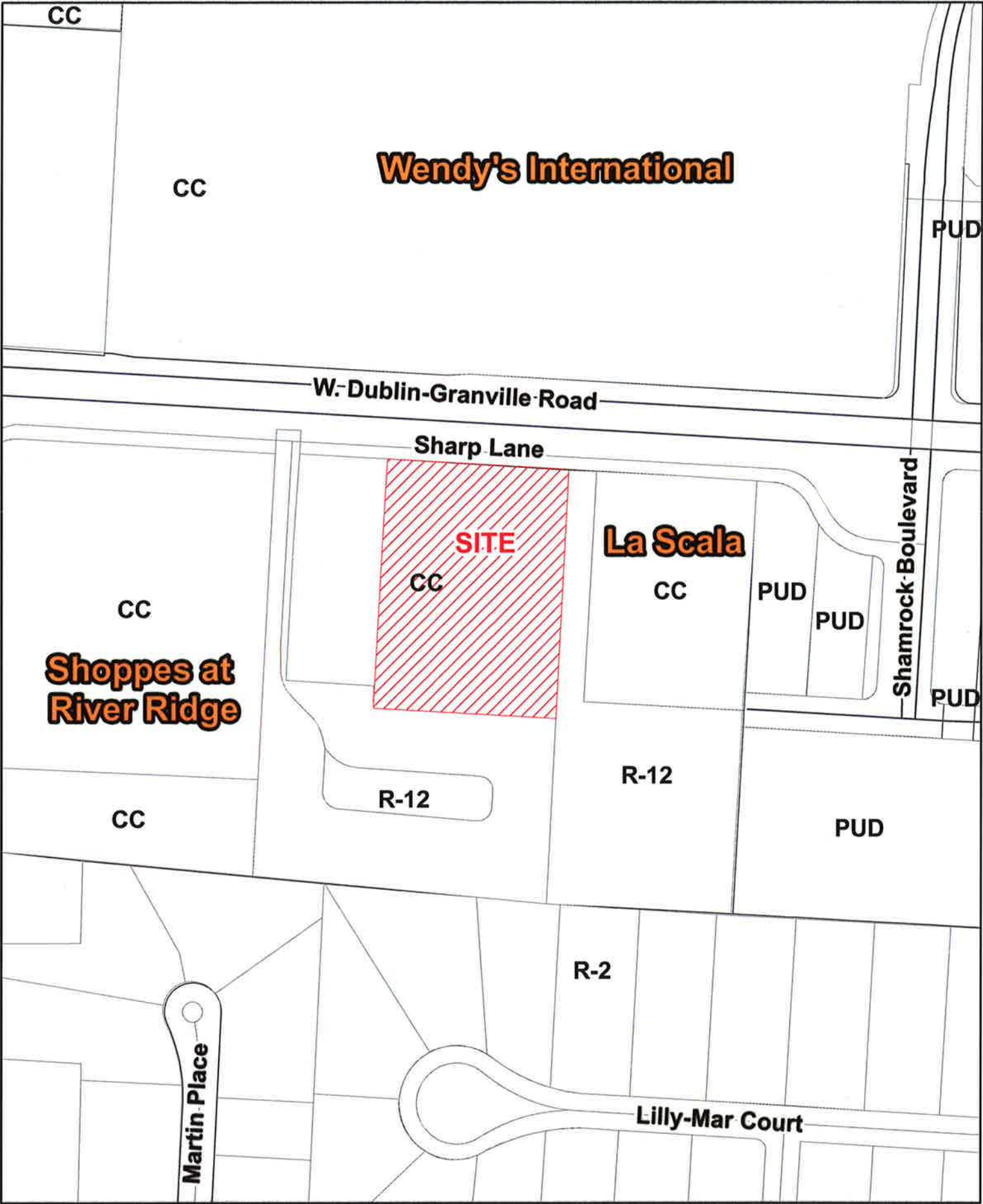
Section 153.236(C) sets out criteria of approval for a conditional use. Following is an evaluation by Planning based on those criteria. Section 153.236(C) sets out criteria for the review and approval of a conditional use.

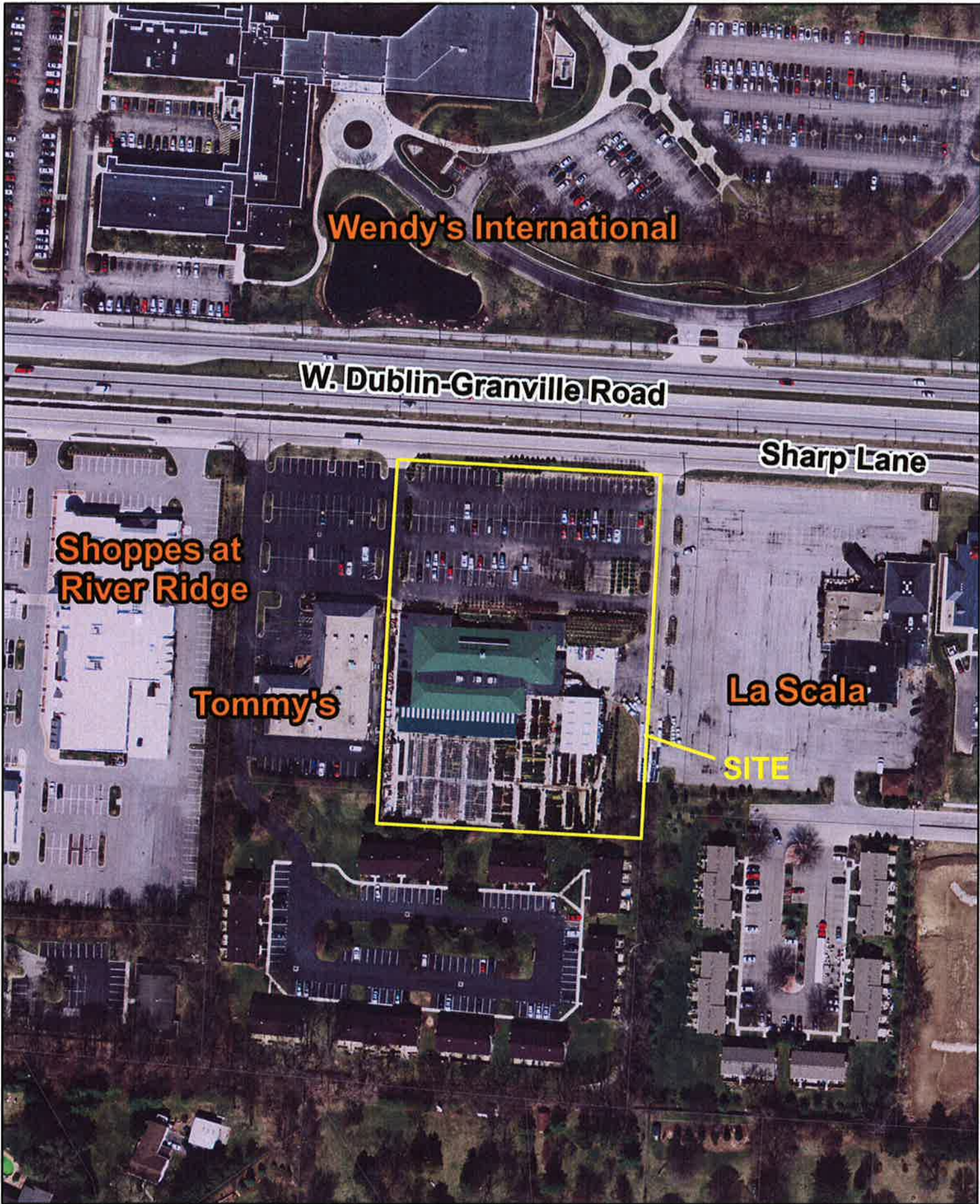
*(C) Action by the Planning Commission.* The Planning and Zoning Commission shall hold a public hearing and shall not approve a conditional use unless it finds that such use at the proposed location meets all of the following requirements:

- 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.





**Wendy's International**

**W. Dublin-Granville Road**

**Sharp Lane**

**Shoppes at River Ridge**

**Tommy's**

**La Scala**

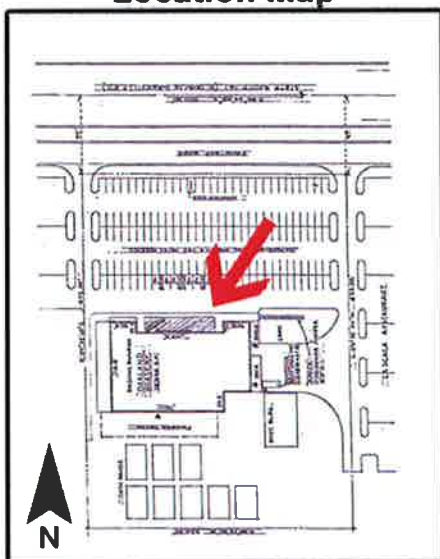
**SITE**



# Proposed Arbor

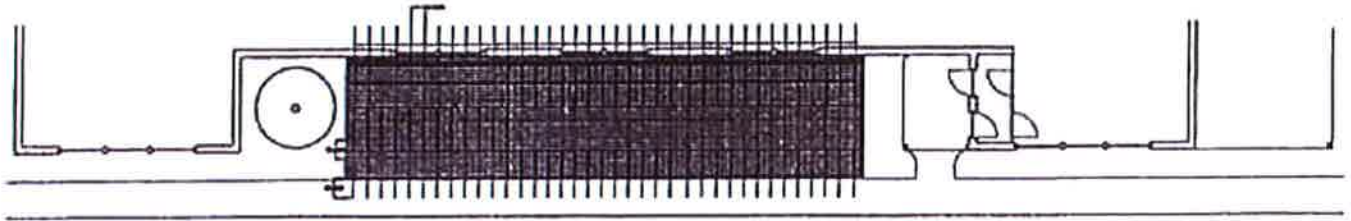


**Location Map**

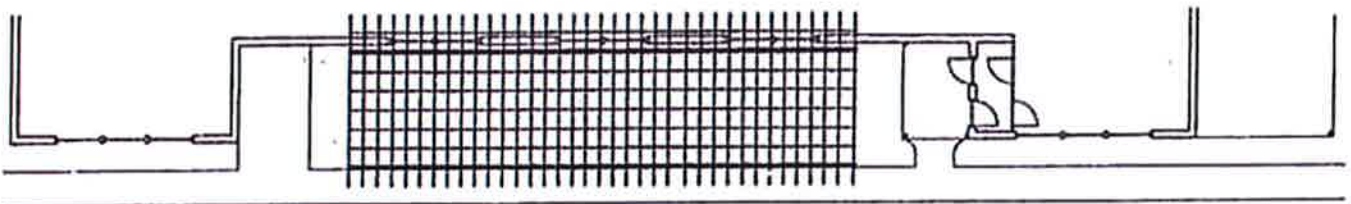


09-102CDD/CU  
Corridor Development District/ Conditional  
Use  
Oakland Nursery  
4261 West Dublin-Granville Road

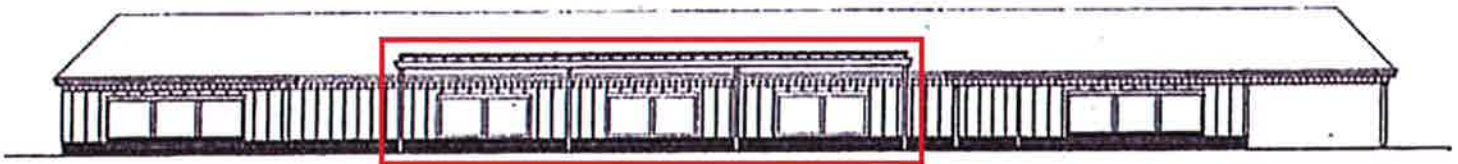
# Proposed Arbor Details



**Plan View with Proposed Arbor and Patio**

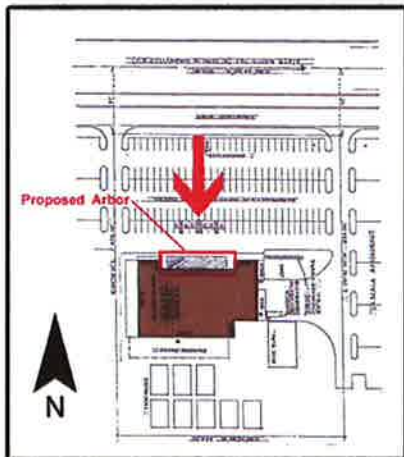


**Plan View with Proposed Arbor**



**Proposed North Elevation with Arbor**

## Location Map



09-102CDD/CU  
Corridor Development District/ Conditional  
Use  
Oakland Nursery  
4261 West Dublin-Granville Road