



CITY OF DUBLIN.

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

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

AMENDED

PLANNING REPORT

PLANNING AND ZONING COMMISSION

JANUARY 7, 2010

CASE INFORMATION

**3. Shoppes at River Ridge – Montgomery Inn 4565 West Dublin-Granville Road
09-104CDD Corridor Development District – Architectural Modifications**

Proposal: Architectural modifications to add a breezeway to connect the main restaurant building and an auxiliary dining building, and to permit a reallocation of total approved building and patio square footage, for a shopping center located on the south side of West Dublin-Granville Road, approximately 750 feet east of the intersection of Riverside Drive.

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

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

Planning Contact: Rachel S. Ray, Planner I.

Contact Information: (614) 410-4656, rray@dublin.oh.us

AMENDMENT

After publication of the original Planning Report, errors were noted on the square footage tables included in this report. Additionally, the applicant clarified that although the Montgomery Inn restaurant was originally approved for 10,500 square feet, only 9,700 square feet were constructed. The remaining 800 square feet were approved for a second floor dining area that the applicant elected not to build.

The modified numbers on the “Existing Shopping Center Space Allocation” and “Proposed Shopping Center Space Allocation” tables are noted by an asterisk (* - See page 4). A second condition of approval has been added regarding the applicant’s decision not to use the 800 square feet of dining space originally approved for the restaurant.

Update

This Corridor Development District application was tabled at the December 10, 2009 Planning and Zoning Commission meeting to allow the applicant to work out a development agreement with Planning and Legal that preserves the conditions of approval of the conditional use for the patio structure/auxiliary dining building (Case 08-062CDD/CU). The Commission requested

additional information about the effects of connecting the auxiliary dining building with the main restaurant building.

To accommodate the Commission's request the applicant has submitted the breezeway and sign requests as separate applications. The sign request is also on this meeting agenda (Case 09-113CDDS) but will be reviewed separately.

Case Summary

This is a request for review and approval of a Corridor Development District application to permit an increase in the approved building square footage in the Shoppes at River Ridge shopping center from 102,590 square feet to 103,720 (1,130 square feet), and a corresponding decrease of patio area from 3,000 square feet to 1,550 square feet. The proposal, if approved, would allow a 1,000-square-foot outdoor dining structure 130-square-foot breezeway to be added to the approved building area. The request includes approval of the breezeway location and design.

In Planning's opinion, the additional building square footage can be accommodated on the site, and the proposed breezeway is consistent with the design of the existing restaurant and the shopping center. Planning recommends approval of this request with one condition.

Site Description

Site Location & Character

The 14.73-acre Shoppes at River Ridge is located at the southeast corner of West Dublin-Granville Road and Riverside Drive. The shopping center includes a variety of retail and restaurant uses contained in six buildings located primarily around the perimeter of the site. A seventh building approved for the northwest corner of the site will contain a restaurant.

The Montgomery Inn restaurant is located in the southwestern portion of the development. The requested breezeway connecting the main building with the auxiliary dining building is on the north side of the main restaurant.

Surrounding Zoning and Uses

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

Case Background

2005 Corridor Development District (CDD) – Shoppes at River Ridge

The Shoppes at River Ridge was approved by the Planning and Zoning Commission in March, 2005, for a total of 102,590 square feet of commercial building space. Outdoor dining areas were intended to be dispersed throughout the shopping center to increase outdoor activity and reinforce the pedestrian-oriented environment, but a specified amount of patio space was not approved with the original CDD application since each patio would have required its own conditional use/CDD approval.

2005 Parking Variance – Shoppes at River Ridge

A parking variance was approved in April, 2005 to reduce the amount of required parking from 1,008 to 677 spaces. The parking calculations for the variance used 102,590 square feet of commercial building space, including both restaurant and retail uses, and added a limit of not more than 3,000 square feet of outdoor dining space for the entire shopping center. This ultimately yielded a combined square footage of 105,590 square feet; 102,590 in building area and 3,000 square feet in outdoor patios.

2007-2009 CDD and Conditional Use Applications – Montgomery Inn Restaurant

The 10,500-square-foot Montgomery Inn restaurant was approved by the Commission in December 2007. A conditional use request for a 1,000-square-foot outdoor dining area was approved by the Commission on October 9, 2008, and a CDD approval for an entry vestibule was granted by the Commission on March 5, 2009. Modified fencing around the patio building was approved by the Planning and Zoning Commission on October 8, 2009.

Plan Description

Overview

Approval of this request will allow the Montgomery Inn restaurant to be connected to the auxiliary dining building with a 130-square-foot permanent breezeway to provide protection from the weather and a covered access between the two buildings.

Square Footage Allocation

Existing

The addition of the breezeway will, for zoning purposes, effectively render the auxiliary dining building a permanent extension of the main restaurant, eliminating its status as an “outdoor service facility” (patio). The breezeway and former patio area totals 1,130 square feet. The applicant is requesting a reallocation of the center’s total square footage to permit an increase in the building square footage to 103,720, but decreasing the allowed 3,000 square feet of patio space by an equivalent amount to stay within the total square footage of 105,590 approved for the center as a condition of granting the parking variance.

The following table summarizes the *existing* square footage allocation by building square footage (approved with the 2005 CDD application) and outdoor dining area (approved with the 2005 parking variance).

(Table on following page)

Existing Shopping Center Space Allocation			
Building Identification	Retail	Restaurant	Outdoor Dining (Variance)
Approved Center Square Footage	102,590		3,000
Existing Retail Space (Buildings A, B, C, F, part of GH)	80,239		
Building D (Montgomery Inn)		* 9,700	
Montgomery Inn Patio Structure			1,000
Building GH (Bruegger's Bagels/Wine Loft)		6,651	
Bruegger's Bagels Patio			200
Wine Loft Patio			250
TOTAL	80,239	* 16,351	1,450
Remaining for Building E (Future Restaurant)		* 6,000	
Remaining Patio Space			1,550
Total	102,590		3,000

This table indicates that of the total approved building square footage based on the existing square footage allocation, there is approximately **6,000 square feet** remaining for the future restaurant (Building E) at the northwest corner of the Shoppes at River Ridge shopping center. There is also 1,550 square feet of outdoor dining area left to be developed based on previous approvals, including Montgomery Inn.

Proposed Square Footage Addition

As part of the CDD approval, the Commission may permit the reallocation of square footage provided that all applicable Code requirements and development standards, including parking, are met. If approved, the following would be permitted.

Proposed Shopping Center Space Allocation			
Building Identification	Retail	Restaurant	Outdoor Dining (Variance)
Approved Center Square Footage	102,590		3,000
Existing Retail Space (Buildings A, B, C, F, part of GH)	80,239		
Building D (Montgomery Inn)		* 10,830	
Montgomery Inn Patio Structure			0
Building GH (Bruegger's Bagels/Wine Loft)		6,651	
Bruegger's Bagels Patio			200
Wine Loft Patio			250
TOTAL	80,239	* 17,481	450
Remaining for Building E (Future Restaurant)		* 6,000	
Remaining Patio Space			1,420
Proposed Total	103,720		1,870

If the 1,130-square-foot building addition is approved, the *result* is that the Shoppes at River Ridge would be permitted a total of 103,720 square feet of building space, which includes both restaurant and retail uses, and the 3,000 square feet of approved patio space would be reduced to 1,870 square feet (total).

Breezeway

The proposed breezeway is approximately 130 square feet in area with a set of doors on either side of the breezeway, one side providing access to the parking lot. Large multi-paned windows flank the sides of the breezeway, and transom windows are shown over the doorways and windows. The breezeway is only to provide a connection to the other building; no waiting or seating area is provided. There are no net increases to impervious surface and stormwater management is not affected. The design of the proposed breezeway is consistent with the design and materials of the restaurant and patio building.

Noise Issues with Previous Conditional Use Approval

At the December 10, 2009 Planning and Zoning Commission meeting, the Commission was concerned that if the proposed breezeway was approved and the auxiliary dining building's status as an "outdoor service facility" was eliminated, then the conditional use conditions of approval would be eliminated since the *use* of the structure would no longer be subject to the Commission's review. The Commissioners tabled the application and requested that the applicant work with Planning and the Law Director to look into another means to maintain the conditions of the previous approval.

The Law Director has worked with the applicant to write a development agreement to be signed by the City Manager, Montgomery Inn, and the shopping center owner. If the breezeway is approved, the agreement will be recorded with the County.

The agreement contains four "Noise Control Commitments" that are identical to the conditions of approval for the conditional use (see Record of Action for Case 08-062CDD/CU):

Noise Control Commitments. Given the sensitive location of the Property, the Parties recognize that special controls needs to be placed on the Property for its present and future use. As a result, the Property Owner and Tenant agree that:

- (a) Any performances will be limited to normal noise levels no greater than the typical traffic noise levels, subject to the requirements of the Noise Ordinance, and the hours of operation for entertainment in the Property will be limited to no later than 10:00 p.m.
- (b) There will be no amplification of live music.
- (c) No announcements will be made over the speaker system.
- (d) The Dublin Planning and Zoning Commission may review these issues again no later than September 1, 2010 and may recommend that this Agreement be amended if issues related to noise have become apparent.

As stipulated in commitment (d), the Planning and Zoning Commission may review the operation of the building addition related to the noise issues and may recommend amendments to the agreement if there are noise concerns. Planning will continue to report any identified problems during the period leading to the September date (which would effectively be not later than one of the August meetings).

PLANNING ANALYSIS AND RECOMMENDATION

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 reallocation of building area of 1,130 square feet will meet all applicable Code requirements, including parking (as approved through the approved variance) and setbacks, and stay within the combined square footage approved by the original center approval and subsequent variance approval.

The proposed breezeway will provide shelter and protection against the weather for restaurant employees and patrons. It is Planning's opinion that the design of the structure is coordinated with the main restaurant building.

Planning recommends approval of the reallocation of square footage and the breezeway with the condition that the development agreement be executed prior to building permitting (Condition #1). Additionally, Planning recommends that the Montgomery Inn restaurant (Building D) not exceed 10,830 square feet unless otherwise approved by the Planning and Zoning Commission (Condition #2).

Recommendation: Approval with Conditions

The proposed breezeway is consistent with the design of the Montgomery Inn building, and in Planning's opinion, this proposal complies with the Corridor Development District criteria and the existing development standards within the area, and approval of this request is recommended with **two** conditions.

Conditions

- 1) That the development agreement be executed prior to building permitting; and
- 2) That the Montgomery Inn restaurant (Building D) not exceed 10,830 square feet unless otherwise approved by the Planning and Zoning Commission.

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.