

MEETING DATE: 5-14-20

PLANNING COMMISSION

**Case No. P20-06
1061 N. Court Street**



CITY of MEDINA
Planning Commission
May 14, 2020

Case No: P20-06
Address: 1061 N. Court Street
Applicant: Matt Yanda, GPD Group representing Taco Bell
Subject: Conditional Zoning Certificate – Outdoor Dining
Zoning: C-3, General Commercial District
Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The property is located on the west side of North Court Street and is adjacent to C-3 zoning on all sides.

Project Introduction:

The applicant received Site Plan approval in March 2020 for the reconstruction of the subject site for a new Taco Bell restaurant.

The proposal also includes a small outdoor dining area at the front (east) of the new building facing N. Court St. Outdoor dining is a conditionally permitted use in the C-3 district. This proposed outdoor dining was not able to be included in the March 2020 Site Plan review meeting, so is being brought for review now.

Please find attached to this report:

1. Applicant's narrative and plans received March 9, 2020
2. Aerial photographs

District Regulations – Section 1137:

Outdoor dining is a conditionally permitted use within the C-3, General Commercial District.

Public Hearing: The Zoning Code requires the Planning Commission to conduct a Public Hearing for a proposed Conditional Use. The legal notices have been issued to

permit the Public Hearing at the May 14, 2020 meeting. Based on the review of the case and the public hearing the Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for the insuring that the intent and objectives of this Zoning Ordinance will be observed.

Section 1153.03(b) Conditional Use General Standards:

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;*
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;*
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;*
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;*
- (6) Will be in compliance with State, County and City regulations;*
- (7) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.*

Staff Comment:

The proposed outdoor dining area is located on the east side of the proposed building/site closer to N. Court Street. There will be no substantive impact from the outdoor dining area on adjacent properties or the general surrounding vicinity. Therefore, the proposed outdoor dining complies and consistent with the applicable conditional use general standards in Section 1153.03(b).

Recommendation:

Staff recommends the Planning Commission grant a conditional zoning certificate for outdoor dining as proposed at 1061 N. Court Street.



520 South Main Street, Suite 2531
Akron, Ohio 44311

Phone 330.572.2100
www.gpdgroup.com

March 3, 2020



City of Medina
132 North Elmwood Ave
Medina, OH 44258
Attention: Jonathan Mendel

GPD is in receipt of your comments dated February 28th, for the proposed Taco Bell Restaurant located at 1061 N Court St – Medina, OH. We are addressing each comment as follows:

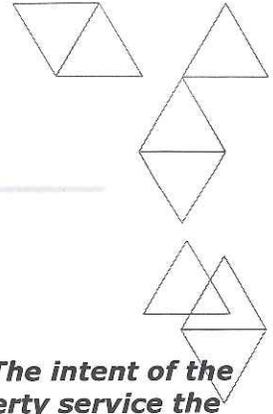
1. On the architectural plans, there is an outdoor dining area shown. Is that intended for this site? If so, that requires a conditional zoning certificate in addition to the site plan review. If it's removed then it's nothing to worry about.

Response: Outdoor seating and patio area will be proposed for this project. Application for Conditional Zoning Certificate and a check with the associated fee has been included in submittal.

The Proposed patio area will include outdoor seating with a freestanding canopy which will cover the entire patio area. The intent of the patio area is to allow customers to sit outside w/ their meal (weather permitting). The patio area will be open from April to October.

2. The site plan has 41 parking spaces, but Section 1145.04(e) states the following:
 - a. Maximum Number of Parking Spaces. In order to prevent excessive lot coverage, the artificial increase in air temperature, and surface water runoff, no minimum off-street parking space requirement in Section 1145.04, Schedule of Parking Requirements and Standards, shall be exceeded by more than twenty percent (20%) unless good cause can be shown by the applicant and approved by the Planning Commission. Single Family Dwellings and Two Family Dwellings are exempt from this provision.
 - a.) The 41 spaces on the proposed site plan is 105% more than the minimum required. Therefore either provide a short argument for the increase over the maximum or simply landbank the northern 17 proposed spaces to comply as 24 spaces is the maximum permitted under 1145.04.

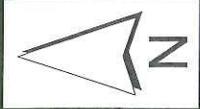
Response: Taco Bell has made the decision to increase the size of the building to include 50 interior seats. With 50 interior seats and 12 exterior seats, the required parking count will be 31 stalls. With the larger building, the parking count will still exceed the 120% limit. Taco Bell feels that the additional parking will be necessary for the site. The existing site



experiences a large volume of customers on a daily basis. The intent of the proposed project is to rebuild the site and building to properly service the large volume of customers.

If you require any additional information or have any questions, please contact me at 330-572-2484 or email at myanda@gpdgoup.com.

MAR 09 2020



1 inch = 60 feet

E REAGAN PKWY

N COURT ST

W REAGAN PKWY

Subject property

P20-06
1061 N. Court
CZC - outdoor dining
May 14, 2020