

Memorandum

To: Planning Commission Members
From: The Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: July 2, 2015
Re: Staff Report for London Place – Special Use Permit (Outdoor Seating)

Item #2 – London Place – Special Use Permit (Outdoor Seating) (PID# 201505200031)

Application: Special Use Permit
Location: Northwest corner of London Groveport Road and Summit Way
Applicant: Brenda Newman, CBRE
Zoning: PUD-C
Use: Restaurant

Relevant Code Section(s):

- 1135.09 (b) (12) Special Use Permits

Project Summary:

The applicant is proposing to install an outdoor seating area for the London Place multi-tenant commercial structure proposed on outparcel C of the Grove City Ranch Development, west of Summit Way. The seating area will be located at the southeast corner of the building and will be approximately 240 square feet in area (20'x12'). A 36" black decorative fence will border the seating area with decorative steel bollards placed to protect the seating area from the adjacent drive aisle. The seating area will be approximately 90' from London Groveport Road.

Tables and chairs are to be black metal provided by Icon Modern. Umbrellas are proposed for tables and materials state that umbrellas will not display any signage.

Code Analysis:

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

Standard is Met: The proposed outdoor seating area will not change the character of the district or that of nearby districts. Multiple restaurants in the area including McDonald's and Sunny Street Café have outdoor seating areas.

2. *The proposed use shall not adversely affect the use of adjacent property;*

Standard is Met: The outdoor seating area will be entirely on the London Place property, directly adjacent to the southeast of the building. The seating area will not inhibit the circulation on the site or to the property to the west through the proposed connected drive aisle.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

Standard is Met: The proposed outdoor seating area will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The seating area will be separated from the proposed front and side drive aisles by a 36" decorative fence with bollards installed to prevent vehicles from entering the seating area. The proposed outdoor seating area is approximately 200 feet from the nearest residential structure in the Summit Apartments with the London Place structure between.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

Standard is Met: The proposed outdoor seating area will not place any further demand on public services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

Standard is Met: The outdoor seating area will not impact the public right-of-way.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

Standard is Met: The site is located in the Grove City Ranch Development PUD (outlot C, zoned PUD-C). Outdoor seating associated with eating and drinking establishments is permitted with a Special Use Permit in PUD-C districts according to chapter 1135.09.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

Standard is Met: The applicant properly submitted a completed application.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. Decorative landscape planters should be installed within the seating area.
2. The applicant shall work with the Urban Forester to select appropriate plantings for the landscape area south of the proposed outdoor seating area.