



COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: April 5, 2017
TO: City of Hudson Planning Commission for
April 10, 2017 Planning Commission Meeting
FROM: Mark Richardson, Community Development Director
SUBJECT: Conditional Use Application
11 Atterbury Boulevard
Expansion of a Restaurant within 200 Feet of a Residential Use
District 5

PC Case No. 2017-06

Project Introduction

Application has been received from Brew Kettle for conditional use approval for expansion of a restaurant within 200 feet of a residential use. Brew Kettle is occupying the former Varsity restaurant location at 11 Atterbury Boulevard. No changes to the building are contemplated; however, additional seating will be added both inside the building and outside. The restaurant is in Hudson Station, a mixed use development at the west edge of District 5 – Village Core District. District 4 – Historic Residential Neighborhood and Hudson Commons is across Atterbury Boulevard to the west. Restaurants within 200 feet of a residential use are conditional uses in District 5 – Village Core District.

The following information is attached to this report:

1. Floor plan dated as received March 6, 2017
2. Aerial photograph of the development
3. Preliminary comments from City Planner Greg Hannan dated February 23, 2017
4. Preliminary comment letter from Associate Planner Kris McMaster dated March 23, 2017
5. Letter from The Reverend Dr. Joseph Boysel, Holy Trinity Anglican Church, dated March 2, 2017

Applicable District Requirements, Section 1205.08, District 5

The proposed use and structure meet zoning district standards for District 5 at Section 1205.08.

Applicable Conditional Use Standards, Section 1206.02

The proposed restaurant within 200 feet of a residential use is permitted as a conditional use within District 5. The use is subject to the following specific standards. Staff's comments are in italics.

1. Business shall be conducted within an enclosed building, except that meal service may be provided on an outside patio, provided the patio is no more than one-third the floor area of the entire use. *Staff calculates that the outdoor seating area is less than 30% of the entire use.*

2. Amplified outdoor live performances shall not be permitted. *This is an operational standard that will be monitored by code enforcement personnel.*
3. The use shall be screened from adjacent residential properties with Bufferyard D, as defined in Section 1207.04 of this Code. *This standard has not and will not be imposed as the restaurant is integrated into a mixed use development.*

Staff finds that the use is in compliance with the applicable standards above.

The application is also subject to compliance with the general conditional use standards of Section 1206.02. The general standards are as follows:

- (1) *The use is consistent with the policies and intent of the Comprehensive Plan.*
- (2) *The use is physically and operationally compatible with the surrounding neighborhood.*
- (3) *The use can generally be accommodated on the site consistent with any architectural and design standards set forth in the applicable district regulations of this Code.*
- (4) *Access points are located as far as possible from intersections and adequate sight distances are maintained.*
- (5) *On-site and off-site traffic circulation patterns shall not adversely impact adjacent uses.*
- (6) *The use will be adequately served by public facilities and services*
- (7) *The use provides adequate off-street parking on the same property as the use.*
- (8) *The use will be screened with fencing and/or landscaping in excess of what is required in of this Code if the use may otherwise result in an adverse impact.*
- (9) *The use is proposed at a density consistent with that of the existing neighborhood.*

Applicable Zoning Development and Site Plan Standards, Section 1207

We comment on parking requirements at Section 1207.12.

According to the preliminary comment letter dated February 23, 2017, the increase in the restaurant seating will require more parking than is available on site and within 300 feet of the restaurant. The applicant has secured a letter from Holy Trinity Anglican Church in support of a shared parking agreement. Such an agreement will bring the restaurant into conformance with code requirements. Staff recommends that a condition of approval be that a final shared parking agreement be executed before a zoning certificate for the restaurant may be issued. Staff also recommends that the applicant install signage to direct patrons to this additional parking area.

Staff can also report that the City is supportive of a parking facility to be built on City-owned property between Hudson Station and the church as proposed by the applicant. The City is developing terms of an agreement and criteria for the design of such a lot that will soon be shared with the adjacent owners. Such a lot will further relieve the parking needs of the church, Hudson Station, and others in this neighborhood.

Findings: Section 1206.02(b) Conditional Uses General Criteria and Standards

Staff finds that the project is in substantial compliance with Land Development Code requirements.

Required PC Action, Section 1203.05(a)(3) Conditional Uses

Planning Commission shall take final action on an application for conditional use by approving,

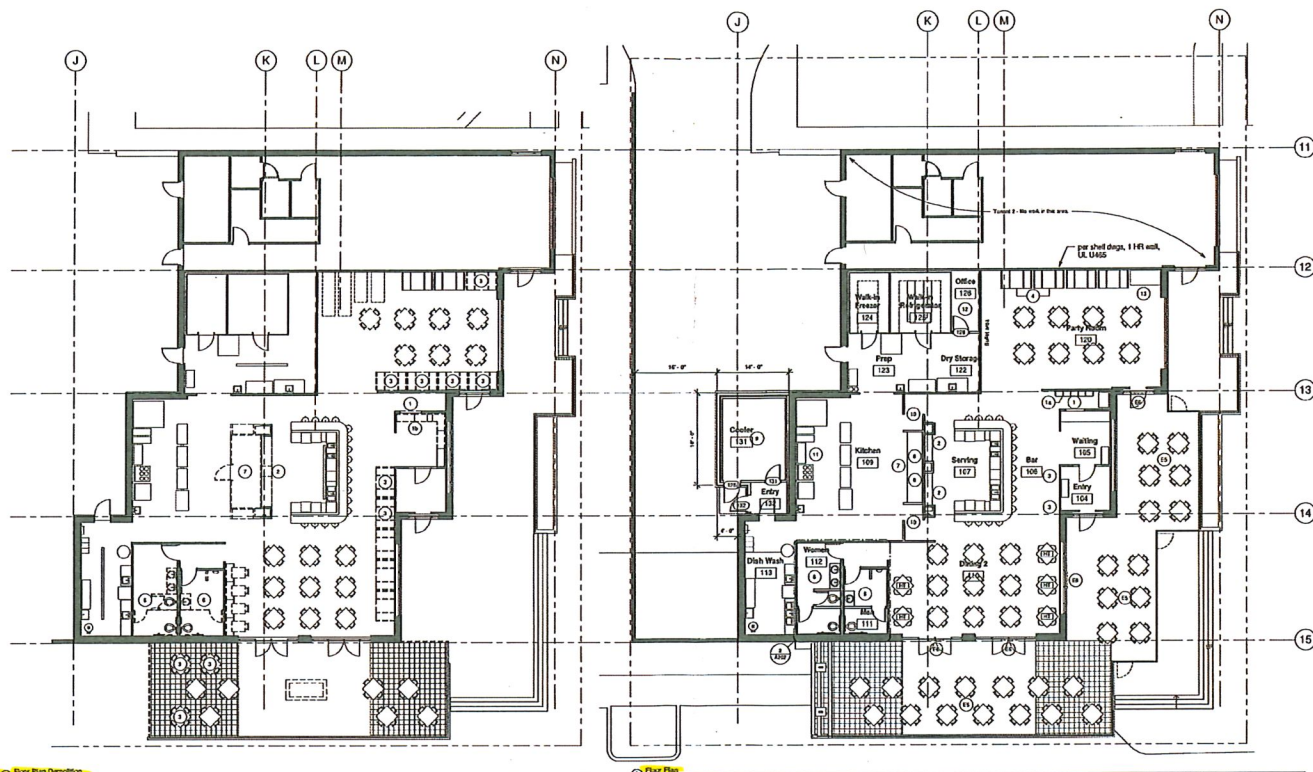
approving with conditions, or denying such application.

All decision of the Commission shall be based on written findings of fact related to the relevant standards of the Code.

Recommendation

Approve the application for conditional use approval in Case No. 2017-06 for Brew Kettle, a restaurant within 200 feet of a residential use, to be located at 11 Atterbury Boulevard according to the submission made March 6, 2017 with the following condition:

1. A final shared parking agreement must be executed before a zoning certificate may be issued.



1/8" = 1'-0"

Coded Notes

1. Remove only way for bar
2. Add merchandise display
3. Remove existing seating
4. Remove and reconfigure sign
5. Remove and reconfigure seating
6. Remove existing bar
7. Remove bar to restrooms
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1/8" = 1'-0"



Floor Plan & Demolition Plan

NO.	DATE
1	6/20/17

These plans are the property of David A. Hutchins, Inc. and are not to be used, copied, or reproduced in any form without the written consent of the architect and engineering firm.

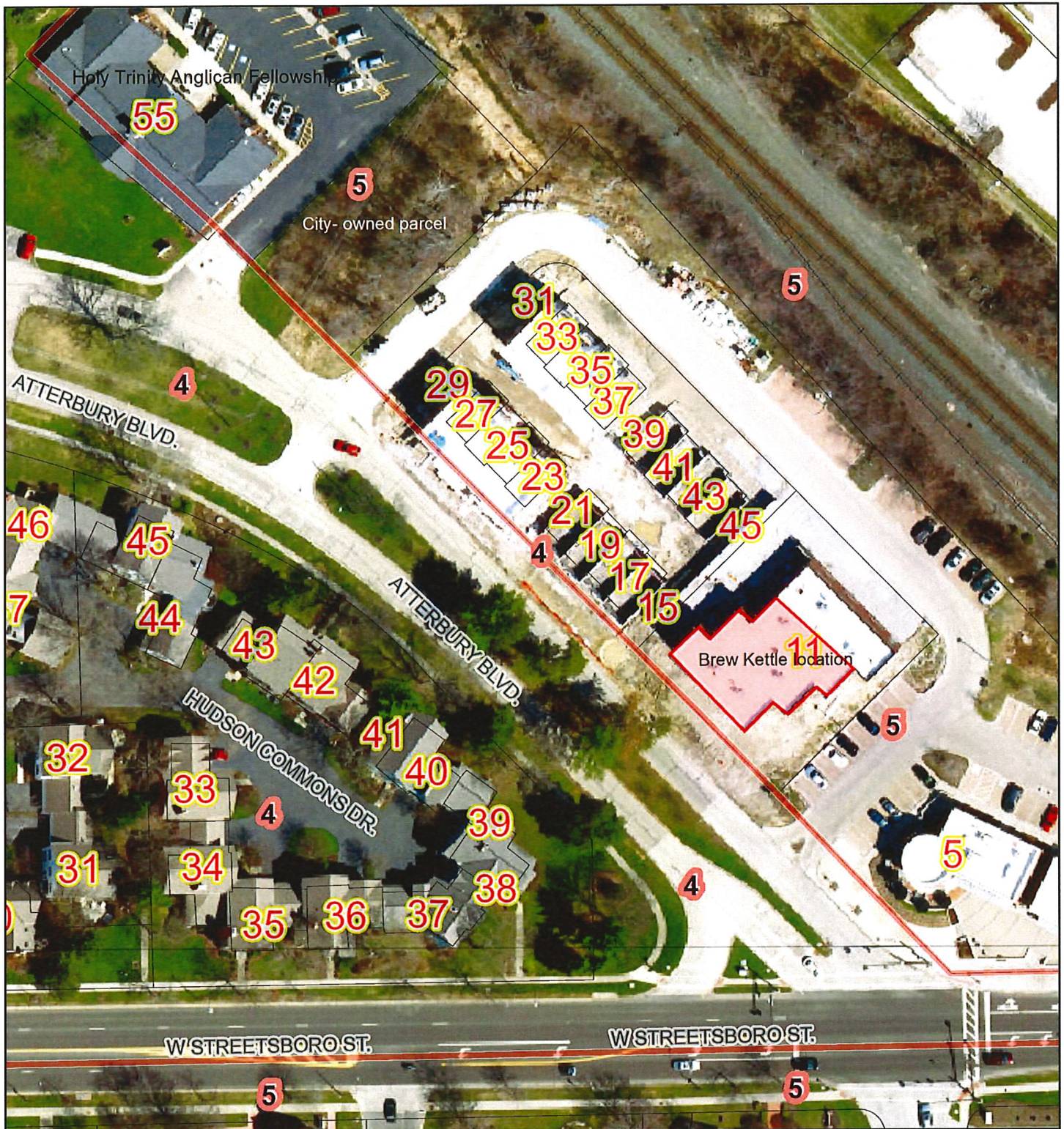
The Brew Kettle
11 Alantary Blvd
Hudson, OH 44236



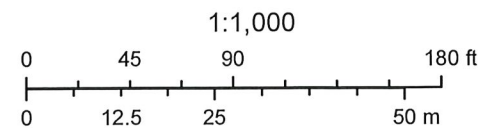
DATE: 6/20/17

A103

Brew Kettle Conditional Use



April 3, 2017



— O H I O —

HUDSON

COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: February 23, 2017

TO: Don Highlander, Connecting Spaces LLC

FROM: Greg Hannan, City Planner

SUBJECT: 11 Atterbury Blvd – Proposed Brew Kettle

I response to the Proposed preliminary floor plan submitted on February 17, 2017 staff offers the following preliminary comments related to the parking demand and the proposed use.

Parking: Staff provides the following parking summary:

LDC Requirements for Current Facility

Parking Use Demand	LDC Ratio	Factor	Total
Dwelling	2/unit	16 units	32
Jimmy Johns	1/2 seats	33 seats	16.5
Varsity – indoor	1/2 seats	83 seats	41.5
Varsity - outdoor ¹	1/3 seats	40 seats	13
1 new retail	1/250 sf	900 sf	4
Chipotle	1/2 seats	45 seats	23
Chipotle outdoor ¹	1/3 seats	49 seats	16
2 existing retail	1/250 sf	3,500 sf	14
total			160
10% reduction for mixed use ²			144

Parking Supply			
Existing on-site			80
Townhome garages			32
On-street within site			12
On street w/ 300 ft			30
total			154

¹Due to the limited use of outdoor seating staff has applied a reduction factor.

²Due the mixed use environment a 10% reduction factor has been applied.

Proposed Facility

Park Use Demand	LDC Ratio	Factor	Total
Dwelling	2/unit	16 units	32
Jimmy Johns	1/2 seats	33 seats	16.5
Brew Kettle	1/2 seats	137 seats	68.5
Brew Kettle Outdoor ¹	1/3 seats	92 seats	31
Chipotle	1/2 seats	45 seats	23
Chipotle outdoor ¹	1/3 seats	49 seats	16
2 existing retail	1/250 sf	3,500 sf	14
total			201
10% reduction for mixed use ²			181

Parking Supply			
Existing on-site			80
Townhome garages			32
On-street w/ site			12
On street w/ 300 ft			30
total			154

¹Due to the limited use of outdoor seating a 50% reduction factor has been applied.

²Due the mixed use environment a 10% reduction factor has been applied.

Staff reviewed the Institute of Transportation Engineer's (ITE) Parking Generation Manual for additional data on anticipated parking demand for the proposed Brew Kettle Restaurant and Tavern. Staff notes the following parking demands for the applicable land use titled: *high turn-over sit down restaurant with bar/lounge*.

Use	ITE Ratio based on seats	Seats	Total
Brew Kettle	0.48 per seat	137	66
outdoor	0.48 per seat (times 0.66)	92	29
Total			95

Use	ITE Ratio based on sq ft	Square Ft	Total
Brew Kettle	16.3 per 1,000 sq ft	4,500	73
Outdoor seating	16.3 per 1,000 sq ft (times 0.66)	1,000	11
Total			84

Use	LDC Ratio	Seats	Total
Brew Kettle	1/2 seats	137 seats	68.5
Outdoor seating	1/3seats	92 seats	31
Total			100

Parking Summary: The Land Development Code parking ratios indicate the site does not contain adequate parking to accommodate the proposed use. To address the parking deficiency, the applicant could consider a shared parking agreement with an abutting property owner, development of additional parking at the facility, or a reduction in the seating capacity of the proposed use.

Use: Restaurants and Bars/Taverns within 200 feet of a residential use are a conditional use. The proposed floor plan depicts an expansion of the conditional use as the square footage increase is approximately 1,000 sq ft and the seating is proposed for expansion by 54 indoor seats and 52 outdoor seats.

Planning Commission review would be required for the proposed expansion of a conditional use (in square footage or seating capacity) in addition to site plan review for proposed site improvements including parking expansion. Staff is available to meet, as desired, to further review the proposed use and provide any assistance needed regarding submittal to the Planning Commission.



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March 23, 2017

Chris Russo
The Brew Kettle
8377 Pearl Road
Strongsville, Ohio 44136

RE: 2017-06- Conditional Use for The Brew Kettle

Mr. Russo:

Thank-you for your submission of the conditional use application for The Brew Kettle at 11 Atterbury Blvd. The application has been scheduled on the Planning Commission (PC) agenda for the April 10, 2017 meeting. In preparation for the meeting, I am forwarding preliminary comments related to compliance with the Land Development Code (LDC). Our comments are to provide you an opportunity to review them and be able to respond to them by March 31, 2017. We will revise the comments accordingly for the staff report scheduled to be issued April 5, 2017. If you would like to meet to review any comments before the staff report feel free to contact me.

Submittal: The application was received on March 6, 2017. The applicant's name and signature are not legible. Please name the person who signed the application form. The information on the property owner has not been filled out. The property record shows the owner on record to be Reveille IV LLC.. Either an authorized representative of Reveille must sign the application or you must provide evidence of and information for another property owner.

Chapter 1205-District Regulations: 1205.08 District 5: Village Core District
Use: The proposed expansion of The Brew Kettle Restaurant is permitted as a conditional use. Other zoning regulations do not apply as a structure is not being proposed.

Section 1206 Use Regulations: The proposed Brew Kettle Restaurant is permitted as a conditional use within District 5. The application is subject to compliance with the general conditional use standards of Section 1206.02 as follows.

- (1) The use is consistent with the policies and intent of the Comprehensive Plan.
- (2) The use is physically and operationally compatible with the surrounding neighborhood.
- (3) The use can generally be accommodated on the site consistent with any architectural and design standards set forth in the applicable district regulations of this Code.
- (4) Access points are located as far as possible from intersections and adequate sight distances are maintained.
- (5) On-site and off-site traffic circulation patterns shall not adversely impact adjacent uses.
- (6) The use will be adequately served by public facilities and services
- (7) The use provides adequate off-street parking on the same property as the use.

- (8) The use will be screened with fencing and/or landscaping in excess of what is required in of this Code if the use may otherwise result in an adverse impact.
- (9) The use is proposed at a density consistent with that of the existing neighborhood.

Section 1207 Zoning Development and Site Plan Standards:

Because a structure is not being proposed, few of these standards apply; however, we comment on parking.

Parking: The existing parking supply existing on site, townhome garages, on street with the site and within 300 feet totals 154 spaces. Parking demand with the proposed use is estimated at 181 spaces. Your agreement with Holy Trinity Anglican Church for use of its parking lot containing 39 spaces would will bring your parking in to compliance with the Land Development Code.

City Council is supportive of leasing land it owns between the church and Hudson Station for parking. We are working with Mr. Weber on these plans. Additional parking will be a benefit to you, the church, other Hudson Station tenants, and the neighbors.

Please contact me for any assistance I can provide.
Best Regards,

Kris McMaster
Associate Planner

CC: Mark Richardson, Community Development Director



Holy Trinity Anglican Church

A Congregation of Anglican Church in North America

People Matter to God!

March 2, 2017

To Whom It May Concern,

I have been in conversation with Bryan Weber regarding a shared parking agreement between Holy Trinity and his properties located adjacent to the church on Atterbury Blvd. The final agreement will be subject to our church's governing board which alone has authority to enter contractual agreements.

Still, we are very excited about the possibility of expanding our parking while at the same time being good neighbors who can help local businesses thrive and build a more solid community spirit. Please feel free to contact me with any questions at 330-840-1199 or the number below.

Sincerely,

The Rev'd Dr. Joseph Boysel
Rector, Holy Trinity Anglican Church