



BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue
330-722-9038
www.medinaoh.org

Application Number P23-10

GENERAL	Date of Application <u>4.20.2023</u> Property Location <u>144 N. Court St. Medina, OH 44256</u> Description of Project <u>Adding a temporary seasonal patio on the parking lot on the north side of the building</u>
CONTACT INFORMATION	Applicant Name <u>Robert Utkac</u> Address <u>235 W. Liberty St.</u> City <u>Medina</u> State <u>OH</u> Zip <u>44256</u> Phone <u>(616) 392-1596</u> Email <u>Bob@wreckingCrewBrewworks.com</u> Property Owner Name <u>Spencer Smith</u> Address <u>328 Howard St.</u> City <u>Medina</u> State <u>OH</u> Zip <u>44256</u> Phone <u>(330) 421-9501</u> Email <u>jms95211c@gmail.com</u>
APPLICATION TYPE	Planning Commission Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input checked="" type="checkbox"/> Code or Map Amendment <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> Cert. of Appr. (rcov) <input type="checkbox"/> Other <input type="checkbox"/> Historic Preservation Board Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/> Board of Zoning Appeals Variance <input checked="" type="checkbox"/> Appeal <input type="checkbox"/>
APPLICANT SIGNATURE	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature <u>[Signature]</u> Date <u>4.20.2023</u>
OFFICIAL USE	Zoning District <u>C-2</u> Fee (See Fee Sheet) \$ <u>500</u> Meeting Date <u>5/11/23</u> Check Box when Fee Paid <input checked="" type="checkbox"/>



Community Development Department Receipt

Building, Planning & Economic Development

132 North Elmwood Ave

Medina, OH 44256

(330) 722-9030 www.medinaoh.org

permits@medinaoh.org

Receipt # P23-10

April 21, 2023

Paid By: Wrecking Crew Brew Works LLC

Address: 432 W Friendship St. Medina, OH 44256

Building Division	Fee
Building Permit	#
HVAC Permit	#
Electric Permit	#
Plumbing Permit	#
Fire Supp/ Alarm Permit	#
Demolition Permit	#
Contractor Registration	#
Foreclosure Filing	#
Plan Review Fee	#
Zoning Certificate Fee	#
B. B. S. Fee	#
Miscellaneous	

Planning & Zoning Division	Fee
Sign Permit	#
Variance	Z23-08 \$ 200.00
Code or Map Amendment	
Site Plan	
Conditional Sign Permit	#
Conditional Zoning Certificate	P23-10 \$ 300.00
Plat Preliminary Plan	
Final Plat	
Fence Permit	#
Certificate of Appropriateness	
Open Space	#
Miscellaneous	

Engineering	Fee
Grading Completion Deposit	
Plan Review Fee	
SWP3 Fee	
Total	\$0.00

Economic Development Division	Fee
Job Creation Grant	
Miscellaneous	
Total	\$500.00

Receipt Total \$ 500.00

Additional Information:

Planning Commission application for a Conditional Zoning Certificate - 144 N Court Street

Board of Zoning Appeals application for a Variance - 144 N Court Street

Payment

Cash

Visa/MC Auth # _____

Method:

Check # 1157

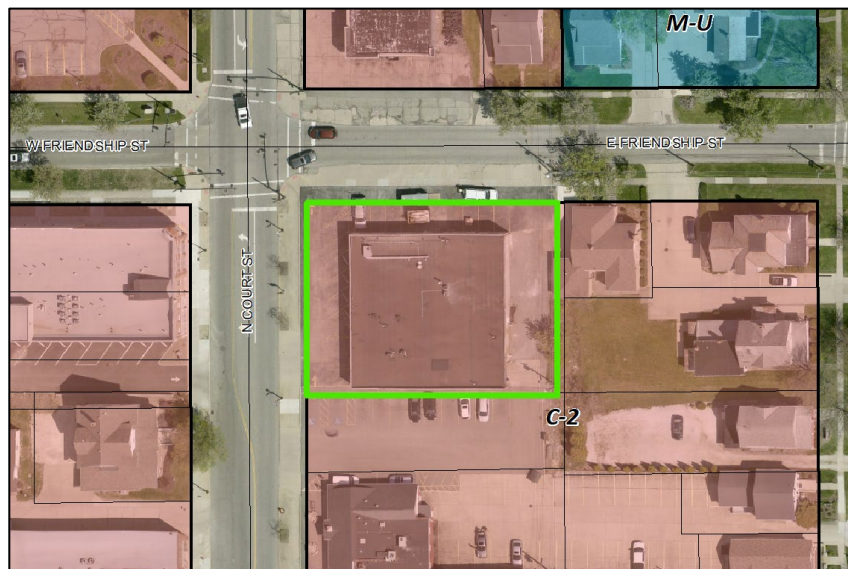
P23-10
Wrecking Crew Brew Works Outdoor Dining

Property Owner: Spencer Smith
 Applicant: Robert Vokac
 Location: 144 North Court Street
 Zoning: C-2 (Central Business)
 Request: Conditional Zoning Certificate approval for outdoor dining

LOCATION AND SURROUNDING USES

The subject site is composed of 0.38 acres on the southeast corner of North Court Street and Friendship Street. Adjacent properties are zoned C-2 and include the following uses:

- North – Parking Garage
- East – Single and Two-Family Residential
- South – Restaurant
- West – Mixed-Use Building



BACKGROUND & PROPOSED APPLICATION

Wrecking Crew Brew Works was established in the northwest corner of the multi-tenant building in 2020. The taproom serves alcohol and does not have permanent food service, though food trucks are occasionally at the site. The existing multi-tenant building includes two other tenants, Fabric Obsessions and Awesome Sauce Vapor, and has 17 existing parking spaces. The site is within the Downtown Parking District, which is exempt from minimum parking requirements.

The applicant is requesting to designate an 18.5 ft. x 25 ft. area on the north side of the building for an outdoor dining area, which will occupy two existing parking spaces. The patio area will be enclosed by planter boxes connected by rope and incorporates black furniture and festoon lighting. The roped area may be required to extend from the business’s entrance to the patio.

The applicant has further indicated that the outdoor dining area will be open from spring to fall and generally follow the business's hours of operation, which are 4 pm - 10 pm (Monday – Thursday), 1 pm – 11 pm (Friday), Noon – 11 pm (Saturday), and Noon – 9 pm (Sunday). The applicant has indicated that times may vary, however, the outdoor dining area will not be open later than midnight on weekdays and 1 am on weekends.

CONDITIONAL USE REGULATIONS (SECTION 1153.04(a))

- (39) Outdoor dining facilities. Outside areas adjacent to restaurants for the consumption of food or beverages shall be subject to the following provisions:
- A. Alcoholic beverages may be served in outdoor dining facilities only from 11:00 a.m. to midnight weekdays and until 1:00 a.m. weekends and must be in conjunction with the service of food and meals.
 - B. Outdoor dining facilities shall be buffered with opaque landscaping and/or fencing to provide a visual and acoustic barrier to surrounding residential uses.
 - C. No outdoor dining facility shall be permitted within the minimum building setbacks.
 - D. No outdoor entertainment or activities, whether by radio, band, musician, organized games, loudspeaker, or microphone shall be permitted.

The proposed outdoor dining area does not incorporate consistent food service and the applicant has applied for a variance to Section 1153.04(a)(39)(B.).

CONDITIONAL ZONING CERTIFICATE BASIS OF DETERMINATION

The Planning Commission shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein are satisfied by the completion and operation of the proposed development. The Planning Commission may also 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.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use on the proposed location:

- (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.

COMMUNITY DEVELOPMENT DEPARTMENT STAFF RECOMMENDATION

Staff recommends **approval** of application P23-10 for an outdoor dining area as presented with the condition that consistent food service must be available or the applicant shall receive a variance to Section 1153.04(a)(39)(B.).



CITY OF MEDINA
Community Development Department
132 N. Elmwood Ave. Medina, OH 44256
Phone: 330-722-9023 Fax: 330-764-4385

April 26, 2023

Bob Vokac
235 West Liberty Street
Medina, OH 44256

Dear Mr. Vokac,

You are receiving this notice because your application has been scheduled for review by the City of Medina Planning Commission. The Commission will review your applications, as described below, at their next regular meeting at **6:00 pm on May 11, 2023**. The meeting will be held at City Hall, 132 North Elmwood Avenue, Medina, OH 44256.

P23-10: Robert Vokac requesting Conditional Zoning Certificate approval for outdoor dining at 144 North Court Street in a C-2 (Central Business) zoning district.

Your attendance at the meeting is necessary for the Commission to review your application. At the meeting, the Commission generally requests you provide an overview of the project and answer questions regarding the application.

Please feel free to contact me at (330) 722-9038 or stome@medinaoh.org if you have any questions or need any further information.

Sincerely,

A handwritten signature in black ink that reads "Sarah Tome". The signature is fluid and cursive, with a long horizontal line extending from the top of the "S" across the top of the name.

Sarah Tome
Administrative Assistant
Economic Development/Planning Department



CITY OF MEDINA
Community Development Department
132 N. Elmwood Ave. Medina, OH 44256
330-722-9023

Medina County Gazette – Legal Advertising
Please publish once: April 29, 2023

**NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION AND BOARD OF ZONING APPEALS
CITY OF MEDINA, OHIO**

The City of Medina will hold regular meetings of the Planning Commission and Board of Zoning Appeals on Thursday, May 11th, 2023 at City Hall, 132 North Elmwood Avenue, Medina, OH 44256.

The Planning Commission will hold a public hearing for the following applications at their meeting, which will begin at 6:00 pm: P23-09, Brian Midock requesting Conditional Zoning Certificate approval for a bank drive through expansion at 830 North Court Street in a C-3 (General Commercial) zoning district and P23-08, Robert Vokac requesting Conditional Zoning Certificate approval for outdoor dining at 144 North Court Street in a C-2 (Central Business) zoning district.

The Board of Zoning Appeals will hold a public hearing for the following applications at their meeting, which will begin at 7:00 pm: Z23-07, Brian Midock requesting an area variance to Section 1145.04(a) for a bank drive through with reduced stacking spaces at 830 North Court Street in a C-3 (General Commercial) zoning district and Z23-100, Robert Vokac requesting an area variance to Section 1153.04(a)(39) to allow outdoor dining adjacent to a bar without food service at 144 North Court Street in a C-2 (Central Business) zoning district.

All interested parties may attend and will be given the opportunity to address the Commission and Board during the public hearing portion of the meetings and submit evidence and written comments with respect to the applications. In the spirit of ADA compliance, individuals with a disability should contact the Community Development Department, at least 72 hours prior to the hearings to request accommodations. For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact Andrew Dutton, Community Development Director, at adutton@medinaoh.org, (330) 722-9023 or 132 North Elmwood Avenue, Medina, Ohio 44256.

Z23-0x & P23-0x Property Owners List 4-26-23

Owner Name	Address	City
RITE AID CORP	PO BOX 3165	HARRISBURG, PA 17105
TWIN PINES LLC	4322 S CLEVELAND MASSILLON RD	NORTON, OH 44203
CUPS CAFE INCORPORATED	126 N COURT ST	MEDINA, OH 44256
HORNING FAMILY	4401 CONESTOGA TRL	COPLEY, OH 44321
MEDINA RENTAL AGENCY LLC	689 W LIBERTY ST STE 7	MEDINA, OH 44256
STORM LAURA J	120 E FRIENDSHIP ST	MEDINA, OH 44256
WORKHORSE INVESTMENT & MANAGEMENT LLC	5430 HARTNECK RD	VALLEY CITY, OH 44280
HORKEY ROBERT G	113 E FRIENDSHIP ST	MEDINA, OH 44256
VISTA DANIEL	3115 GRANGER RD	MEDINA, OH 44256



CITY OF MEDINA
Community Development Department
132 N. Elmwood Ave. Medina, OH 44256
Phone: 330-722-9023 Fax: 330-764-4385

April 26, 2023

Dear Property Owner,

You are receiving this notice because you are an owner of property adjacent to an application that has been submitted to the City of Medina Planning Commission. The Commission will hold a public hearing at their next regular meeting regarding the application described below. The meeting will be held at City Hall, 132 North Elmwood Avenue, Medina, OH 44256, at **6:00 pm on May 11, 2023**.

P23-10: Robert Vokac requesting Conditional Zoning Certificate approval for outdoor dining at 144 North Court Street in a C-2 (Central Business) zoning district.

All interested parties are welcome to attend and will be given the opportunity to address the Commission during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. In the spirit of ADA compliance, individuals with a disability should contact the Community Development Department at least 72 hours prior to the meeting to request accommodations. For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact:

Andrew Dutton
Community Development Director
adutton@medinaoh.org
(330) 722-9023
132 North Elmwood Avenue
Medina, Ohio 44256

Dear Mr. Dutton,

I would like to raise a few concerns I have regarding the outdoor seating for the business - The Wrecking Crew. I have a few concerns as to potential problems.

There is a home directly behind this establishment, where the seating would be. The seating area is also set on property that is slanted downward toward that and other properties. This would allow for trash and other articles to roll or travel down into that homes driveway. While there is a very small retaining wall there to prevent this, things do make it over the wall and into that driveway and sidewalk. Which brings up a different related possibility.

Depending on how inebriated his patrons become - I would hate to see one of them stumble and fall down. This leading them to end up in that driveway, leaving that property owner facing a potential lawsuit.

There is also 2 homes in the same area that house mentally challenged people. I would hate to see them disturbed to the point of affecting their coping abilities and having them act out unnecessarily.

Will the outdoor seating / drinking area be monitored - or have an employee watching the area to prevent accidents or patrons becoming to inebriated? Drunk and loud customers could also disturb the peace. Let alone them walking home and stumbling, loudly as they pass the neighborhood homes.

I would appreciate it if you would address these concerns at the meeting as I will not be able to attend. I write this letter anonymously as I do not want any backlash from anyone.

Thank you, a neighborhood resident



Wrecking Crew Brew Works Seasonal Patio Project
144. N. Court St.

Wrecking Crew Brew Works is proposing to build a seasonal (Spring – Fall) patio on the North side of the unit located at 144 N. Court St. The patio will be the size of 2 parking spaces (approximately 18 ft) in Width and (approximately 30 ft). The patio will be demarcated by wooden planter boxes with outdoor rope connecting them as a barrier for patio space use. The planter boxes will also have 4x4's in the center at a height of 8-9ft in height with outdoor string lights spanning between to provide light to the patio during the evening. The patio will have 5-6 circular tables that fit 4 people with umbrellas and chairs surrounding them. The Patio would only be in use during Wrecking Crew Brew Works business hours, those being mon-thurs: 4-10pm, friday: 4-11pm, saturday: noon – 11pm and sunday: noon – 9pm. These times may change as the business expands but will never exceed the allowable midnight on weeknights and 1am on weekends. As this is a temporary patio, no changes will be made to parking lot or building where the patio will be located. The patio will be for patrons of Wrecking Crew Brew Works to enjoy as an outdoor space in the appropriate seasons. The patio will be disassembled after fall to be reassembled in the spring.

Andrew Dutton

From: Daniel Gladish
Sent: Wednesday, April 26, 2023 11:39 AM
To: Sarah Tome; Larry Walters; Medina Forestry; Patrick Patton; Edward Kinney; Sharon Garrison; Nino Piccoli; Jansen Wehrley; Kimberly Marshall
Cc: Andrew Dutton; Mark Crumley
Subject: RE: Conditional Zoning Review

Sarah, Andrew,

After review by both Mark Crumley and I, our only concern would be for the electrical for the outdoor patio lighting. The lighting would need to be connected or plugged into to an outlet or receptacle without the use of extension cords. I stopped by the building this morning to see if there is an outdoor outlet in the area of the new patio. There is not. If one is to be added an electrical permit would be required.

Thank you,

Dan Gladish

Chief Building Official

P: (330) 725-0521

dgladish@medinaoh.org



From: Sarah Tome <stome@medinaoh.org>

Sent: Friday, April 21, 2023 2:03 PM

To: Larry Walters <lwalters@medinaoh.org>; Medina Forestry <medinaforestry@medinaoh.org>; Patrick Patton <ppatton@medinaoh.org>; Edward Kinney <ekinney@medinaoh.org>; Sharon Garrison <sgarrison@medinaoh.org>; Nino Piccoli <npiccoli@medinaoh.org>; Jansen Wehrley <jwehrley@medinaoh.org>; Daniel Gladish <dgladish@medinaoh.org>; Kimberly Marshall <kmarshall@medinaoh.org>

Cc: Andrew Dutton <adutton@medinaoh.org>

Subject: Conditional Zoning Review

CITY OF MEDINA PLANNING DEPARTMENT	
REVIEW AND COMMENT FORM	
Case: P23-10	Meeting Date: May 11, 2023
Address: 144 North Court Street	Requested response date: May 1, 2023
Project: This project will be reviewed by the Planning Commission	

***This is a request for Conditional Zoning Certificate approval¹ for outdoor dining at 144 North Court Street.**

TO: Fire Chief
City Forester
City Engineer
City Parks Director
Police Chief
Water/Backflow Streets/Sanitation Economic Development Building Department

Attached for your review and comment is an application that has been submitted to the Medina Planning Commission for action in accordance with the Zoning Code.

For the Commission to evaluate this application as to its effects upon the City and adjacent areas, it is requested that written responses be returned to the Commission setting forth your comments.

Please return all comments to Andrew Dutton at adutton@medinaoh.org in the Planning Department by the deadline shown above.

Thank you,

Sarah Tome
Admin Assistant
Economic Development/Planning Department
330-722-9038



Map



Generated with the GeoMOOSE Printing Utilities

East Friendship St.

Proposed
Patio area

18.5

25'

N. Court St.

144 N Court St

Wrecking Crew Brew Works

140

Fabric Obsession
Quilt shop



26.8'

25'

18.5'

East Friendship St.

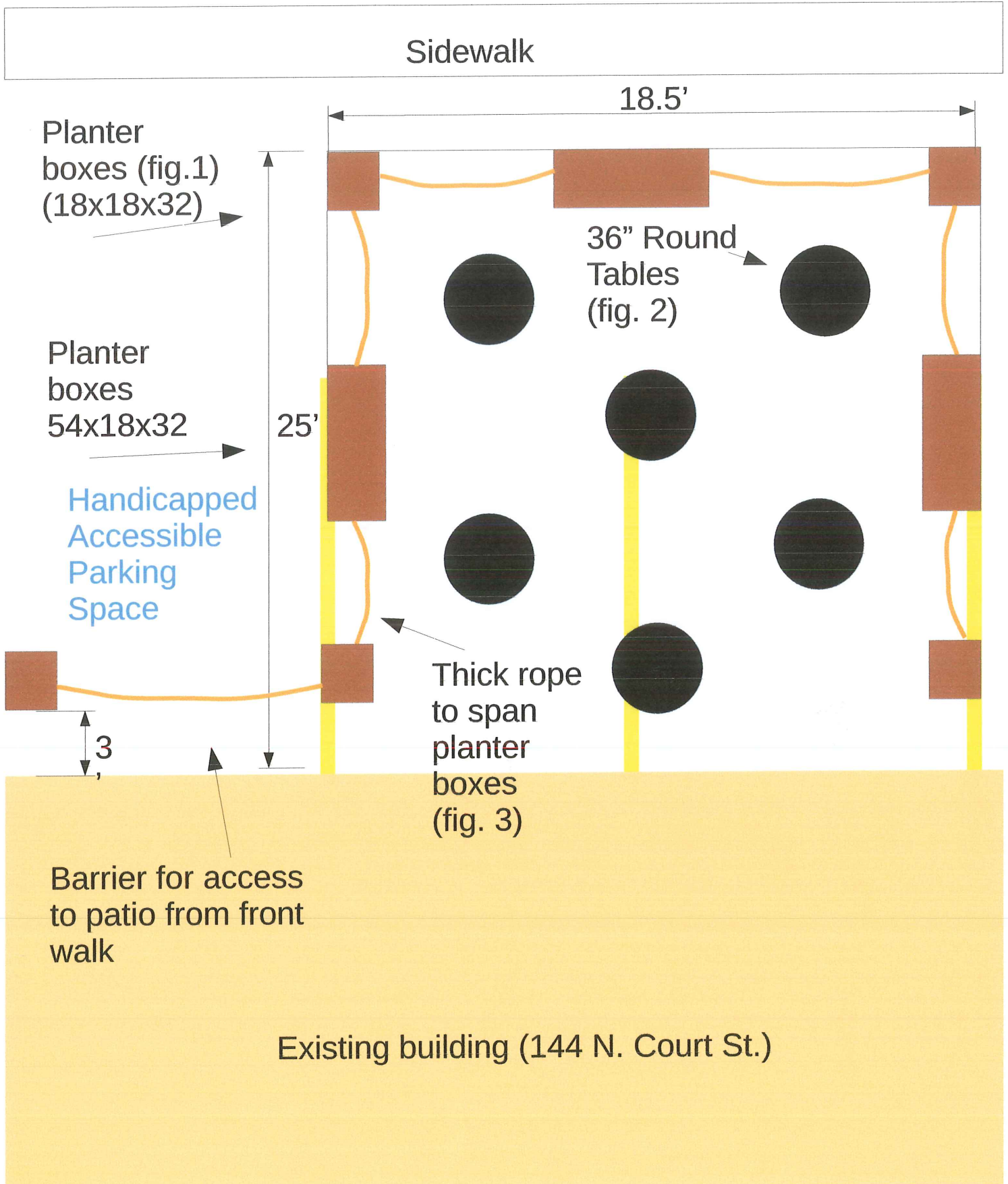




Fig. 1

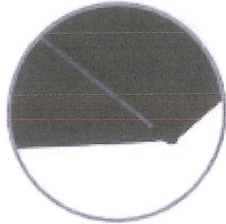
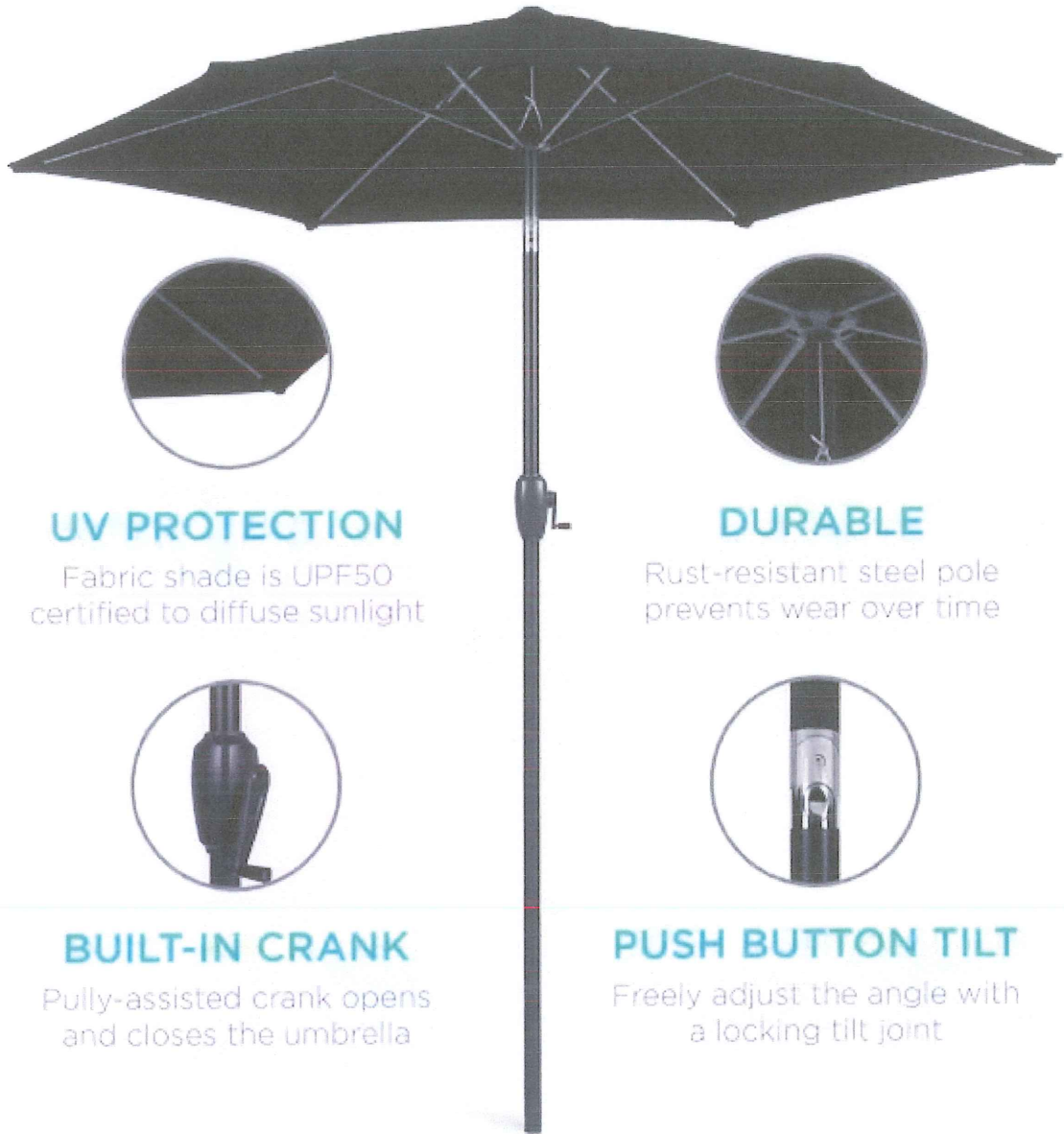


figure 2.



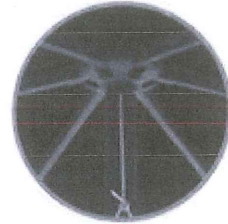


fig. 3



UV PROTECTION

Fabric shade is UPF50 certified to diffuse sunlight



DURABLE

Rust-resistant steel pole prevents wear over time



BUILT-IN CRANK

Pully-assisted crank opens and closes the umbrella



PUSH BUTTON TILT

Freely adjust the angle with a locking tilt joint

**24 feet strand contains 7 hanging bulbs
Connect up to 40 strands end to end.**

