



BOARDS & COMMISSIONS APPLICATION

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

Application Number P24-17

GENERAL

Date of Application 6-14-24
Property Location Don Terry's Rd Medina 1158 N Court St Medina Ohio
Description of Project installing new concrete patio with lights and wall

CONTACT INFORMATION

Applicant
Name McGrath Brothers LLC.
Address PO Box 110806 City Cleveland State Ohio Zip 44111
Phone 216-504-5875 Email mcgrath-brothers@aol.com
Property Owner
Name Manuel Angel Vasquez
Address 1158 N Court St City Medina State Ohio Zip 44256
Phone 3303214369 Email

APPLICATION TYPE

Planning Commission Site Plan Conditional Zoning Certificate Code or Map Amendment
Preliminary Plan Final Plat Conditional Sign (EMC/Shopping Ctr) Cert. of Appr. (TCOV) Other
Historic Preservation Board Certificate of Appropriateness Conditional Sign
Board of Zoning Appeals Variance Appeal

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 Michael McGrath Date 6-14-24

OFFICIAL USE

Zoning District C-3
Meeting Date 7/11/24
Fee (See Fee Sheet) \$ 300
Check Box when Fee Paid

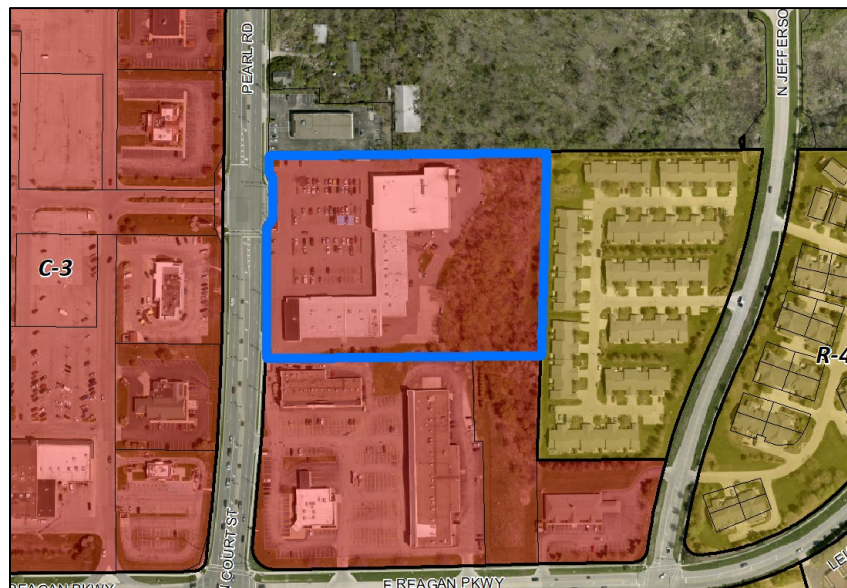
P24-17
Don Tequila Outdoor Dining

Property Owner: Centerpointe Plaza Associates
Applicant: Michael McGrath
Location: 1158 North Court Street
Zoning: C-3 (General Commercial)
Request: Conditional Zoning Certificate approval for outdoor dining

LOCATION AND SURROUNDING USES

The subject site is composed of 6.5 acres located on the east side of North Court Street. Adjacent properties contain the following uses and zoning:

- North – Undeveloped and Retail (Township)
- South – Commercial (C-3)
- East – Multi-Family Residential (R-4)
- West – Commercial (C-3)



BACKGROUND & PROPOSED APPLICATION

In 2017, a Conditional Zoning Certificate for outdoor dining at the southeast corner of the building was approved. However, the project did not commence and the approval expired in 2018.

The applicant has resubmitted the request for an outdoor dining patio without changes, which includes:

- 769 sq. ft. of outdoor dining
- A 4 ft. tall brick fence with decorative lighting fixtures
- Service of food and alcohol
- 8 tables with seating for 32 patrons
- Hours of operation Monday through Thursday 11 am to 10 pm, Friday and Saturday 11 am to 10:30 pm, and Sundays 11 am to 9 pm.

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.

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 P24-17, as submitted.

Don Tequila Mexican Restaurant
1158 N Court St
Medina, OH
44256
(330) 723 7917
www.dontequilamedina.com

Medina Planning Department,

We are seeking approval to build an outdoor patio made out of concrete in the rear of our location.

The patio will have 769 sq including the fence.

The sitting area will have 8 tables, each one for 4 people, with a total of 32 chairs.

Hours of operations will remain the same:

Monday to Thursday 11am to 10pm

Friday & Saturday 11am to 10:30pm

Sunday 11am to 9pm

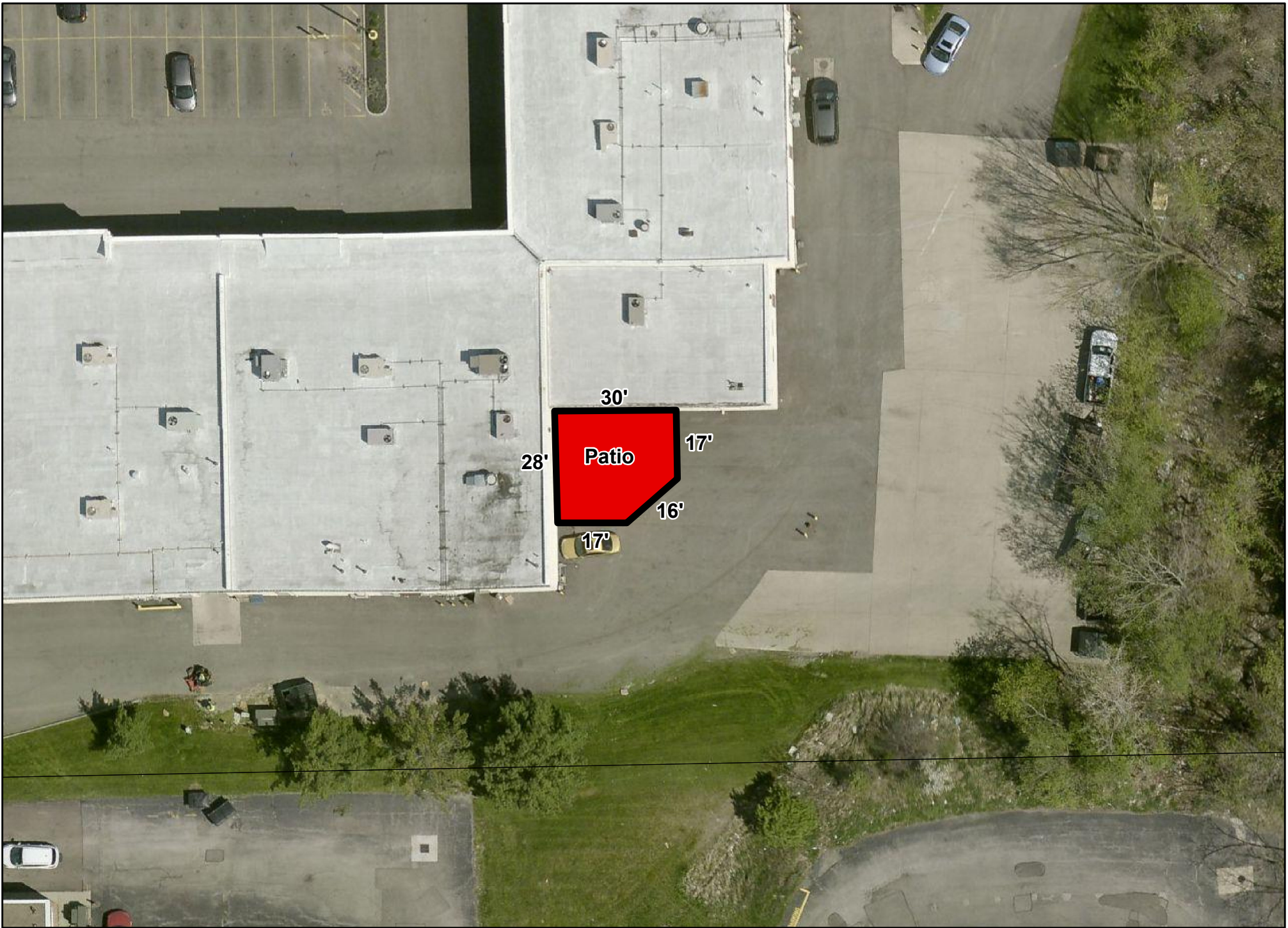
Alcoholic beverage will be served in conjunction with the service of food and meals.

Sincerely,

Manuel Angel
Owner

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BY:



Patio

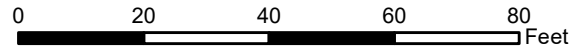
30'

17'

16'

17'

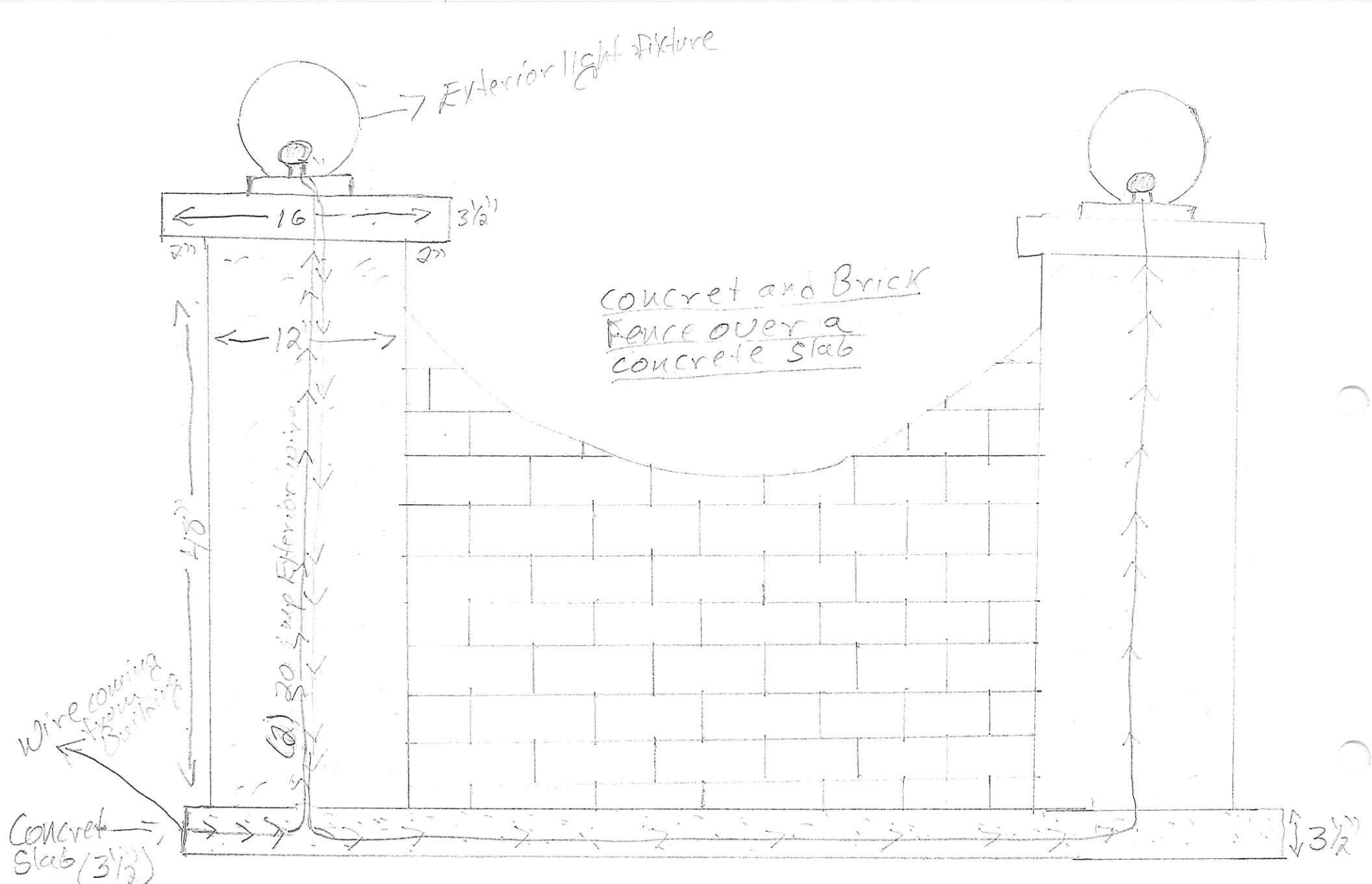
28'





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