

PLANNING REPORT
Planning & Zoning Commission
Thursday, September 5, 2024

Yogi's Bar & Grill
24-101AFDP-CU


<https://dublinohiousa.gov/pzc/24-101/>


Case Summary

Address	3880 Hard Rd, Dublin, Ohio 43016
Proposal	Proposal for exterior modifications and an outdoor dining patio expansion for an existing bar and restaurant.
Request	Request for review and approval of an Amended Final Development Plan (AFDP) under the provisions of Zoning Code Section 153.055. Request for review and approval of a Conditional Use (CU) under the provisions of Zoning Code Section 153.236.
Zoning	Planned Unit Development (PUD): Northeast Quad, Subarea 5A
Planning Recommendation	<u>Approval of the Amended Final Development Plan with conditions.</u> <u>Approval of the Conditional Use with conditions.</u>
Next Steps	Upon approval of the AFDP and CU, the applicant may apply for permits through Building Standards.
Applicant	Learin McHugh, Design Collective
Case Manager	Taylor Mullinax, AICP, Planner I tmullinax@dublin.oh.us (614) 410-4632



Community Planning and Development

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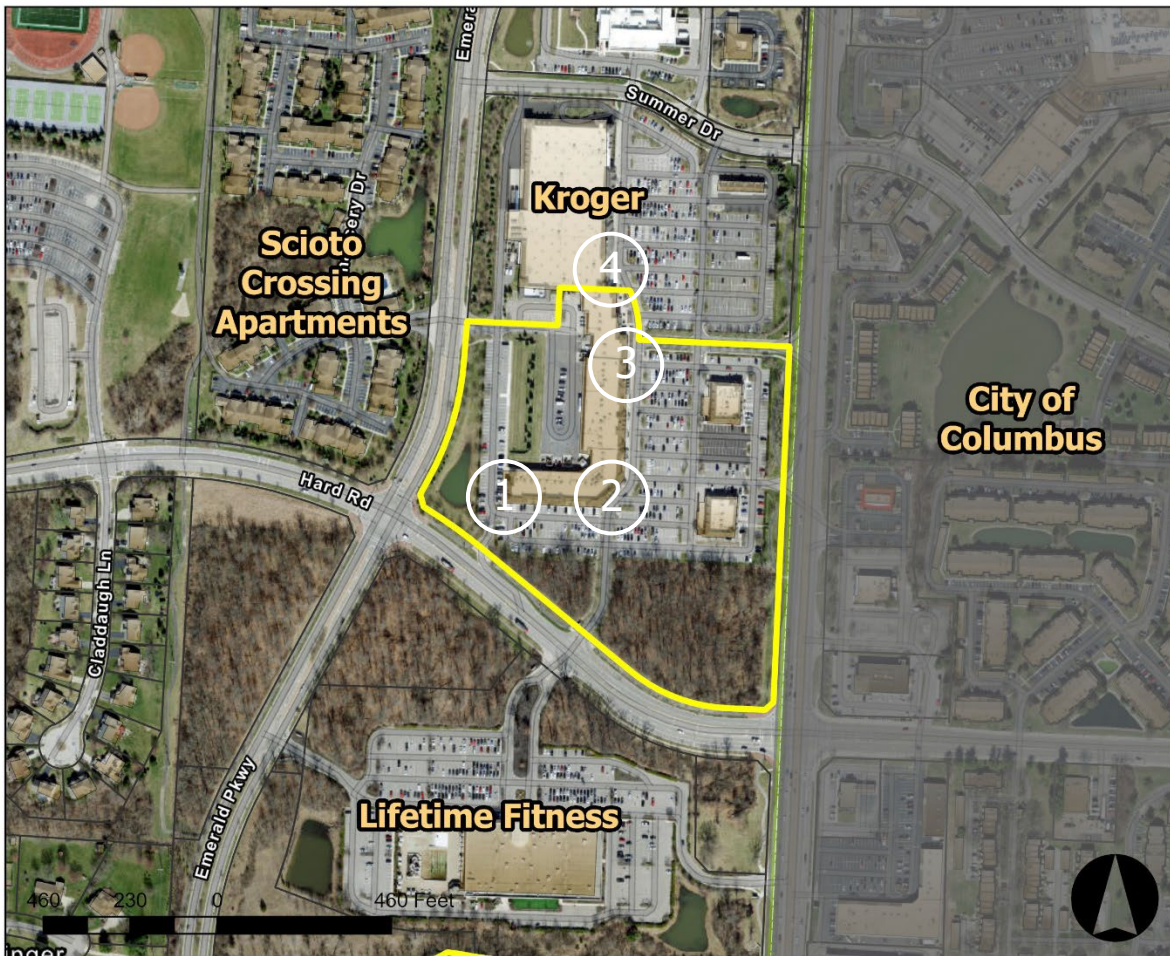
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Site Location Map

24-101AFDP-CU - Yogi's Bar & Grill



- Site Features**
- 1 Yogi's Bar & Grill Patio
 - 2 101 Beer Kitchen Patio
 - 3 Sunny Street Café Patio
 - 4 Starbucks/Kroger Patio



1. Background

Site Summary

The tenant space is at the southwest end of the Kroger Marketplace shopping center. The 17.08-acre shopping center site is located northeast of the Emerald Parkway and Hard Road intersection. It is accessible from Hard Road, Sawmill Road, and service access from Emerald Parkway. A sidewalk extends along Emerald Parkway and Summer Drive, with a shared-use path on Sawmill Road and Hard Road.

The site is zoned PUD: Northeast Quad and is in Subarea 5A. The shopping center has four tenants with outdoor service areas/dining patios: Starbucks/Kroger, 101 Beer Kitchen, Sunny Street Café, and Yogi's Bar and Grill.

Case History

2014

City Council approved Ordinance 09-14 which included the addition of outdoor dining patios as a Conditional Use within the Development Text for Subarea 5A.

December 2006

Planning & Zoning Commission (PZC) approved an AFDP and CU for Average Joe's Pub and Grill, including an outdoor dining patio with fencing and outdoor speakers. Average Joe's Pub & Grill was the previous tenant of the Yogi's Bar & Grill space.

October 2004

PZC approved a Final Development Plan for the Kroger Marketplace and retail shopping center, which included two multi-tenant outparcels and a fuel station.

Process

- 1) Concept Plan (CP)
- 2) Preliminary Development Plan (PDP)/Rezoning
- 3) Final Development Plan (FDP)
- 4) *Amended Final Development Plan (AFDP)*

The PZC is the reviewing body for an AFDP, which is required for changes to a FDP.

2. City Plans and Policies

Northeast Quad, Subarea 5A Development Text

In Subarea 5A, outdoor service facilities and dining patios are permitted as a Conditional Use, requiring approval by the PZC per Dublin Zoning Code Section 153.236. Unless specified otherwise in the Development Text, development standards defer to the Dublin Zoning Code.

3. Project

Summary

The applicant is proposing storefront modifications, an outdoor dining patio expansion, and bike rack relocation for an existing bar and restaurant.

Amended Final Development Plan

Patio Expansion and Site Improvements

The existing 835-square-foot patio is along the west side of the tenant space facing Emerald Parkway, which includes seating enclosed by fencing and two bike racks.

The proposed patio expansion adds 165 square feet to the north of the existing patio, enclosed by a 41-inch black metal fence matching the existing Fortin Ironworks fence. A new gate will open outward toward the sidewalk. Existing sidewalk widths meet ADA circulation requirements. The expansion will include two new tables and ten seats, matching the current patio furniture. The bike racks are proposed to be relocated in front of Plato's Closet, closer to the shopping center's front.

Staff recommend confirming fence, patio furniture and umbrella details during the building permit process. The applicant should also work with staff on relocating the bike racks in front of Yogi's Bar & Grill to comply the Development Text which requires bicycle racks to be located along the front of the stores. Conditions of approval address both items.

Storefront and Building Modifications

Building modifications include replacing a portion of the fixed storefront system with Ramco folding aluminum glazing walls, adding two doors, painting the patio ceiling Tricorn Black (SW6258), and installing decorative string lights and four patio heaters. These changes are limited to the west elevation and within the patio area. The storefront section above the folding walls will retain its original design, matching the existing mullion sizes, configurations, materials, and finish. All materials comply with the Development Text, and staff support the modifications.

Conditional Use

The applicant submitted a CU statement detailing hours of operation as Sunday-Thursday 11am-12am, and Friday-Saturday 11am-2am, with 20 employees. They seek to expand the existing patio to add seating for the restaurant's party room, which is located next to the expansion area. As with previous patio approvals, staff recommends that patio amenities be properly stored out of view from the general public during non-peak outdoor dining season, and that umbrellas be free of logos, signage, names, or advertising, as specified in the conditions of approval.

4. Plan Review

Amended Final Development Plan	
Criteria	Review
1. The plan conforms in all pertinent respects to the approved preliminary development plan.	<p>Criterion Met with Conditions: The patio expansion aligns with other outdoor dining patios in the shopping center, and the building modifications complement the overall development.</p> <p>The applicant should continue working with staff to find a suitable location for the bike racks in front of the tenant space and provide fence specification details at permitting.</p>

2. Adequate provision is made for safe and efficient pedestrian and vehicular circulations within the site and to the adjacent property.

Criterion Met: Existing sidewalk widths are maintained and meet the minimum 3-foot requirements for ADA circulation. Vehicular circulations are not affected by the project.
3. The development has adequate public services and open spaces.

Not Applicable: The AFDP does not affect public services or open spaces.
4. The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in the Code.

Not Applicable: The AFDP does not modify natural characteristics of the site.
5. The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.

Not Applicable: The AFDP does not modify exterior lighting fixtures or site lighting. The applicant is proposing string decorative lighting, but this is designed to provide atmosphere to the patio area without affecting adjacent properties.
6. The proposed signs are coordinated within the PUD and with adjacent development.

Not Applicable: The AFDP does not modify existing signs or include proposed signs.
7. The landscape plan will adequately enhance the principle building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate.

Not Applicable: The AFDP does not modify existing landscaping or include proposed landscaping.

- 8. Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in the Code and any other design criteria established by the City or any other government entity which may have jurisdiction over such matters. **Not Applicable:** The AFDP does not affect storm drainage.
- 9. If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage. **Not Applicable:** The AFDP will not be constructed in phases.
- 10. The City believes the project to be in compliance with all other local, state, and federal laws and regulations. **Criterion Met:** The project meets all other applicable laws and regulations.

Conditional Use

Criteria

Review

- 1. Harmonious with the Zoning Code and/or Community Plan. **Criterion Met:** The outdoor dining patio expansion is consistent with City plans and policies, creating a vibrant outdoor experience which contributes to the development, and the permitted Conditional Uses outlined in the Development Text.
- 2. Complies with applicable standards. **Criterion Met:** The patio is consistent with the standards outlined in the Development Text.
- 3. Harmonious with existing or intended character of the general vicinity. **Criterion Met:** The patio expansion is consistent with other patios in the Kroger Marketplace shopping center including similar outdoor patio furniture.
- 4. The use will not have a hazardous or negative impact on surrounding uses. **Criterion Met with Conditions:** The proposed patio expansion and hours of operation outlined in the applicant's statement comply with the Development Text.

To maintain consistency with other patios in the development, patio amenities should be stored out of view from the general public during non-peak outdoor dining season, and umbrellas should be free of logos, signs, names, and advertising. Recommended conditions of approval address these items.

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| 5. The use will be adequately served by public facilities and services. | Criterion Met: The patio is adequately served by essential public facilities and services. |
| 6. The use will not harm the economic welfare. | Criterion Met: The patio expansion and improvements establish a vibrant outdoor dining experience which contributes to the economic welfare of the development. |
| 7. The use will not be detrimental to any person, property, or the general welfare. | Criterion Met: The patio expansion promotes a positive experience for the tenant and the development. |
| 8. Vehicular circulation will not interfere with existing circulation. | Not Applicable: Vehicular circulation is not affected by this request. |
| 9. Not detrimental to property values in the vicinity. | Criterion Met: The use is existing, and its expansion will add to the value of the development. |
| 10. Will not impede the development or improvement of surrounding properties. | Criterion Met: The patio expansion is contained within the immediate area of the tenant space and does not impede upon the remainder of the development or surrounding properties. |

Recommendations

Planning Staff recommends **Approval** of the **Amended Final Development Plan** with conditions:

- 1) The applicant continues to work with staff on the proposed relocation of the bike racks to be incorporated along the Yogi's Bar & Grill tenant storefront, subject to staff review and approval prior to building permitting.
- 2) That the fence specification, patio furniture and other amenities are compatible with the existing conditions of the site, subject to staff review and approval at building permitting.

Planning Staff recommends **Approval** of the **Conditional Use** with conditions:

- 1) The patio amenities are properly stored out of view from the general public during non-peak outdoor dining season.
- 2) The umbrellas contain no logos, signage, names or advertising.