

15050014

File No. CU. 2015
Date Received: 5/6/15
Scheduled Public Hearing Date: 5/27/15

Fee: -0-
Initials: BS.
Check or Receipt No. -

**APPLICATION FOR CONDITIONAL USE
CITY OF GAHANNA PLANNING COMMISSION**

Applicant's Name: * City of Gahanna
Address: 200 S. Hamilton Rd
Parcel ID#: 025-003174
Company: _____ Phone: 342-4025 Fax: _____
Status: _____ Land Owner _____ Option Holder _____ Cont. Purchaser _____ Agent
Property Location: 455 Morrison Rd Gahanna, Ohio
Proposed Use: Restaurant Total Acreage: _____ Current Zoning: PUD
Reason for Conditional Use: Drive-thru
Developer: N/A Phone: _____
Contact: Michael Blackford Title: _____
Address: 200 S. Hamilton Rd Gahanna, Ohio
Landowner: Fischer's Restaurant, Inc. Phone: _____
Address: 2800 Gilbert Ave. Cincinnati, Oh. 45206-1298

*Note: Planning Commission and/or City Staff may visit the property prior to the hearing.

[Signature]
Applicant's Signature

May 6, 2015
Date

Submission Requirements

1. A plan that complies with the list of Conditional Use requirements stated in Section 1169.02(b). See attached sheet.
2. 10 copies of plan **folded** (not rolled) to 8 1/2 X 11 inch size prior to submission.
3. Statements of information as required in Section 1169.02(a).
4. Application Fee of \$100.
5. A list of contiguous property owners and their mailing addresses.
6. Submit reduced drawing to an 8 1/2 X 11 inch size.

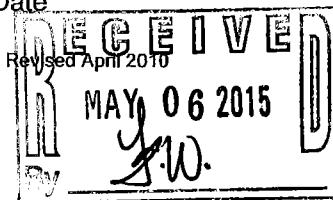
APPROVAL

In accordance with Section 1169 of the Codified Ordinances of Gahanna, Ohio, I hereby certify that this project, as stated above, has been approved by the City of Gahanna Planning Commission on _____. A copy of the minutes is hereby attached. The applicant shall comply with any conditions approved by the Planning Commission, and shall comply with all building, zoning, and landscaping regulations now in place. This approval is valid from public hearing date to _____.

Planning & Zoning Administrator

Date

*Note: All correspondence will be to applicant above unless otherwise stated.



1169.02 WRITTEN APPLICATIONS

Ten copies of a provided application form shall be filed with the Planning & Zoning Administrator not less than twenty days prior to the date of the public hearing.

a) **Description of Property and Intended Use.** The application shall include the following statements:

1. A legal description of the property.
2. The proposed use of the property.
3. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
4. A statement of the relationship of the proposed use to adjacent property and land use.
5. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the Commission.

b) **Plot Plan.** The application shall be accompanied by ten copies of a plot plan, drawn to an appropriate scale, clearly showing the following:

1. The boundaries and dimensions of the lot.
2. The size and location of existing and proposed buildings and/or structures.
3. The proposed use of all parts of the lot, buildings and/or structures, including access ways, walks, off-street parking and loading spaces, and landscaping.
4. The relationship of the proposed development to the development standards.
5. The use of land and location of structures on adjacent property.

Planning Commission Information for All Applicants

1. All required information must be submitted with the application. Wednesday, 12 noon is the deadline for acceptance of all applications (type of application determines weeks of advertisement). No application will be forwarded to Planning Commission until all information is received in the Planning & Zoning Office.
2. It is the responsibility of the applicant to have a court reporter present, at the applicant's expense, if they wish to have a verbatim transcript of the meeting. Council office must be advised in advance if a court reporter is going to be present.
3. Reduced drawings suitable to an 8 ½ x 11 inch size must be submitted. If an application is amended at any time during the process, a new reduced drawing must be submitted as well as any full size drawings requested.
4. Agendas will be mailed to the applicant on the Friday prior to the Planning Commission meeting. If the agenda is to go to someone other than the applicant, it needs to be noted on the application.
5. If a list of Contiguous Property owners needs to be submitted with an application, it must be compiled in a list on a separate sheet of paper. This must include name and address of property owner. Showing them only on one of the plan sheets is not acceptable.
6. For Design Review applications, a materials list must be submitted with the application. If materials are changed during the process, then a new materials list must be submitted.
7. For Multi-tenant ground sign & Master Sign Plan applications, location must be noted: on site plan for a freestanding sign or on building elevation, if a wall sign. Color renderings must be submitted.
8. Please review "Submission Requirements" on any application before submitting to the Planning & Zoning Division.
9. Copies of specific sections of the zoning code are available in the Zoning Office at no charge. The entire zoning code with a map is available in the Council Office at a cost of \$25.00. Zoning Code is available on line and can be found @ www.gahanna.gov/departments/development/planning.asp under Code Ordinances.
10. Planning Commission members may visit the property prior to the hearing to review the application.



CITY OF GAHANNA

STAFF COMMENTS

Project Name: Frisches' Restaurant

Project Address: 445 Morrison Road

The City of Gahanna respectfully requests approval of a Conditional Use for a drive-thru for the existing Frisch's restaurant at the above listed address. When the original site plan was approved in 1993, the drive-thru was indicated on the plans; however, a conditional use was not required by the Zoning Officer at the time. Historically, we have required a conditional use approval for all drive-thru uses, restaurant or other. After discussing this situation with the City Attorney, he advised that the City would apply for the permit, so that the owner can move ahead with its financial plans for the property.

1169.04 ACTIONS OF THE PLANNING COMMISSION.

The Planning Commission shall hold a public hearing and act on a conditional use in one of the following ways:

(a) Approval. The Planning Commission shall approve an application for a conditional use if the following four conditions are met:

(1) The proposed use is a conditional use of the zoning district and the applicable development standards established in this Zoning Ordinance are met.

(2) The proposed development is in accord with appropriate plans for the area.

(3) The proposed development will not have undesirable effects on the surrounding area.

(4) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

(b) Approval with Modification. The Commission may approve, with modification, an application for a conditional use if the proposed use is a conditional use of the zoning district and the applicable development standards are met, but plot plan modification is required:

(1) To be in accord with the appropriate plans for the area; and

(2) To prevent undesirable effects on adjacent property and the surrounding area.

Such modification may include but not be limited to a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, time limits as to the length of time the use may be permitted to exist, control of access or other conditions of development as may be required. Requirements regarding the modification of plans or other appropriate actions shall be stated with the reasons for each requirement.

(c) Disapproval. The Commission shall only disapprove an application for a conditional use for any one of the following reasons:

(1) The proposed use is not a conditional use of the zoning district, or the applicable development standards are not and cannot be met.



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- (2) The proposed development is not in accord with appropriate plans of the area.
- (3) The proposed development will have undesirable effects on the surrounding area.
- (4) The proposed development is not in keeping with the existing land use character and physical development potential of the area.

Respectfully Submitted By: Bonnie Gard
Planning and Zoning Administrator



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