CITY COUNCIL AGENDA ITEM

Date: March 30, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

Subject: Announcement of Public Hearing - April 18, 2011 – Capital Grille Outdoor Seating Area, North side of Big Beaver, East of Coolidge (2800 West Big Beaver Road, Space Q123), Section 20, Presently Zoned B-2 (Community Business), Controlled by Consent Judgment (File Number SU-386)

Background

The applicant Capital Grille Holdings, Inc. intends to add a 42-seat outdoor seating area at their restaurant at Somerset Collection. Section 21.30.05 permits outdoor seating in excess of 20 people by Special Use Approval in the B-2 Community Business District. The applicant provided a dimensioned site plan and a photo showing how the seating area will be delineated. The attached report prepared by Carlisle/Wortman Associates, Inc. summarizes the application.

The Planning Commission considered this item at the March 22, 2011 Special/Study meeting and recommended approval of the 42-seat outdoor seating area. A Public Hearing is scheduled for the April 18, 2011 City Council Regular meeting.

It should be noted the proposed City of Troy Zoning Ordinance will permit outdoor seating areas of any size as accessory uses to restaurants. Therefore, if the Zoning Ordinance is adopted as proposed, City Council would no longer have the responsibility of approving outdoor seating areas in excess of 20 people.

Recommendation

City Management recommends approval of the outdoor seating area for Capital Grille.

_____ _____

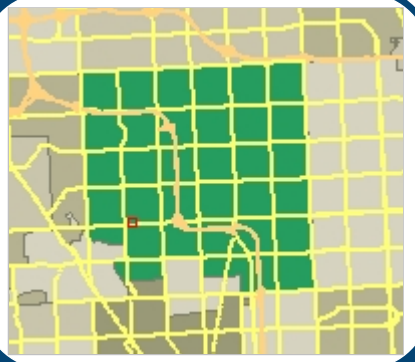
City Attorney's Review as to Form and Legality Date

Attachments:

1. Maps
2. Site plan and photo provided by applicant
3. Report prepared by Carlisle/Wortman Associates, Inc.
4. Minutes from March 22, 2011 Planning Commission Special/Study meeting (excerpt)

The Capital Grille

City of Troy Planning Department



Legend

- I-75
- Road Centerline
  - Major Road
  - Industrial Road
  - Local Road
- Hydrography Poly
- Hydrography Arc
- Parcels
- Aerial Photos - 2010
  - Red: Band_1
  - Green: Band_2
  - Blue: Band_3

50 0 25 50 Feet

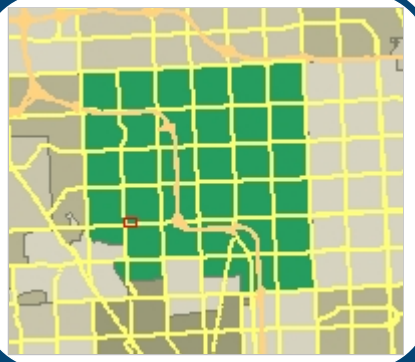
Scale 1: 302

Printed: 3/17/2011

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

The Capital Grille

City of Troy Planning Department



Legend

- I-75
- Road Centerline
  - Major Road
  - Industrial Road
  - Local Road
- Hydrography Poly
- Hydrography Arc
- Parcels
- Aerial Photos - 2010
  - Red: Band_1
  - Green: Band_2
  - Blue: Band_3

402 0 201 402 Feet

Scale 1: 2,412

Printed: 3/17/2011

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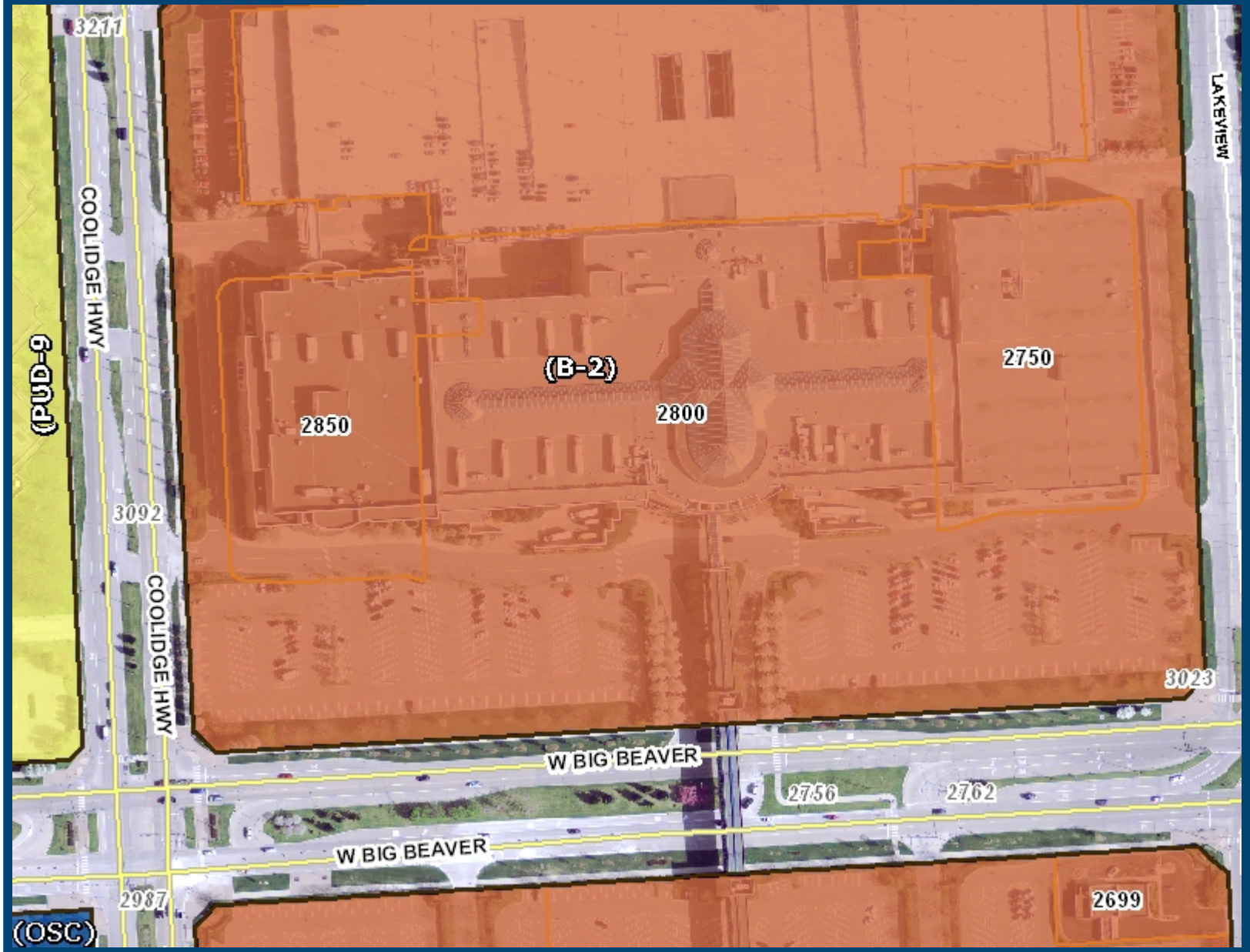
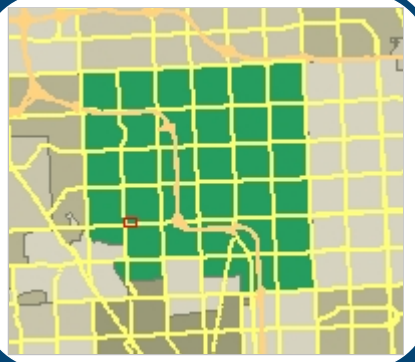
The Capital Grille

City of Troy Planning Department





Legend

- I-75
- Road Centerline
  - Major Road
  - Industrial Road
  - Local Road
- Zoning
  - (PUD) Planned Unit Development
  - (B-1) Local Business District
  - (B-2) Community Business District
  - (B-3) General Business District
  - (R-C) Research Center District
  - (C-F) Community Facilities District
  - (C-J) Consent Judgment
  - (E-P) Environmental Protection District
  - (R-EC) Residential Elder Care
  - (P-1) Vehicular Parking District
  - (H-S) Highway Service District
  - (M-1) Light Industrial District
  - (O-1) Office Building District
  - (O-M) Office Mid-Rise District
  - (OSC) Office Service Commercial District
  - (CR-1) One Family Residential Cluster Distric
  - (R-1A) One Family Residential District
  - (R-1B) One Family Residential District
  - (R-1C) One Family Residential District
  - (R-1D) One Family Residential District
  - (R-1E) One Family Residential District
  - (R-1T) One Family Attached Residential Distr
  - (R-2) Two Family Residential District
  - (R-M) Multiple Family Residential Medium De
  - (RM-1) Multiple Family Residential District (Lo
  - (RM-2) Multiple Family Residential District (M
  - (RM-3) Multiple Family Residential District (Hi
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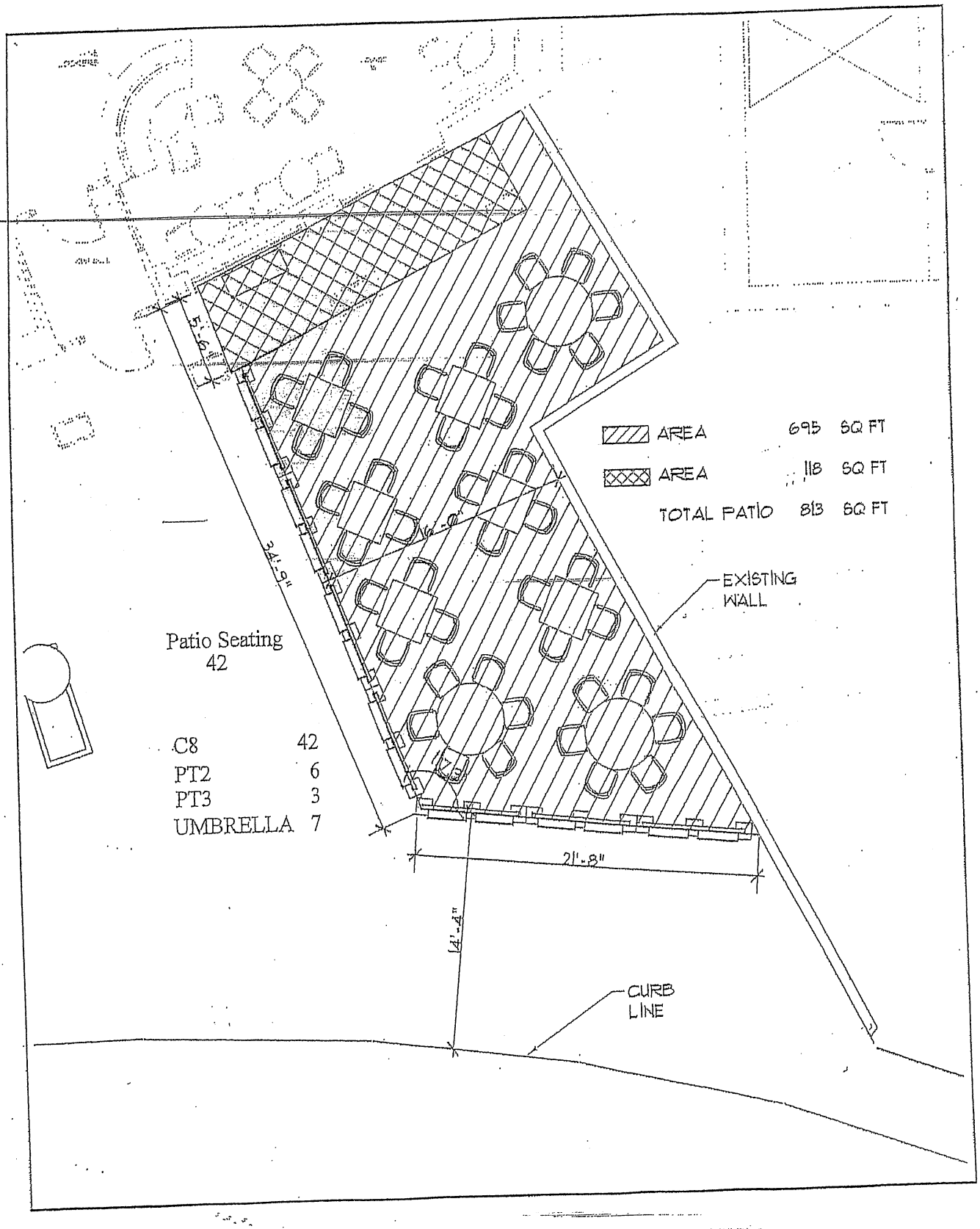
Niemitz Design Group

1 Design Center Place - STE 644
Boston, Massachusetts 02210
617.345.9323 p 617.330.7980 f

Project: THE CAPITAL GRILLE - TROY, MI #8005 Sheet: 1 of 1

Description: PATIO SEATING AREA DIAGRAM ID-SK03

Scale: 1/8"=1'-0" Date: 08/18/10



CARLISLE/WORTMAN ASSOCIATES, INC.
Community Planners /Landscape Architects

605 S. Main, Suite 1
Ann Arbor, MI 48104
734-662-2200
fax 734-662-1935

6401 Citation Drive, Suite E
Clarkston, MI 48346
248-625-8480
fax 248-625-8455

Date: March 29, 2011

Special Use Review
For
City of Troy, Michigan

Applicant:	Capital Grille Holdings, Inc.
Project Name:	Capital Grille Outdoor Seating
Plan Date:	September 18, 2010 (Submittal dated March 22, 2011)
Location:	2800 West Big Beaver Road, Space Q123
Zoning:	B-2 (approved via consent judgment)
Action Requested:	Special Use Approval
Required Information:	Deficiencies noted

PROJECT AND SITE DESCRIPTION

We are in receipt of a special use submittal for the creation of an outdoor café for the Capital Grille. The area would be constructed in a currently paved area outside the main restaurant and adjacent the primary mall entrance. It would be surrounded by decorative pylons and fencing, would have umbrellas and potted landscaping, and would not be permanently installed. The outdoor seating would have direct access to the main restaurant, and would seat 42 additional diners.

Location of Subject Property:
The property is located on the north side of Big Beaver, at 2800 West Big Beaver Road in the north building of Somerset Collection.

Size of Subject Property:
The overall subject site for Somerset Collection is 36.9 acres. The proposed outdoor dining area is 813 square feet.

Proposed Uses of Subject Parcel:
The applicant proposes to use the area for outdoor seating.

Current Use of Subject Property:
The overall subject property is currently a shopping mall; this location is specifically a restaurant with no outdoor seating. The area that would house the outdoor dining is a paved portion of the pedestrian plaza and entrance adjacent the main Somerset Collection pedestrian entrance.

Current Zoning:
The property is currently zoned B-2, Community Business District. Restaurants are permitted in the B-2 District by right. This specific site is also controlled by consent judgment. It is our understanding from the City Attorney's office that the addition of an outdoor dining area would be allowed as it would normally be allowed in the B-2 District (Section 21.30.05) under the existing consent judgment. Outdoor dining is permitted as a special use, approved by City Council, for an initial period not to exceed two years with successive approvals for a similar maximum period. In those instances where a permanent structural enclosure is provided for the outside seating area, approval may be granted for the total term of operation of the applicant. The applicant proposes to construct a temporary fenced enclosure with landscaping and umbrellas on an existing concrete pad; consequently, we believe the applicant is not eligible to apply for a permit that could be granted for the total term of operation of the applicant, and must be limited to the two years allowed by the Ordinance.

BUILDING LOCATION AND SITE ARRANGEMENT

The existing restaurant is situated on a currently paved courtyard area outside the main restaurant and adjacent the primary mall entrance. The restaurant faces Big Beaver and shares parking with the overall mall. The courtyard area is immediately adjacent the restaurant, providing direct access. It does not hamper free and efficient use of the main mall entrance.

Items to be Addressed: *None*

AREA, WIDTH, HEIGHT, SETBACKS

This project is located behind the front yard setback and does not encroach into any required yard.

Items to be Addressed: *None.*

PARKING

Parking for outdoor dining is the same for that required for the overall conventional restaurant. This requirement is 1 space for every 2 persons within the dining establishment's capacity, plus 1 employee space for every 10 seats of seating capacity or one for each 35 square feet of dining area, whichever is greater. In this case, 42 additional seats are proposed, requiring 21 additional parking spaces, plus another 2 employee spaces, for a required total of 23 spaces.

The existing Capital Grille Restaurant is part of the Somerset Collection. The mall as a whole provides shared parking for the various uses within the mall. This arrangement is satisfied by multiple surface lots and the attached parking structures for the mall. In the north portion of Somerset Collection alone, 4,700 parking spaces are provided. Given that the patrons of the Capital Grille are frequently also customers at the rest of the mall, and that the peak hours of operation for the Capital Grille are unique from those for the main retail uses, we believe that the increased demand for parking generated by the Capital Grille outdoor dining spaces would be negligible. This negligible demand will be satisfied by the enormous supply of available parking at the Somerset Collection and will have no additional impact, and should require no new, additional parking.

***Items to be Addressed*:** *None.*

LANDSCAPING

The proposed location of the outdoor dining area would not impact any existing landscaped area, and is located within an existing paved courtyard adjacent the main mall entrance. The applicant has included a photograph and diagram showing the intended decorative fencing and furniture, and flower boxes are attached to the fencing sections. No landscaping is impacted by the project, nor should any additional new landscaping be necessary to accommodate the outdoor dining area.

Items to be Addressed*: None.*

RECOMMENDATIONS

This project enhances an existing successful business in the City with a temporary, seasonal installation of outdoor seating for 42 patrons. The development of an outdoor café increases the activity on Big Beaver and complements the vision established in the Big Beaver Corridor Study and Master Plan. The site contains sufficient parking and landscaped area. The project meets minimum ordinance requirements for screening and design. Therefore, we recommend the City Council approve the proposed outdoor dining area for Capital Grille for an initial period not to exceed two years.

CARLISLE/WORTMAN ASSOCIATES, INC.
Zachary G. Branigan, LEED AP, AICP
Associate

8. OUTDOOR SEATING AREA – The Capital Grille, Somerset Collection, North side of Big Beaver, east of Coolidge (Unit Q123, 2800 W. Big Beaver), Section 20, Currently Zoned B-2 General Business (Controlled by Consent Judgment)

Mr. Savidant summarized the application, which requires approval by City Council. There was general support of the proposed outdoor seating area.

Resolution #2011-03-015
Moved by: Edmunds
Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends that Special Use Approval for the proposed Capital Grille outdoor seating area, located on the north side of Big Beaver, east of Coolidge (Unit Q123, 2800 W. Big Beaver), Section 20, Currently Zoned B-2 General Business (Controlled by Consent Judgment), be granted.

Yes: All present (8)
Absent: Schultz

MOTION CARRIED