



To: Mayor and City Council
From: Brad Townsend, Planning and Zoning Director
Date: April 29, 2011
Re: SC 11-02, Sidewalk Café Application for Zest at 957 Canton Street

Brad Townsend

A sidewalk cafe application was approved for this location at the Mayor and City Council meeting on August 9, 2010. The application was approved with the following conditions:

1. The site plan approved is stamped "Received" by the City of Roswell Community Development Department on August 4, 2010.
2. The barrier and all furniture must match all specifications included on the pre-approved list included in the sidewalk cafe application.
3. The post and chain shall feature two chains to meet ADA accessibility requirements.
4. The applicant shall obtain a license for land use from the City of Roswell and all applicable permits prior to construction.

The applicant now wishes to fill in the parking space in front of his business so that he is able to enlarge his sidewalk cafe seating area. This work would be completed at the applicant's expense.

This item was deferred at the Community Development and Transportation Committee on March 2, 2011, and March 30, 2011. On March 30, 2011, the Committee was presented with a plan to fill in the space in front of Zest and the adjacent space to the north. The applicant provided a letter from his neighbor to the north, Mary Jane Potter, wishing to fill in the parking space in front of her business. The Committee directed the applicant to fill in all three spaces. The applicant was asked to present a cost estimate for the work for which the City could require reimbursement for the applicant at which time the adjacent business owners might request sidewalk café licenses which would require utilization of the expanded sidewalk.

The staff recommends approval with the following conditions:

1. The three adjacent parking spaces in front of 959, 957 and 951 Canton Street shall be filled in at the applicant's expense.
2. The applicant shall submit a cost estimate for the work which must be accepted by the City. The City will require reimbursement for a portion of the sidewalk expansion costs for the applicant at which time the two adjacent property owners are approved for a sidewalk café license.
3. The applicant shall obtain all applicable permits from the Transportation and Community Developments Department prior to construction.

4. Plans must be submitted for permit within six months of approval by Mayor and City Council. Once permits are issued, construction must be complete within 30 days of the issuance of permits or this approval is null and void.
5. The post and chain barrier and all cafe furniture shall meet the pre-approved specifications set forth by the Historic Preservation Commission.