

Meeting Notes from Monday, June 2, 2014 meeting of the UAC Zoning Committee:

6:00 PM – Business/administrative session began at the Pride Center for members of the Zoning Committee. We reviewed the agenda briefly, and then had a presentation by Erin Prosser of Campus Partners (see discussion notes below). After the business session, the committee traveled to each site in the order listed on the agenda below to review and discuss the proposed projects.

PRESENT: Ethan Hansen, Colin Odden, Seth Golding, Dick Talbot, Susan Keeny

EXCUSED/ABSENT: Joyce Hughes, Tom Wildman, Craig Bouska

VISITORS: Erin Prosser

During the business session, Erin Prosser from Campus Partners introduced us to an upcoming project with which Campus Partners is involved. The project site is located south of the Gateway and east of High St. in the Weinland Park area. It is bordered by 9th Avenue on the north, Indianola Park on the east, the alley just south of 8th Avenue and High St. to the west. It is the desire of Campus Partners to create a mixed use development along High Street that would resemble the South Campus Gateway, with commercial on the 1st floor & 5 floors +/- of residential above. There would be additional multiple-story residential development along 9th & 8th Avenues. To accomplish this, Campus Partners proposes to rezone this site and create a CPD that would allow 1st floor development in a commercial zone. The CPD would also specify strict development and design guidelines. Campus Partners intends to have the CPD zoning approved prior to seeking developer proposals. There would be one developer for the entire site.

Questions/comments/discussion:

- East of High would be a combination of residential and structure parking
- Commercial would remain mostly on the 1st floor along High St.
- Project seeks to improve the 'image' of the district along High St. south of the Gateway.
- Project is possible at this time because OAU's debt capacity has loosened
- OSU and Campus Partners do not want to manage development – reason for seeking 1 project developer
- Campus Partners wants to move quickly, but zoning committee cautioned that the UAC is still in a long-term planning process with City; suggestion that we should wait until University Planning Process is completed this fall before approving any zoning criteria for a new CPD
- Erin will present initial project ideas @ June UAC meeting.
- No vote required at this time.

6:30 PM – Applicant(s):

1. **Formaggios** – This is a request for a parking reduction from 3 to 0 parking spaces for the existing pizza shop located at 20 E. 13th Street:

Section 3312.47, Calculation Methods, Table 2. *Used to calculate number of parking spaces required due to a restroom addition and a change of use from a retail pizza shop to a proposed sports bar (an eating/drinking establishment).*

The applicant is Richard Butz, Architect.

Owner presentation & comments to zoning committee:

- Property was originally a residence, then a pizza business.
- 1st floor was primarily carryout; 2nd floor was assembly space
- There is no space nor ever was space on site for parking
- Shared parking exists for all the establishments along this commercial strip between Pearl Alley and High St.
- UAC approved a parking reduction in 2013 when outdoor patio was created for Formaggio's Pizza
- Owner is trying to increase business sales by creation of sports bar
- Sports bar is compatible with other businesses along this commercial property
- Owner feels most patrons will be walking, not driving.

Zoning committee discussion:

- Concern with effect on neighborhood in terms of noise and traffic
- Understand that C-4 abuts a residential zone – this zoning difference alone creates potential for noise and other negative effects on neighborhood
- Parking is calculated only on the added toilet room in the rear, not existing sq. footage.

- Architect's drawings show seating layout to calculate fixed building occupancy, not square footage. This occupancy must be posted within the building. *(It was noted that current building occupancy is not posted, per code requirements. Owner stated he would post occupancy).*
- Comment that new longer bar design allows large number of patrons to stand at bar rather than sit at tables. This could cause number of patrons to surpass posted building occupancy.
- Committee understood owner's desire to increase his business at this location, and that there was business competition from bar development across the street. But they did note that the previous parking variance was granted on a small pizza retail business that had only a beer permit. New establishment would have a new liquor permit, which will draw many more customers.
- Committee noted that the UAC voted against the parking variance for the new bar across the street, but that the BZA overruled and voted in favor of the development and its parking variance request.
- City Zoning Staff is in support of this project.
- Committee additionally noted that the outdoor patio did not have any previous conditions concerning noise & outdoor amplification. Owner stated he would like to set up a wide screen TV outdoors for OSU games only. Committee recommended that outdoor patio should have no outdoor amplification & no outdoor electronics (large screen TV, etc.) *except* for OSU football games. The owner agreed.

Motion to support the request for parking variance for Formaggio's located 20 E. 13th Street: Ethan Hansen; Seconded: Dick Talbot. For – 0; Against – 3; Abstentions – 2. MOTION FAILS.

2. **Iuka Park Commons** – This is a request for a special permit for off-premises signage at an apartment complex located east of the intersection of N. 4th and Northwood. The owner is Dick Talbot, and the applicant is Stanley Young from DaNite Sign Co.

Section 3378.01- Billboards & Other Off-Premises Signs, General Provisions: (D) *A special permit shall be required to allow installation of any permanent or temporary off-premises sign not specifically provided for in this Graphics Code, including, but not limited to, any off-premises directional sign.*

Owner presentation & comments to zoning committee:

- The subject property is 180 ft. east of the intersection of N. 4th St. & Northwood Ave. The only entrance is at the end of Northwood.
- The existing signage for the Iuka Park Commons is also 180 ft. east of N. 4th St. & Northwood Ave. and has little visibility from N. 4th.
- The owner also owns the apartment building on the corner of N. 4th & Northwood. The location of the proposed monument sign is on this property.
- Corner property is separated from the Iuka Park Commons apartment complex by an alley. This makes the 2 properties non-contiguous, which makes the proposed monument sign "off-premises".
- Proposed monument sign is 5 ft. x 10 ft. tall. It will be illuminated and have changeable copy board. The base is concrete with brick veneer to match the existing buildings in Iuka Park Commons
- Owner, Dick Talbot, is also a member of the zoning committee and so recused himself from the discussion and vote.

Zoning committee discussion:

- Committee understood the need for signage with visibility from N. 4th St.
- Committee agreed that the property at the corner of N. 4th & Northwood was the proper location for this type of monument sign.
- Question: Why the 10 ft. height? Response: Better able to see sign from car
- Question: Why the need for changeable type? Response: To be able to highlight rates, room types, and specials

- Comment that monument sign was quite high & perhaps not scaled to a residential neighborhood. *Note:* What will be voted upon is the variance, *not* the design. Graphics Commission may review sign design.

PLEASE NOTE: Due to Commissioner Talbot recusing himself because he is also the applicant in this case, there was no quorum, and therefore no official vote could be recorded. However, the sentiment of the committee members present was favorable toward approval of the request for variance.

3. **Little Bar** – (*The following meeting notes are reprinted from the May 5th Zoning Committee meeting. As there would several committee members absent from the May UAC meeting, the applicant requested tabling their appearance. This case will be voted upon at the June UAC meeting.*) Site visit to review block party/street closure permit request for the Little Bar at 2195 N. High Street. To review, this request for a block party/street closure permit sign off was presented at the April UAC meeting by the owner, John Massimiani and his agent, attorney Jim Maniace. The request was to close the alley to the west of the Little Bar, from W. Norwich to Lane Avenue, for all home football games during the 2014 season. After lengthy discussion (*refer to meeting notes, April 16, 2014 UAC meeting on UAC website*), the vote of the Commission resulted in disapproval of the block party permit request. The applicant asked to resubmit the request and to schedule a meeting to discuss further the voting results. It was decided that the applicant could resubmit the application, and that this case would be delegated to the Zoning Committee for review and recommendation.

The committee and applicants met outdoors at the alley to review the site conditions and to discern the issues and potential problems.

Owner presentation & comments to zoning committee:

- Currently, during the home football games, there is a bar setup in the Little Bar's parking lot directly north of the building, and a bar set up plus a 'Jumbotron' in the lot directly west of the Little Bar's parking lot. The applicant owns both lots.
- Existing alley separates the 2 lots; patrons may access both lots, but may not carry drinks between the lots. The 2 groups are disconnected by public right-of-way.
- This alley is 2-way from Lane to Norwich. Many deliveries on this alley. Police have concerns about pedestrian safety as they walk this alley between lots.
- Owner desires to connect 2 lots since he sponsors the parties on both lots, & the Jumbotron is positioned for viewing from both lots.
- Owner would be agreeable to having just a narrow (10-20 ft.) portion of the alley blocked off to allow passage between 2 lots. Police barricades could be placed close together to create this passage. Intention is not to have a party in the alley.
- The block party/street closing permit would be renewed annually, subject to review of each event
- Owner has letters of recommendation from the Newman Center and University Baptist Church
- Owner has made charitable donations to neighborhood
- Owner stated he will work on noise control – will lower music volume if asked
- In 7 years of ownership of Little Bar, there has never been a liquor violation

Committee discussion, questions and comments:

- Question: Does using the lot and alley add to the occupancy of the Little Bar? *Response:* There is no occupancy for parking lots.
- Question: Has owner spoken with Columbus Safety Director about this alley closing? *Response:* Not at this time
- Request seems to improve safety but cuts off access of a public right-of-way for deliveries, etc.
- Great concern that connecting 2 lots will create one giant block party – could become a detriment to the surrounding neighborhood.
- Zoning Committee must remain credible to entire UAC in terms of whether or not to recommend approval of block party/street closing request. Dick Talbot noted that neighborhood had complained about noise from the Little Bar. *Response:* Little Bar has tried to be a good neighbor in terms of charitable donations to neighbors, shared parking with Baptist Church and Newman Center. Will lower music volume when asked.
- Concern that if barricades are positioned further in from Norwich and Lane to create a narrow passage, cars will still turn into alley, creating potential safety issues. *Response:* Police would be positioned at intersections of alley and both streets to prevent cars from entering the alleys (except for delivery trucks from Lane Ave.)

- Another option suggested – close alley and not have access between 2 lots
- Committee reviewed signatures on application submitted. Craig Bouska noted that out of the 61 total signatures, 9 addresses were from the adjacent blocks, 10 were in the vicinity, and the rest were east of High St. and further. Comment that the majority of signatures would not be affected by the block party. Response: These signatures were obtained from patrons and were not all inclusive of signatures on the application. Committee strongly urged that more signatures be obtained from residents directly adjacent to & across from Little Bar.
- Comment that even a few disruptive events - such as a large block party - can ruin chance of potential homeownership in neighborhood
- Comment that UAC working with Little Bar establishes the potential of business owners cooperating with residents to make community better place in which to live and work.
- Several committee members stated they would be absent from May 21, 2014 UAC meeting. Jim Maniace recommended that they present block party/street closing request at June 18, 2014 UAC meeting to insure a quorum present for vote. Jim will check with city to see if they can extend application deadline.

Committee Recommendations:

- Owner needs to get signatures of residents along Norwich to add to their application. Must make sure all signatures are in proximity that would be directly impacted by alley closing.
- Suggest that application not be for entire 2014 football season. Committee and owner agreed to approve the block party/street closing permit for **(3), 2014 home games only: Virginia Tech, Illinois, and Michigan.**
- Commissioners agreed to attend these block parties to monitor the events in terms of noise, safety, patron behavior and other issues that might create a negative impact on the neighborhood. Commissioners will determine who will attend which events at a Zoning Committee meeting before the 1st 2014 football game.
- Applicant will submit revised site plan showing **barricaded passage** across the alley between Little Bar parking lot and the parking lot directly west at a distance **no greater than 20 feet apart.**
- Police will be positioned at the intersections of the alley and Norwich and Lane Avenues to prevent any vehicles from entering the alley. Additional temporary fencing may be placed at these intersections as determined necessary to create a safe condition for pedestrians.

Motion to support the request for a block party alley closure for the Little Bar located 1379 High Street with the above recommendations: Colin Odden; Seconded: Craig Bouska. For – 4; Against – 1; Abstentions – 0. MOTION PASSES.

4. **27-27 ½ Smith Place** – (*The following meeting notes are reprinted herein from the May 5th Zoning Committee meeting. The applicant did not appear at the May UAC meeting, so the case will be voted upon t@ the June UAC meeting.*) This is a request for variance to increase the F.A.R. from the maximum 0.40 to 0.49 in an existing 2-unit residence. The following is the zoning code section:

Section 3372.544, Maximum floor area: The maximum total calculated floor area permitted on any lot shall be no greater than that determined by a 0.40 floor area ratio.

Project data:

- The owner will live on the 2nd floor and rent out the 1st floor. He is a contractor and in the process of renovating the entire historic dwelling.
- The lot is an unusually shaped triangular lot off an existing alley. It sits behind the other residential dwellings along Smith Place, but does not front directly onto Smith Place.
- The narrow lot results in a smaller area parcel than is typical for the area, causing any slight building modification to exceed the F.A.R.
- The building footprint will not change. An additional 233 sq. ft. will be added to the 2nd floor directly above existing structure below. It will cantilever slightly over the 1st floor.
- Owner described the care and attention to detail he was giving to his renovation.

Committee discussion, questions and comments:

- Commendable to find an owner/occupant combined with a rental unit, and renovating the entire building with apparently great care and effort.
- Very unusual lot within the district makes it difficult to accommodate any building improvements/additions
- Committee was very enthusiastic and supportive of the project.

**Motion to support the request for variance for the property located at 27-27 ½ Smith Place: Moved: Ethan Hansen; Seconded: Craig Bouska
For – 5; Against – 0; Abstentions – 0. MOTION PASSES UNANIMOUSLY.**

VOTING RESULTS FOR ZONING COMMITTEE MEETING: MAY 5, 2014

MEMBER	Seth Golding	Ethan Hansen	Joyce Hughes	Susan Keeny	Colin Odden	Dick Talbot	Tom Wildman	Craig Bouska		
Attendance	Present	Present	Absent	Present	Present	Present	Absent	Absent		
CASE/ VOTE	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*		
Formaggios	A	N		N	A	N				
Iuka Park Commons**						R				
Little Bar, 1379 High Street	Y	N		Y	Y	Y		Y		
27-27 ½ Smith Place	Y	Y		Y		Y		Y		

*Y – yes; N – no; A – abstain; R – recused

** This project did not have a quorum & therefore no official vote could be recorded.

All applicants will present at the next University Area Commission (UAC) meeting which will take place (*unless otherwise notified*) on **Wednesday, July 16, 2014** at the Northwood & High Building, 2231 North High Street, one block north of Lane Avenue, Room 100. Zoning cases will be heard beginning approximately at 7:15 PM. Applicants are to bring 8 copies of their presentation that best present their specific case – the specific variances requested, plans, photos of existing properties, and a statement of hardship as to why the particular request should be granted. The vote taken by the UAC that evening will be communicated to either the Columbus Board of Zoning Appeals, or City Council, or Graphics Commission, which will make the final determination of all requested variances.

PLEASE NOTE the following parameters for all participants in Commission meetings with regard to zoning cases, per the University Area Commission’s Bylaws, Article IV – MEETINGS, Section 7:

The following time limits will be adhered to for all zoning cases heard before the Commission:

1. Applicant presents case - **5 min. max**
2. Zoning Committee report/recommendation - **2 min. max**
3. Public comment (max 3 people each pro/con) - **3 min each max**
4. Applicant rebuttal - **2 min. max**
5. Commission debate - **2 min max** per commissioner who wishes to speak. Each commissioner may speak only once.