

## Meeting Notes from Monday, May 4, 2015 meeting of the UAC Zoning Committee:

**6:00 PM** – Business/administrative session. We discussed briefly discussed the following topics:

- Brief discussion of agenda for the evening: application for 15 E. Lane tabled; 7<sup>th</sup> & High St. applicant added to agenda. Also added request for early demolition.
- We cited some historic basic purposes of zoning:
  - To maintain **property values**
  - To stabilize & maintain **character of neighborhoods**
  - To move **traffic rapidly & safely**
  - To provide **uniform regulations** throughout each district
  - To **prevent overbuilding of uses** beyond those needed to serve the community
  - To **control nuisances** and **maintain architectural standards** so as not to cause depreciation of property values
- (*Compare above to those purposes listed in the Columbus Zoning Code*):
  - *Protect **health, safety and welfare of the public***
  - *Ensure the **orderly, manageable, and predictable growth** of the city*
  - *Assist with the **implementation of community planning goals***
  - ***Separate conflicting land uses***
  - ***Regulate land uses** to achieve and maximize public benefits*
- Discussed considerations used in making decisions on individual variance cases. Decisions should focus on standards (code) rather than on individual *opinion* about the case. However, expert opinion that has studied the specific facts of the case at hand is helpful.
- It was suggested again that committee members begin to develop a list of priorities for review.

PRESENT: Seth Golding, Rory Krupp, Susan Keeny, Deb Supelak, Pasquale Grado, Joyce Hughes, Dick Talbot, Ethan Hansen, Tom Wildman

EXCUSED/ABSENT: Craig Bouska

VISITORS:

**6:30 PM** – Applicant(s):

1. **1230 Courtland Avenue:** Request for parking variances needed for the renovation of Middle West Spirits micro-distillery. Applicant is Katy Viccellio from Jonathan Barnes Architecture & Design.

### **Project Information/Applicant Presentation:**

- Project involves an increase in building height to accommodate new equipment plus a new tasting room & kitchen at the front of the building
- Existing micro-brewery industrial use is 6,916 SF & covers nearly the entire site.
- Proposed new tasting room is 1,330 SF & is a new use group: eating and drinking establishment.
- Parking requirement for micro-brewery industrial use = 10 spaces; 2009 council variance spaces for micro-brewery allowed a reduced parking requirement from 10 to **5 parking spaces**
- Parking requirement for additional accessory eating and drinking establishment (tasting room) = **8 spaces**.
- Total required parking: 5 + 8 = **13 spaces**.
- 5 parking spaces are provided on-site.
- Owner has lease agreement with adjacent property to the north (also owner by same owner) to provide **10 parking spaces** 24/7. Leaves a parking deficit of 3 parking spaces.
- Relevant code sections:
  - **Section 3312.49, Min. number of parking spaces required:** to allow 10 parking spaces instead of the required 13 per Table 4.
  - **Section 3312.25, Maneuvering:** to allow maneuvering for loading onto the adjacent lot.
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#### **Discussion, Comments/Observations:**

- Question: what was previous business? Response: T-shirt printing business.
- Joyce noted that the requested variances seemed workable for the neighborhood.
- Rory noted the project would be welcome addition to neighborhood
- Question on increased building height. Response: Height needed to accommodate new manufacturing equipment. Building height increase is stepped back from façade. Code allows an increase of 1 ft. commercial building height for every 1 ft. building steps back from all required building setback lines. Building section shows that additional height in code compliance
- Comment that this project would be good addition to what is becoming a local brewery district.

**Motion to approve the request for parking variance for Middle West Spirits: Dick Talbot; Seconded: Ethan Hansen. For – 9; Against – 0; Abstentions – 0. MOTION PASSES UNANIMOUSLY.**

2. **67 E. 15<sup>th</sup> Avenue:** Request for variances for a proposed 6,268 SF rear addition to the Delta Tau Delta Fraternity. This fraternity seeks to house sophomores and to comply with OSU's STEP (Second-Year Transformational Experience) Program. Applicant is attorney, Nick Cavalaris. Also present were Delta Tau Delta alumni volunteer, Buck Byrne and architect, Joe Segna.

#### **Project Information/Applicant Presentation:**

- Existing building is **12,781 SF**.
- Proposed 3-story addition is **6,268 SF** – approx. 50% more square footage.
- Total building square footage = **19,049 S F**.
- Existing lot = **17,500 SF**. Proposed **F.A.R. = 1.08**
- Building addition is programmed to comply with OSU's STEP standards
- Alumni & members deem addition necessary to maintain membership & for fraternity to survive. Rely on sophomores to live in fraternity house.
- Current parking on site = 18 spaces @ rear of property
- Proposed plan shows parking @ grade, underneath new addition.
  - Required parking = **47 spaces**;
  - Proposed parking = **14 spaces**.
- Several code sections were noted:
  - **Section 3372.49. Parking:** 1 parking space per 400 SF for a dorm or rooming house = 47 required parking spaces. 14 spaces provided, therefore parking deficit would be 33 spaces.
  - **Section 3372.567, Parking:** for a substantial rehab of an original *contributing* building, the formula in this section = 37 parking spaces (*less than the above section. Please note that these seemingly conflicting sections must be verified by City Zoning Staff*).
  - **Section 3372.566, Building size and separation:** No building shall exceed 10,200 SF. Existing building is 12,781SF. Total proposed building square footage = 19,049 which exceeds building limit by 8,849 SF.
  - **Section 3372.567, Max. Floor Area:** maximum F.A.R. permitted for this AR4 zone = 0.80. Proposed building F.A.R. = 1.09, exceeding limit by 5,049 SF.
- Building was constructed in 1956

#### **Discussion, Comments/Observations:**

- Ethan asked for explanation of hardship. Response: Fraternity has 150 members & has only 36 beds. Would like to house 62-70.
- Question: Why the net increase in number of beds: Response: Would like be able to offer rooms to approx. 50 sophomores as well as some juniors & seniors who would be house leaders. Would like to be competitive with new dorms & other housing options. Helps meet anticipated shortfall in available sophomore housing.

- Applicant noted that increased square footage goes also toward STEP required space: house manager, study space, meeting rooms, etc.
- Committee noted that this is already a very dense area and expressed concern with adding more beds to the neighborhood. Response: This fraternity has diverse membership with high GPA and many hours community service. Welcomes OSU management of their facility.
- Parking shortfall too much? Response: Over their history, 18 spaces have been adequate for their membership. Fraternity even rents out some of their spaces to non-fraternity students.
- Question: What standards used to determine square footage of program spaces? Have heard that OSU has not yet published final requirements of STEP program. Response: Applicant will try to obtain this information and provide it to the committee.
- Question: Will height of addition be the same as existing building? Response: Yes. Building 'sides' are stepped in to minimize appearance of addition.
- Discussed fraternity's charter, which applicant provided committee, and noted positively that there are strong anti-discriminating provisions in charter. Response: Chapter tries to be very diverse and inclusive & has no hazing.
- Question: Any concerns over competition w/ other Greek groups to 'out-build' each other? Response: Can't speak for other Greek groups, but Delta Tau Delta must be able to house more members or membership will shrink & fraternity's future will be uncertain.
- Question: Is OSU asking for the increase in beds? Response: OSU not asking fraternities to increase bed count, but is asking fraternities/sororities to help w/ apparent sophomore housing shortfall.
- Concern that large increases in density (doubled bed count) will negatively impact neighborhood.
- Committee understands need for expansion of support spaces, but still has concerns over very large addition and significant increase in number of beds. Suggests that applicant provide documentation on STEP requirements for building and program spaces.

**Variance request tabled until applicant can provide further information on STEP program requirements as applied to their building expansion.**

3. **15 E. Lane Avenue:** This application is tabled until next month.
4. **15th & High –** This was the second meeting with Campus Partners to discuss the mixed use development proposed for the area directly east of High Street, between 17<sup>th</sup> to the north, and 14<sup>th</sup> to the south. Campus Partners made their 1st presentation to the UAC last month. They are proposing both a rezoning & a council variance for all the properties included in this development. Accompanying the zoning text is an Urban Framework Plan that will describe the vision and development standards for all components of the project.

#### **Project Information/Applicant Presentation:**

*Please note: Project information was presented last month. Please refer to the 4/6/15 Zoning Committee Meeting Notes. What follows is additional information that is reflective of current input from the Commission and district residents:*

- Amanda presented how project will be accomplished w/ phased approach:
  - Select development partners
  - Project design
  - UARB Review of project design
  - Infrastructure Improvements
  - Phased construction
- There will be no residential use permitted in Subareas 2 A-C, per input from residents and Commission.
- Parking spaces in OSU garages not permitted to satisfy parking requirement for proposed residential development. Residential development will self-park.
- Council Variance will allow residential use on the 1<sup>st</sup> floor in a C-4 Zone in Subareas 5-8, but not along High Street.
- Limited residential use will be recommended along E. 14<sup>th</sup>.

- Building Heights:
  - Allowable building heights have been reduced in Subareas 6, 7A & 7B – max. 45 ft.- intention is to step down toward residential community to the east
  - Height for Subarea 3 is 35 ft.
  - Subareas 8 & 7A (except within 100 feet of Pearl St.) will be 60 ft.
- Commitment to landscaping on the east side of the proposed new garage (Subarea 5). Landscape plan required.
- Subarea 3 will be a civic space that will always remain as such, protected from future development(s)
- The plan works with the existing street grids, but there will be more emphasis on pedestrians than on vehicular traffic; possible reduction of some vehicular lanes.

#### **Discussion, Comments/Observations:**

- Dick clarified that there will be small net gain in residential units in the project area. Approx. 200 beds will be removed, & a few more will be added, but not along High St. (except in Subarea 1).
- Deb asked if during phased construction, project will be evaluated after each phase to determine some impacts & if any changes may be required. Response: Phased construction has flexibility & will allow infrastructure improvements to begin. Some businesses can stay in operation during construction & have opportunity to move right into new facility. Project will evolve as a neighborhood.
- Traffic impact study will be done throughout area – required by city.
- Seth mentioned some concern over potential loss of Bernie's Deli
- Rory asked if 14<sup>th</sup> Ave. will be institutional, dorm use. Response: Could have buildings such as student health center, Evans' Scholars dorms, etc.
- Questions about 'signature building' – could they hire a 'signature architect' to design it? How handle public space to help it be a successful, integrated, well-loved, public space. Response: Cannot commit to hiring 'signature design architect', but will have much attention to detail and make it a 'place to be'. Campus Partners committed to developing high quality public space.
- 'Boutique' hotel in Subarea 4 will probably be privately developed – not owned by OSU.
- Questions about OSU faculty offices space incorporated into this project, east of High St. Response: Currently many faculty offices leased throughout the city. Intention is to focus more faculty/staff closer to campus. This project offers opportunity to incorporate college offices into new facilities. OSU may 'own' an office-type building.
- Joyce supports Article G. Miscellaneous (2) on page 8, & the way it handles development of public space under the Parkland Dedication Ordinance with approvals by the UARB.
- Pearl St. – discussion of bridge design in Arena District. Design intent is to make Pearl St. not too pristine.
- Project time line – begin infrastructure in 2016, with UAC, City, & UARB approvals
- Before motion, there was discussion to include a condition that Subarea 7A be permit residential uses that include fraternities, sororities, & housing associated with other institutions.
- Campus Partners will provide revised CPD text to zoning committee one week prior to the next UAC meeting for review.

**Motion to approve the request for the CPD for the 15<sup>th</sup> & High Project with the above noted revisions to the CPD text: Ethan Hansen; Seconded: Joyce Hughes. For – 7; Against – 2; Abstentions – 0. MOTION PASSES.**

5. **South Gateway** – This is an amendment to the CPD text for the South Gateway project. It was requested by City Staff and clarifies that parking and maneuvering are allowed in the alley setbacks for areas that are east of High Street (not along High Street frontages). This will permit parking along the alley facing Euclid as per the Urban Framework Plan that is included in the Council Variance that was previously approved. **No vote is required.**
6. **7th & High Street** – This was the 2nd meeting to discuss the variances for the mixed use development proposed at the NE corner of 7th and High Streets. The project developer, Chris Johnson with CA Ventures, architect, Tim Holoran with HPA Architects, and attorneys Jeff Brown & David Hodge from Smith & Hale were present.

This is a council variance request that includes the following list of variances. It should be noted that these variances remain the same as presented at last month's meeting:

- (a) **Section 3356.03, C4 Permitted Uses:** to allow limited first floor accessory residential use (leasing office & residential lobby).
- (b) **Section 3356.11, C4 District Setback:** to reduce the building setback from 25 ft. to 5 ft. along Euclid Ave. & from 25 ft. to 16 ft. along 7<sup>th</sup> Ave.
- (c) **Section 3312.49, Min. Number of Parking Spaces:** to reduce the required number of parking spaces from 282 to 149.
- (d) **Section 3312.53, Min. Number of Loading Spaces:** to reduce the required number from 1 to zero.
- (e) **Section 3309.14, Height Districts:** to increase the allowable height for a building from 35 feet to 70 feet.
- (f) **Section 3356.05(F), C4 District Development Limitations:** to permit the required adjoining uses to occupy less the the entire length of at least one property frontage. (The lobby/leasing/mgmt. office fronts along High St. with retail spaces).
- (g) **Section 3321.05, Vision Clearance:** to reduce the vision clearance at the entry points to the parking garage.

#### **Project Information/Applicant Presentation:**

*Please note: For background project information, please refer to the 4/6/15 Zoning Committee Meeting Notes.*

- The project plan remains the same, with commercial retail on the first floor and residential on floors 2-6:
  - 287 beds; 156 units
  - 2 retail spaces (16,000 SF)
  - 2-level parking is on site is at grade and 1 ½ levels below grade.
  - Proposed building height: 70 ft.
  - 140 total parking spaces :
    - Residential Parking meets parking ratio of 0.375 parking spaces per bed as proposed in the new University Plan:  $287 \text{ beds} \times 0.375 = 108 \text{ parking spaces}$ ; (*current code is  $156 \text{ units} \times 1.5 = 234 \text{ required parking spaces}$* ).
    - Commercial Parking requirement remains same as existing in new University Plan:  $16,000 \text{ SF} / 500 = 32 \text{ required parking spaces}$ .
- Applicant has met with both Weinland Park Civic Assoc. & the UARB
- Retail parking is accessed of Pearl St.; residential parking is accessed off Euclid.
- A 3 ft. planting strip incorporated into setback against the north side of the building
- Bike storage: 48 racks along High St. (in addition to secured bike storage in parking area for residents).
- Building setbacks remain the same as in previous plan
- Building line & visions clearance at residential parking entrance on Euclid slightly modified

#### **Discussion, Comments/Observations:**

- Vision Clearance variance – vision triangle taken at R.O.W. Still a concern with having this variance in a new building:
  - Applicant asked @ last meeting to eliminate need for this variance.
  - Building lines are set by designer & developer – should not have vision clearance issues
  - Many walkers in this area,
  - Most users of Northside branch library come from east of High Street,
  - Current proposed project is adding greatly to number of walking residents in this neighborhood;

Applicant stated that no determination as yet from Traffic Engineering on vision clearance. Applicant feels confident that this issue can be resolved. Committee noted that there should be no variance request if not needed. Input & recommendation from Traffic

Engineering will need to be submitted to zoning before any final vote from the University Area Commission.

- Joyce noted that 7<sup>th</sup> Avenue Baptist Church appreciates communication with the architect. Residents don't want to lose the laundromat. Response: Applicant will continue to communicate with church and area residents to discuss project and hear concerns. Building tenants (laundromat) are non-zoning issue, but applicant will continue to have discussions with manager of laundromat.
- Question: Has applicant communicated with residents on Euclid Ave? Response: Meeting is scheduled next week with Weinland Park Housing Committee.
- Question: Any potential tenants for commercial spaces. Response: No restaurant use at this time. No retail selections made yet. Applicant is still in discussions with current retail businesses.
- Still some concern with loading zone variance request, especially as there may be daily deliveries. Response: Ground floor plan shows narrow loading standing area. Waiting for input from Traffic Engineering.
- Discussion about organization of active/passive sides to the building plan with regard to tenants. Suggestion to flip student apartments with apartments intended for young professionals so that student apartments face quieter Euclid side. Response: Applicant does not see a problem with flipping unit types. Having no balconies in the plan will help promote a 'quieter' lifestyle. Common outdoor spaces/amenities on 2<sup>nd</sup> floor will face High Street. Proposed 2<sup>nd</sup> floor pool will be shallow & have plantings along High St. façade.
- Committee did not feel comfortable committing to entire list of variances being requested for project. Still not total agreement with Vision Clearance variance. Applicant suggested splitting out vision clearance variance as a separate vote. Committee agreed to do this provided applicant furnishes revisions to variance list and a revised plan to the committee prior to the UAC meeting. (Please note: UAC agenda typically published one week prior to UAC meeting, per our bylaws).

**Motion to approve the request for Variances "a-f" as noted above: Tom Wildman; Seconded: Pasquale Grado. For – 6; Against – 2; Abstentions – 1. MOTION PASSES.**

**Motion to approve the request for Variances "g" only (Vision Clearance), as noted above: Tom Wildman; Seconded: Rory Krupp. For – 0; Against – 9; Abstentions – 0. MOTION FAILS.**

7. **1919-1927 N. 4<sup>th</sup> Street** – This was a last minute addition to the agenda to request an early demolition for a 5-car garage on N. 4<sup>th</sup>, between 18<sup>th</sup> & 19<sup>th</sup> Avenues. Applicant is Howard Hawks.

- Property is a 5-car garage - concrete block structure that has been in disrepair for a long time
- Previous owner was asked by the City to either tear down or repair the garage.
- There is no emergency demolition order by the city at this time; however, the structure is considered a safety hazard by Code Enforcement.
- Cost to repair the garage too costly due to extreme neglect.
- Proposal is to tear down garage and create flat parking area in its place.
- The committee understood the need to have the garage structure removed quickly, before an emergency demolition was ordered by the City.

**Motion to approve the request for early demolition of the garage structure located at 1919-1927 N. 4th Street: Pasquale Grado; Seconded: Seth Golding. For – 8; Against – 0; Abstentions – 1. MOTION PASSES.**

## VOTING RESULTS FOR ZONING COMMITTEE MEETING: May 4, 2015

MEMBER	Craig Bouska	Seth Golding	Ethan Hansen	Joyce Hughes	Susan Keeny	Rory Krupp	Deb Supelak	Dick Talbot	Tom Wildman	Pasquale Grado
Attendance	Excused	Present	Present	Present	Present	Present	Present	Present	Present	Present
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*	Y-N-A-R*	Y-N-A-R
1230 Courtland Ave		Y	Y	Y	Y	Y	Y	Y	Y	Y
67 E. 15 <sup>th</sup> Ave.-TABLED										
15 E. Lane – TABLED										
15 <sup>th</sup> & High		Y	Y	Y	Y	N	N	Y	Y	Y
7 <sup>th</sup> & High – 1398 N. High: variances “a-f”		N	Abstain	Y	Y	Y	Y	N	Y	Y
7th & High – 1398 N. High: vision clearance variance “g”		N	N	Abstain	N	N	N	N	N	N
1919-1927 N. 4 <sup>th</sup> St.		Y	Y	Y	Y	Y	Y	Y	A	Y

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

The following link is to the on-line zoning code, for your use and information:

[https://www.municode.com/library/oh/columbus/codes/code\\_of\\_ordinances?nodeId=TIT33ZOCO](https://www.municode.com/library/oh/columbus/codes/code_of_ordinances?nodeId=TIT33ZOCO)

### For Commission Presentations:

Commissioners may speak twice, up to 3 minutes each time per Bylaws Article IV, Section 1(b).

### For All Zoning Presentations:

Applicants will present at the next University Area Commission (UAC) meeting which will take place (*unless otherwise notified*) on **Wednesday, May 20, 2015** 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, any 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 our REVISED bylaws, Article IV – MEETINGS, Section 7:

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

1. Zoning Committee presents the facts of the case - **5 min. max**
2. Applicant Presentation - **7 min. max**
3. Zoning Committee report – **5 min. max**
4. Public comment (max 3 people each pro/con) - **2 min each (max)**. Only those who complete speaker slips prior to the case being heard will be considered for speaking based on the order the slips were received
5. Commissioner discussion: Commissioner who wishes may speak once per round for **1 min (max) for 2 rounds**. A Commissioner cannot save time for their second round or transfer their remaining time to someone else
6. Applicant response - **3 min (max)**
7. Commission vote
8. A motion to extend the max time limits can be made at the beginning of the case stating which portion(s) should be extended and by how long. The motion must pass by two-thirds (2/3) majority with no debate on this motion.