

Meeting Notes from Tuesday, September 8, 2015 meeting of the UAC Zoning Committee:

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

- Review of last month's meeting
- Discussion of proprietary applicant materials, & that these materials are not ours to distribute to the public or to the media.
- Overview of Zoning Committee duties and delegating tasks (handout distributed)
- Distribution of new Zoning Notebook/binders with copies of Overlay & zoning definitions and overview.

PRESENT: Rory Krupp, Susan Keeny, Deb Supelak, Pasquale Grado, Dick Talbot, Seth Golding (arrived after 6:30), Ethan Hansen (arrived after 6:30)

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

VISITORS:

6:30 PM – Applicant(s):

1. **2187 Neil Avenue** – Request for graphics variance to install an LED gas price sign in an existing free-standing sign for the Exxon station located at the corner of Lane & Neil Avenues. This will become a Shell station. Applicant/agent is Stan Young for Allied Sign Co. This was the 2nd meeting with this applicant. At last month's zoning committee meeting the drawings that were presented had a lack of dimensions on the drawings of both the existing and proposed signage. It was agreed that the applicant would return the following month with revised drawings that would make comparisons between existing signage and new signage clearer. Additional sign designs would be presented.

Project Information/Applicant Presentation:

- The existing Exxon sign was installed in 2004. Gas price signage is currently manually changed.
- Proposed sign will have automatic changeable gas price signage.
- Variance is required to allow automatic changeable copy signs. This sign type is not permitted in the district, per **Section 3372.606, Graphics**, in a C4 zone
- Proposed new sign will re-configure existing free-standing pole sign in exact location & at same height & size – 'like for like'.
- The sign will feature:
 - Shell Logo – opaque background w/ only the logo illuminated
 - Automatic changeable single product gas price sign
 - goco graphic
 - Subway co-op graphic
 - ATM
- Existing sign is **83 SF**; proposed sign is **93 SF**.

Discussion, Comments/Observations:

- Clarification that just the new Shell logo and the automatic price changeable copy will be changed out in the same opening. All else remains the same.
- Committee noted that there is precedent for this type of automatic changeable price sign in both the Turkey Hill on High St. and the gas station at Hudson & Indianola.
- **Question:** What material of Shell logo is composed of? **Response:** Background will be opaque solid color aluminum & the Shell symbol will be a plastic cutout. Face will fit existing Exxon cabinet.
- There was a previous comment about the proposed sign design fitting more into an urban as opposed to suburban streetscape. **Response:** The new sign will be attached to the existing sign cabinet and structure. The structure will be unchanged to minimize scope of work.
- Committee appreciated that applicant came back with measured existing and proposed drawings to show comparison of existing sign to proposed sign.
- **Question:** Will UARB approval be required? **Response:** Applicant will check to see if design approval is needed before appearing before the Graphics Commission.
- Committee felt that the new logo at the top of the sign would be clear & effective.

Motion to approve the request for graphics variance: Dick Talbot; seconded: Pasquale Grado. For –5; Against – 0; Abstentions – 0. Motion is unanimously approved.

2. **1530 Grant Avenue** – A request for both a rezoning and a council variance to construct a new multi-unit apartment building in a C4 zone. Proposed building is on Grant between 11th and Chittenden. Applicant is architect Bhakti Bania. The applicant presented previously to the zoning committee in April 2015. Since then, the architect has met with the Weinland Park housing committee and revised the site plan and building design.

Project Information/Applicant Presentation:

- Building height now **2 stories** - reduced from 3 stories
- **18 units** – same as previous plan
- **34 beds** – reduced from 42 beds
- Reduced number of 3-bedroom units & added more 1-bedroom units:
 - 2, 3-bedroom units;
 - 12, 2-bedroom units;
 - 4, 1-bedroom units.
- Desire to have more engagement with Grant Ave. – added vestibule & created wide, stepped, angled pedestrian entrance to the building @ corner of 11th & Grant.
- History of train stations in neighborhood, so 'trolley station' imagery referenced in new building design
- Added patios along Grant façade.
- Eliminated 3 variance requests – height, parking, compatibility
- Current variance requests are:
 - **Section 3372.521, Supplemental Parking Requirements:** to permit parking & maneuvering between the building & Chittenden Ave. since no parking or maneuvering is permitted between any building & public street.
 - **Section 3372.565, Building Lines:**
 - *Required* setback from Grant = 30 FT.
 - *Actual* setback from Grant = 10 FT.
 - *Required* setback from 11th = 50 FT.
 - *Actual* setback from 11th = 30 FT.
 - **Section 3372.566, Building Separation & Size (C):** Max. allowable calculated floor area=10,200 SF. Proposed calculated floor area=17,116 SF.
 - **Section 3372.569, Refuse Storage (A):** to permit refuse storage in required setback from R.O.W.
 - **Section 3312.27, Parking Setback Line (2):**
 - *Required* parking setback = 25 FT. from R.O.W.
 - *Actual* parking setback is 10 FT. from R.O.W. on Grant and Chittenden.
- Revised Plan presented to Weinland Park Housing Committee: Was well-received.

Discussion, Comments/Observations:

- Pasquale commented that building is not contextual: does not have front entry porches as on adjacent streets. Part of current code that helps relate new construction to existing structures.
- Building has too much square footage – nearly double code maximum of 10,200 SF.
- Rory sensed limited support for project with Weinland Park residents due to size & massing of building. Question: Could building cover more of Grant Ave.? Response: revised plan does pull building closer to Grant.
- Concern about change from C4 to AR4. Would like to see more retail within district. Question: Could you add mixed use element to building? Neighbors would like to see more retail mix in the district Response: No existing sidewalks on this parcel. Can't have retail without sidewalks for pedestrian access. Owner in talks with City concerning sidewalk improvements at this site, but no commitments to date. Project presents what applicant can realistically do, not what may occur in future. Rezoning to AR4 compatible with "Medium Intensity Residential" proposed in University Plan.
- Susan - Don't feel that compatibility variance should have been deleted: **Section 3372.522, Compatibility** (*A building's front faced shall include a pedestrian entrance & give the appearance of primary orientation towards said street through the sizing, placement & treatment of windows & doors.*) Important that proposed building relates to neighborhood character. Buildings on Chittenden & 11th have front entry porches. Proposed building has units accessed through interior entry corridor only. No individual

entries off Grant – building turns its back on Grant. Back patios & living rooms look onto Grant, but access to units through 'back door'. Response: Living rooms facing west provide visual connection to Grant. Difficult to make building entries without sidewalks along Grant.

- Deb – concern that building nearly double code maximum size. Understands need for trash location variance – makes sense to put dumpster off Chittenden, near RR tracks. Not sold that all variances motivated by true hardship.
- Dick appreciated the 0.52 F.A.R. - (*max. F.A.R. in current code is 0.6*). Concern that overall building size too big. Suggested breaking building into 2 structures. Suggested that maybe city could 'give' property to owner for creation of sidewalks. Appreciated that project is self-parked. Question: Why is building organized as a double loaded corridor? Response: Owner feels this building organization provides more security to residents.
- Pasquale – no need for 'object' building on site (design references historic trolley stations). Building is close to local historic district – need to make building fit into neighborhood context.
- Concern that no unit entrances off Grant means no eyes on the street – security issue.
- Discussion on building roofline. Is it open to air? Response: Building roofline splits to allow flat area for mechanicals. Can view this from north/south elevations.
- Question: Why proposed a rezoning? Response: City recommended this because a better fit for proposed building and to reflect proposed University Plan.
- Question: What does Weinland Park say? Response: Rory stated there was an on-line discussion after meeting with architect. Concerns expressed about lack of sidewalk, lack of engagement with street, desire for more mixed use. Response: Architect was not involved in on-line conversation. Felt that at meeting, Weinland Park Housing Committee did favor the project, that applicant listened to concerns and made some progress with plan.
- Susan reminded committee that commission business should not be conducted via email due to need to adhere to Sunshine Laws.
- Susan also read response from city staff that does favor support of this project and does feel that compatibility variance not needed. It's in line with new University Plan.
- Applicant was asked if vote should be taken on project. Agreed to move to a vote: 2 separate votes: Rezoning & Council Variance.

Motion to approve the request for Rezoning: Dick Talbot; seconded: Pasquale Grado. For – 2; Against – 4; Abstentions – 0. Motion is disapproved.

Motion to approve the request for Council Variance: Dick Talbot; seconded: Seth Golding. For –0; Against –6; Abstentions – 0. Motion is disapproved.

3. **114 E. 5th Avenue** – preliminary discussion with Karrick Sherrill from Shremshock Architects regarding a proposed mixed-use building located on the NW corner of 5th & Summit, at the southern boundary of the University District.

Project Information/Applicant Presentation:

- Project site is currently vacant – on a busy traffic and commercial corridor
- Propose 2 buildings, back to back; frontage on 5th Ave. and alley to the north.
- Each building is 3 stories with parking on 1st level and residential 'townhouse units' above.
- Building frontage along 5th Ave. proposes 4,000 SF of commercial retail space with entrances off 5th.
- Property is zoned C4
- Vehicular access to site from Francis Place, alley to the west.
- Francis Place currently one-way traffic (south). Propose to add northbound traffic lane. Traffic Engineering wants widened entrance drive at 5th & Francis Place.
- No curb cuts along Summit
- **35** residential units above parking (1 unit will be at grade to comply with ADA requirements).
- **45 FT.** building height
- 62 parking spaces required; **49** spaces provided.
- Retail parking separated from residential parking.
- Site slopes up toward north approx. 10 FT. from 5th to alley.
- Similar project proposed on SW corner of Summit & 5th in Italian Village. That project will be 3-5 stories mixed use.

- No variances have been determined at this time. No building design developed. This is just a preliminary discussion about concept plan.

Discussion, Comments/Observations:

- Question: Deb – concern that there is not any green space on site. Response: some green buffer (5 ft.) between unit and alley and planting strip along Summit.
- Question: Pasquale – What is parking ratio? Response: 1 space/residential unit plus what is required by commercial spaces (50% reduction for retail spaces).
- Focus will be on 'light' commercial on 1st floor. No restaurants proposed because of greater parking requirement for Eating & Dining Establishments.
- Rory suggested restaurant might be welcome in commercial space. Question: How address the Summit St. elevation where parking lot will be visible to street? Susan asked about flipping building 90 degrees to front on Summit. Response: Owner prefers commercial to be oriented toward 5th, which is perceived as more of a commercial corridor than Summit. Trees and plantings could be added to screen parking (Note: Code does require parking lot screening & other landscaping).
- Applicant noted that height wise, buildings would be as 'tall' 3 stories – 14 ft. clear 1st floors.
- Deb noted that large lot will be completely covered with development. Concern about need to provide green space and trees for health of community. Encouraged developer to maximize green space.
- Dick noted that a restaurant would be ideal for the commercial space, & might want to consider that in initial plans due to greater parking requirement. Then won't have to come back for another variance request. Response: Not the owner's intention at this time.
- Seth noted that ideal parking ratio would be 1 parking space/bed = 47 residential parking spaces. Commercial requirement would require additional parking.
- Dick noted that 5th & Summit a very busy corner – might not be ideal for commercial. Response: 5th Ave. viewed as better for commercial than Summit St. Susan's experience working with a property at 2nd & Summit confirmed this. The commercial space at that corner sat vacant for a long time. Is now a satellite church space.
- Rory – Maybe traffic will slow down with possible red alert signal?
- Seth noted access to property off 5th may be problem. Response: Will create 1 turning lane in each direction on access alley.
- Burwell Heights project in Italian Village being built by same developer.
- Applicant took away many good comments to apply to the project as the concept plan is developed. Will touch base with committee again.

4. **Campus Taco Bell Development, 1525 N. High St.** – The second preliminary discussion to review progress and variances for the proposed mixed-use development on the site of the current Campus Taco Bell. Developer David Ruma, owner Skip Weiler & attorney Mike Shannon presented.

Project Information/Applicant Presentation:

- Mike Shannon began with overview and project status – Project scope is still a mixed use commercial development
 - **6 stories** – 70 ft.
 - 3 levels parking (1 level below grade, @ grade, mezzanine) – **115 parking spaces**
 - 1st floor commercial along High St. – 4,350 SF retail; 2,800 SF restaurant (1 space /75 SF parking ratio used for both commercial spaces)
 - **101 units**
 - **158 beds**
- Applicant met with UARB in July for preliminary review; has no intention to bypass UAC re: zoning approval.
- Requested variances to date are:
 - **Section 3356.03, Permitted uses in a C4 Commercial District:** to permit ground floor accessory residential uses (leasing office, work-out facility, and computer station/study) exclusively for the use of building residents.
 - **Section 3309.14, Height districts:** to permit a building height of 75 ft. in a district that limits the height of buildings to 35 ft.
 - **Section 3312.49(C), Min. numbers of parking spaces required:** to reduce required parking for both residential and commercial spaces from 254 to 115 parking spaces.
- Actual parking ratio for residential is approx. 0.60 spaces / bed
- Could reduce number of units by adding more 3-5 bedroom units, but applicant feels more 1-2 bedroom units better for success of project.

Discussion, Comments/Observations:

- Comment that per new University Plan, density belongs on High St., not in residential

- neighborhoods. Proposed project demonstrates this recommendation of the University Plan.
- But concern that building setback at alley is not enough. University Plan (pg. 57), recommends 20 ft. setback for building height above 35 ft. that faces alley. New projects must consider all development guidelines in new University Plan.
- Applicant wrestling with maintaining 1-2 bedroom units versus 3-5 bedroom units: hard to meet parking requirement while still making economics work.
- Applicant spoke with property owner to the south, Wayne Garland: looked at stepping building down at rear corner; difficult to make that look right
- Comment that setbacks are important, especially at rear (towards residential neighborhood) & at adjacent properties. 'View on High' (Wendy's site) stepped building back from High St., but not at alley. Project did not require any variances.
- Applicant asked if not 0.375/bed, what is parking ratio that would be acceptable. Response: Ideally 1 parking space per bed, but staying at or above 0.6 spaces per bed a potentially acceptable goal in this project.
- Applicant will try to review & revise plan based on comments presented.

No vote was taken at this time.

- 5. OSU Mixed Use, West Lane Avenue, 2212 Tuttle Park Place** – The second meeting to discuss variances for the mixed use project located at the NE corner of Lane Avenue & Tuttle Park Place. Lynn Wackerly and architect Dave Zelman from 4 Points Development presented revised plans and a list of variances.

Project Information/Applicant Presentation:

- Important takeaway from last meeting was walkability & quality of life in neighborhood.
- Revisions to plan include:
 - More glass on 1st floor Lane Ave. facade to support more pedestrian activity & interaction with building retail
 - Tuttle Park Place won't support retail, but a couple options to activate street along 1st floor garage:
 - Glass storefront similar to retail space
 - Metal mesh panels that rotate up to become trellis for events
 - Decorative brick base beneath openings.
 - Variances are now determined
- Requested variances to date are:
 - **Section 3309.14, Height Districts:** to permit a building height of 75 ft. in a district that limits the height of buildings to 35 ft.
 - **Section 3312.49, Min. Number of parking Spaces Required:** to reduce the number of required parking spaces from 90 to 53 spaces.
 - **Section 3321.05, Vision Clearance:** to remove the requirement for clear vision triangles at the entrance to the parking garage off Tuttle Park Place and at the NE rear corner of the building at the intersection of Tuttle Park Place and the alley.
 - **Section 3372.604, Setback Requirements(A):**
 - **(A):** to increase the permitted max. setback from Lane Ave. from 10 ft. to 15 ft.
 - **(B):** to permit 6 parking spaces along the side of the building (along Jay Alley) rather than being located behind the principal building with a min. setback of 5 ft.
- **54 apartment units (94 bedrooms)**
- **72 ft. building height**
- **53 parking spaces provided (90 spaces required:** 81 residential + 9 commercial)
- If use parking ratios in new University Plan, only 51 parking spaces would be required.

Discussion, Comments/Observations:

- Committee noted that applicants cannot pick & choose different requirements from each document (current code versus University Plan) as basis of design; Must adhere to all development guidelines in current code or in new University Plan.
- University Plan is not code; it is approved but only presents planning recommendations - not the law. Current code should be used in all calculations and variance requests.
- Applicant stated that city water line running along Lane Ave. necessitated moving the building further north on the site – city requires distance of 20 ft. to be maintained between building and water line. This has caused building to be pushed closer to alley at northern property line & resulted in issues involving vision clearance and setbacks.
- Much discussion about setbacks:
 - University Plan requires 20 ft. setback from an alley for buildings above 35 ft. height.
 - Somewhat vague language in University Plan also includes facades directly adjacent to another parcel in the 20 ft. setback requirement.

- Current code allows 1 ft. increased building height for each 1 ft. building is set back.
- Committee would like to see building massing & setbacks that are more sympathetic to the scale of the surrounding neighborhood.
- Applicant stated that losing units due to creating building setbacks would produce economic hardship on project.
- Comment that one way of maximizing development is to build rectangle to the limits of the site. But important to consider quality of life: open space, light, views, etc. that make for a successful project that is appropriate to surroundings.
- Applicant tried to minimize impact of vision clearance triangle at garage entries by making each entrance one-way: one way in off Tuttle Park Place & one way out onto alley to the north.
- Comment on difficulty of parking currently in Tuttle Park neighborhood due to those who drive in to use park. Limited parking for proposed new development will add to existing parking difficulties.
- Applicant will review their plan with regard to comments & feedback provided at tonight's meeting and try to revise drawings.

No vote was taken at this time.

- 6. University Gateway North** – The second preliminary discussion with Schiff Properties, Danis Construction and M+A Architects regarding the proposed mixed-use development on High Street, in the 2nd block south of Lane Ave. Architect John Eymann presented:

Project Information/Applicant Presentation:

- Revised plans show building has reduced in size:
 - **45 units**– reduced from 118 units
 - **90 bedrooms** – reduced from 172 beds
 - **68 parking spaces (34 residential spaces, 32 commercial spaces)** – reduced from 100 spaces
 - Total garage reduced in height from 40 ft. to **33 ft.** to accommodate some residential units
 - 1st floor of residential begins at **22 ft.** with exposure to Pearl St. only.
 - **12 ft. building setback above 3rd floor** –setback off Pearl St.
 - **81 ft. building height** (rooftop elevation) – reduced from 88 ft.
 - Building **7 stories high**, (3 floors parking, 4 ½ floors residential).
- University Plan used to determine parking requirement: 0.375 parking spaces per bed.
- Current code used to determine commercial parking requirement:
- Applicant has reached out to developer of property at Lane Ave. & High St. but no prospects for mutual development.

Discussion, Comments/Observations:

- Applicant did create a building setback along the alley of 12 ft., but to step back the 20 ft. recommended by the new University Plan would eliminate too many units.
- Applicant acknowledged discussions with previous applicants this evening regarding being able to pick & choose only the requirements from each document (current code versus University Plan) that benefit their particular project.
- It was noted that using current code may actually benefit their project more than using guidelines in new University Plan. Recommend that applicant run two sets of calculations using both current code and University Plan guidelines. Response: applicant will look into this to see if certain variances can be reduced or eliminated.
- Pasquale suggested that there may already be a parking variance on this property for commercial spaces. If so, proposed project can apply any previous variances to current project. Response: applicant will research this.
- Overall beneficial discussion of this project with regard to the intent and implications of University Plan and the requirements of current code.

No vote was taken at this time.

VOTING RESULTS FOR ZONING COMMITTEE MEETING: Sept. 8, 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	Excused	Present	Present	Present	Present	Absent	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*
2187 Neil Ave.					Y	Y	Y	Y		Y
1530 Grant Avenue-rezoning		N			N	N	Y	Y		N
1530 Grant Ave-council variance		N			N	N	N	N		N
114 E 5th Avenue – NO VOTE										
OSU Mixed Use, West Lane Ave-NO VOTE										
University Gateway North-NO VOTE										

*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=TIT33ZOCC

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, August 19, 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 presents 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. There is also an available overhead screen and projector for applicant power point presentations. 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.