

## **Meeting Notes from Monday, June 6, 2016 meeting of the UAC Zoning Committee:**

**6:00 PM** – Business/administrative session.

- **Please note:** We did not have a quorum, so no official business could be conducted at this meeting. Therefore, there will be no votes and no recommendations from the Zoning Committee this month. We did, however, proceed as planned with discussions and site visits. Each applicant had prepared for this meeting, & we felt the very least we could do was to have the conversations.
- We reviewed the agenda items.
- We had a brief discussion of potential changes to the zoning code, particularly with regard to parking ratios. At the Planning Committee, it had been suggested we apply the current formula used for parking in residential mixed use to commercial parking calculations as well. Susan will review some of our recent mixed use cases and apply the current residential formula. She'll present results at next month's meeting.
- *FYI – a reminder of how zoning designations were arrived at in the University District:*
  - Trolley car row houses = R4
  - Single Family/Duplexes = R2
  - Core Campus area (typically north campus) = AR4
  - '88 to '89- no one buying houses in University District. Led to code changes that would allow a certain amount of square footage to be added to the rear of dwelling units to make them desirable.

**PRESENT:** Susan Keeny, Deb Supelak, Brian Williams, Seth Golding (left after case #2).

**EXCUSED/ABSENT:** Rory Krupp, Tom Wildman, Dick Talbot, Craig Bouska, Pasquale Grado

**VISITORS:** Dan Pickett, Rex Hagerling, Scott Saffell

**6:30 PM** – Applicant(s):

1. **165E. 15th Avenue** – This was a request for variance for increased floor area in the basement of a new facility for the Beta Theta Pi House. This is a new application. (Note: Variances for this project were previously approved by the UAC in February 2015).

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

- To summarize:
  - Project involves the demolition of an existing fraternity house & the construction of a new fraternity house on the same site.
  - Project variances were requested & approved by the UAC last year as follows:
    - Section 3372.566, Building Area: 22,640 SF building proposed; max. permitted is 10,200sf (current 14,000sf building exceeds this already)
    - Section 3309.14, Building Height: 41' building height (to midpoint of slope) proposed; max. permitted is 35'.
    - Section 3372.568, Building Height: Proposed roof peak is 47' plus a cupola at 57'-6"; max. height of any part of a building is 40', except for a chimney.
    - Section 3372.564(A), Parking: 45.5% parking coverage of lot area; max. of 35% of lot devoted to parking permitted.
    - Section 3312.49, Min. number of Parking Spaces Required: 40 parking spaces proposed; 68 parking spaces required
    - Section 3372.565, Building Lines:
      - Along E. 15th Ave. - 42.2ft. building setback is proposed with 45.6ft. setback @ main façade; max. setback of 33ft. permitted.
      - Along Indianola - 15.1ft. setback @ bay window with 18.7ft. setback @ main facade is proposed; 30ft. setback permitted.
    - Section 3372.567, Max. Floor Area: 0.888 F.A.R. proposed (same as current building); max. 0.50 F.A.R. in Subarea 1 or 2 permitted.
    - Section 3312.27, Parking Setback: parking setback equal to existing conditions proposed; 30ft. parking setback required.
- This is a new BZA application with a new application number. It is not a reconsideration.
- Requested variance is:
  1. Section 3372.556, Building Separation & Size: to allow an increased building size from the previously granted 22,640sf to 24,565sf for the construction of a new fraternity house.
- The project has been on hold since last year to accomplish fundraising goals for the new construction to begin.
- During the fundraising process, alumni requested the following plan changes:

- Create a dedicated study room
- Make the TV room in the basement smaller
- Create a larger, separate chapter hall
- Sheet G003 has educational space calculations which show 26% of the new building space is dedicated to education – important for alumni donors.
- Plan changes resulted in increased square footage of approx. **2,000sf** – mainly in basement. Some slight increase occurs on 1<sup>st</sup> floor ('bump outs') due to recommendations from the UARB for the Certificate of Appropriateness.
- Applicant confirmed that **no** bedrooms will be in basement.

**Discussion, Comments/Observations:**

- Question: Why need for separate chapter hall? Response: Is a time-honored ritual space that needs to be a dedicated room.
- Question: Will there be an increase in number of beds? Response: Bed count of **50** remains same as on previous plans. No changes.
- Applicant was advised that because we had no quorum this evening, no vote or recommendation could occur from the Zoning Committee. Applicants could proceed to UAC meeting for a final vote if they wished.
- Applicant agreed to proceed with UAC vote this month
- Deb suggested that applicants bring materials to show relationship between fraternity's existing plan and proposed new fraternity plan – compare building foot prints, floor area increases, etc.
- Demolition permit and sewer cap permits already obtained. Current asbestos abatement. Architects are presently making revisions to drawings based on review comments from plan review at the city.

**No vote was taken at this meeting.**

2. **20 E. Arcadia** – request for variance request for variances for a new outdoor patio covering for the Sahara Cafe. Zoning committee met twice previously with the applicant (*see 4/04/2016 meeting notes*). This was the 3rd meeting with the applicant.

**Project Information/Applicant Presentation:**

- We met at the applicant site & conducted the discussion there.
- To the west of the project site is the pocket park at the corner of High and Arcadia. To the east is a residential neighborhood.
- Property is zoned C4.
- Applicant requests variance construct a permanent canopy (patio cover) over the existing outdoor dining area that fronts on Arcadia.
- Canopy will run the entire length of the existing building.
- There is one variances requested:
  1. Section 3356.11 – C4 District Setback Lines: to permit a setback of **7 inches** from the right-of-way rather than the code required minimum 25 ft. setback to construct a permanent canopy over the outdoor patio.
- Applicant had a meeting with Jamie Freise at the city to confirm variance application.
- A previous variance was granted to the Sahara Care for 49 parking spaces for the eating/drinking establishment. With current code calculations, only 26 parking spaces are required for both the building and the outdoor patio. This yields a surplus of 23 parking spaces.
- Proposed patio is 785sf.
- The applicant has been in business for 7 years at this location.

**Discussion, Comments/Observations:**

- Question: The patio is very large and there is concern about late night patrons generating noise next to a residential neighborhood. How will you handle this? Response: Applicant will monitor patrons.
- Comment that some neighbors complained about late night noise from Sahara Café. Response: Applicant was not aware of noise issue. He invited neighbors to contact him anytime if there is noise or any other issue. He will address concerns immediately.
- Question: Does applicant intend patio to be enclosed so that patio can be used 4 seasons? Patio enclosures are appearing at many outdoor patios and are not favored in the University District. Response: Applicant does not want to have this type of enclosure. He wants a space that provides some protection for patrons and smokers.
- Seth noted that the applicant has been a very responsible business owner in the neighborhood.
- Applicant intends to make the surrounding fence and patio covering out of wood and would be willing to share design with commission.

- Seth will be in touch with applicant to make sure communication between applicant and neighborhood is maintained.

**No vote was taken at this meeting.**

3. **1445 Summit Street** – request for variances to expand the existing parking lot at Orton Labs. This is a preliminary meeting. Architect Steve Schwope from New Avenue Architects presented.

**Project Information/Applicant Presentation:**

- Orton Lab building is a tenant office building that is on the National Register of Historic Places. It was recently renovated.
- Located at the NW corner of E. 8<sup>th</sup> Ave. and Summit St.
- Owner wants to offer more off-street parking to potential tenants. Applicant wants to see what to do about getting more parking on site – what would UAC be willing to consider?
- Currently 9 existing parking spaces; applicant proposes 20 parking spaces.
- Existing retaining wall along E. 8<sup>th</sup> needs to be replaced. This provides opportunity to add another row of parking along E. 8<sup>th</sup>.
- One potential variance - elimination of green space/buffer along E. 8<sup>th</sup> Ave. & replacement by additional impervious pavement.
- Existing steps up from sidewalk along E. 8<sup>th</sup> will be relocated closer to building entrance on E. 8<sup>th</sup>.
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**Discussion, Comments/Observations:**

- We walked the site and noted that there was substantial green space in front of the building, along Summit.
- Parking lot is accessed by alley to the west. Sloping parking lot drains toward the alley and residential structures beyond. – presents excessive water runoff issues.
- Question: What measures being considered to handle storm water runoff? Response: Very open to examining options with owner.
- Some of options discussed at the meeting to mitigate the proposed increase in parking lot paving & corresponding reduction in greenspace & parking lot plantings:
  - Develop rain gardens in the planting areas at the parking lot entrance
  - Add additional trees elsewhere on the property – along Summit; framing the building entrance; at the parking lot entrances
  - Consider use of permeable concrete, permeable asphalt, permeable interlocking concrete pavers, permeable brick pavers, and/or vegetated permeable pavements. This allows storm water to filter into the ground rather than be discharged into city's storm water pipes.
  - Add tree islands in place of 1 or 2 parking spaces.
  - Create cutaways into existing curbing in parking lot to channel water away from paved surfaces & into planting beds.
- Question: Will the existing trees on site be saved? Response: The trees/plantings along E. 8<sup>th</sup> will have to be removed. But the large specimen tree facing Summit will be saved.
- Question: It appears that pavement for the new parking lot will come very close to & may cover the root system of the large specimen tree. What measures will be taken to save this tree from the new construction? Response: Will utilize a landscape consultant to for best way to avoid damage to existing tree.

**This was a preliminary meeting. No vote was taken.**

4. **360 West 6<sup>th</sup> Avenue** – Request for council variance to construct a new carriage house at the rear of the property. This will be a 3-car garage with dwelling unit above.

**Project Information/Applicant Presentation:**

- We met at the site with the architect, Charles Paros & owners Donald Stenta and Scott Boden.
- Owners needed additional space for family & guests. Discussed adding an attached dwelling unit to their existing home in The Circles, but wanted to maintain the historic 1895 house as is. Decided to build detached, 3-car garage with dwelling unit above – carriage house.
- Carriage house model found in many historic neighborhoods.
- Property sits between 2 properties that are divided into 2 parcels each – a unique situation.
- Proposed carriage house would complement this unique site situation of adding a dwelling unit in the rear yard adjacent to the alley.
- Applicant proposes a zero lot line on the west property line in order to create a garden and pedestrian walkway to the property.
- The following variances requested are:
  1. CC 3332.039, R4 Residential District: to permit a 2<sup>nd</sup> dwelling unit on a property that permits only one single family dwelling.

2. Section 3332.05(A)(4), Area district lot width requirements: to permit a lot width of **40 ft.** rather than the code required 50 ft. lot width.
  3. Section 3332.15, R-4 area district requirements: to permit a lot size of **5840sf** rather than the min. 6000sf per code.
  4. Section 3332.19, Fronting: to permit a dwelling unit to front on the alley rather than on a public street, per code.
  5. Section 3332.25, Maximum side yards required: to permit the min. side yard requirement for the primary dwelling to be less than the required 8ft. (20% x 40ft. lot width).
  6. Section 3332.26, Minimum side yard permitted: to permit a min. side yard setback of **0ft.** along the wet property line rather than the 3ft. min. per code.
  7. Section 3332.27, Rear yard: to permit a min. no rear yard for the carriage house rather than the 25% of the total lot area per code. (Existing dwelling rear yard = 33% of total lot area).
  8. Section 3312.49(C), Minimum numbers of parking spaces required: to permit **1** parking space for the existing dwelling rather than the 2 code required spaces. (Existing dwelling currently has 0 parking spaces; new carriage house will have 3 parking spaces).
  9. Section 3372.542, Maximum lot coverage: to permit a max. lot coverage of **41%** rather than the 25% max. lot coverage per code.
  10. Section 3372.544, Maximum floor area: to permit an F.A.R. of **0.59** rather than the max. 0.40 per code.
- Owners wish to make a quality project that will provide them long-term benefits at this, their current residence.

**Discussion, Comments/Observations:**

- Question: What will be the primary use of the dwelling unit above the garage? Response: New dwelling unit will provide added bedrooms for visiting family members.
- Question: How many bedrooms will be in carriage house? Response: Plan is not yet defined, but probably two bedrooms.
- Question: Why a request for zero setback along west property line of carriage house? Seems to make maintenance difficult if adjacent property owner builds some structure. Response: Adjacent property contains a parking pad with a garage at their west property line. Does not appear that a structure will be built up against their east property line. Also, materials planned for new carriage house will be relatively maintenance free.
- Question: Will dwelling unit above garage become a rental unit? Concern with adding more rental property to neighborhood. Response: There is not guarantee that this will not one day become a rental property, but for now the dwelling unit is for family. Consider that if dwelling unit in carriage house becomes a rental unit, this may allow income needed for current residents to remain in current house. Carriage houses can provide opportunity to "age in place".
- Comment that carriage houses do complement historic nature of neighborhood housing stock.

**No vote was taken at this meeting.**

5. **1497 W. Perry Street** – request for council variance to construct a new carriage house at the rear of the property. This will be a 3-car garage with dwelling unit above. The applicant met with the Zoning Committee last month and received approval. He tabled the final vote at the UAC until June. The meeting notes from last month are included below, for informational purposes:

**Project Information/Applicant Presentation:**

- Summary:
  - The parcel is an unusually wide lot for that area – 53.13 ft. wide.
  - Existing rental house is side-by-side duplex w/ 4-5 students each apartment unit
  - Existing outdoor raised deck covers large portion of rear yard. Applicant proposes to remove this deck.
  - Created 2 small secondary porch/entries to the rear of each apartment unit.
  - Proposal to build a 3-car garage with single family dwelling unit above – intended for owner and his wife.
- Applicant Mike Mahaney presented current plan dated April 21, 2016 and the revisions from the last meeting as follows:
  - Removed the existing raised deck in the rear yard
  - Removed the existing illegal gravel drive at the north property line, per the recommendations of the zoning committee last month.
  - Put back curb along Perry where existing driveway was located
  - Added 2 spaces of side parking to the north side of the proposed new carriage house.
  - Added more green space and plantings to rear yard.

- Dimensions of garage/carriage house the same as on previous plan.
  - Garage setback from alley is same as on previous plan.
- List of 8 variances requested:
  1. Section 3332.039 - R-4 residential district: to permit 2 separate dwellings in an R4 zone instead of one dwelling, max. per code.
  2. Section 3332.15 - R-4 area district requirements: to permit 3 dwelling units on a single lot of 7,439 SF rather than the code-required minimum lot size of 7,500 SF. (99.2% of 2,500 SF requirement).
  3. Section 3332.19 – Fronting: to permit a dwelling unit (carriage house) to front on an alley rather than a public street.
  4. Section 3332.27 - Rear yard: to permit zero (0) rear yard for the carriage house instead of the minimum 25% of the total lot area. (Rear yard of 25.3% applies to existing dwelling only).
  5. Section 3372.542 - Maximum lot coverage: to permit the 2 buildings to cover 31.8% of the lot instead of the maximum 25% allowed by code.
  6. Section 3372.544 - Maximum floor area: to permit a 0.61 F.A.R. (floor area ratio) of instead of the code maximum of 0.4 F.A.R.
  7. Section 3332.28 - Side or rear yard obstruction: to permit side yard obstruction of 2 parking spaces along the north property line (on the existing gravel driveway).
- Applicant had preliminary meeting with Shannon Pine at the city to confirm variances.
- Applicant presented photos of comparable carriage houses in the Victorian Village that he has built to show quality of workmanship.

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

- Committee noted that changes presented in the revised plan addressed many of the concerns expressed at the last meeting with the applicant. Committee appreciated that applicant listened to their concerns.
- Pasquale – suggested making parking pad at the rear of the garage a dimension of 18 ft., which is legitimate parking space. Also suggested that rear decks at each unit be increased – approximately. 10 ft. x 12 ft. Will make them more useable.
- Deb expressed hesitancy over statement of hardship. Variances diminish community, benefit owner. Needs to hear overwhelming reasons why variances should be granted. Response: Applicant agreed that “hardship” not easily confirmed. There are conflicting issues. Zoning made for entire city, not just this neighborhood. No easy response to this concern.
- Brian – reiterated that depth of parking pad hadn’t changed since last meeting. Concern.
- Craig – suggested a depth of 16 ½ ft. for parking pad to accommodate a standard length vehicle without bumping up against garage door and having potential damage to door.
- Adjacent neighbor to the north, Alan Jones, spoke in support of project:
  - Applicant showed good faith to neighborhood by contacting him to discuss proposed carriage house project
  - Glad that the owner is removing the large existing deck and gravel drive.
  - Alan will appreciate having a neighbor with a vested interest living in the neighborhood.
  - Along W. 8th, there are only 2 owner-occupied homes between Cannon and High.
  - Doesn’t see any negatives to this project.
- Susan reported on NECKO neighborhood meeting with the applicant. Everyone present was supportive of the project and looking forward to seeing a new structure built in the neighborhood. They appreciated what appeared to be a quality building. That the owner wants to live there is only more reason to recommend the project.
- Some committee members expressed concern about setting precedent for carriage houses throughout the district. Counter argument: We should consider this proposed project more parcel-specific than precedent-setting.
- Some committee members still had concerns that the carriage house might not be owner-occupied in the future and become another rental property.
- In the end, the committee supported the proposed council variance.

**Motion to approve the request for council variance to permit construction of a 3-car garage with single dwelling unit above at 1497 E. Perry Street: Deb; seconded: Craig. For–3; Against–1; Abstentions–1. Motion is approved.**

**VOTING RESULTS FOR ZONING COMMITTEE MEETING: June 6, 2016**

**(Please note that the vote below is from a case that was tabled from May.)**

MEMBER	Craig Bouska	Seth Golding	Pasquale Grado-non-voting member	Susan Keeny	Rory Krupp	Deb Supelak	Dick Talbot	Tom Wildman	Brian Williams
<b>Attendance</b>	Excused	Present for cases 1 & 2	Absent	Present	Excused	Present	Absent	Absent	Present
<b>CASE/ VOTE</b>	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*
<b>1497 Perry St.</b>	Y			Y	A	N			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, June 15, 2016** 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 at least 10 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.