

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes

Monday, August 12, 2019

7:00 PM

## Planning and Zoning Commission

*Bill Christensen - Chairman  
Michael Vasko - Vice Chairman  
Joe Donahue - Secretary  
Brad Richey  
Joe Wildenthaler  
Mark Caulk  
Kevin Serna*

Call To Order

*Time In: 7:00pm*

Declaring A Quorum (Roll Call)

Approval of Minutes

May 22, 2019 Planning and Zoning Commission Meeting Minutes

**A motion was made by Joe Wildenthaler, seconded by Brad Richey, that the May 22, 2019 Minutes be approved.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

July 8, 2019 Planning and Zoning Commission Meeting Minutes

**A motion was made by Joe Wildenthaler, seconded by Brad Richey, that the July 8, 2019 Minutes be approved.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

Public Comment

Public Oath

Public Hearings

**FS-19-003**

Property Owner: D.R. Horton – Indiana, LLC

Applicant: Westport Homes

Location: Canal Cove Subdivision

Request: Final Subdivision Plat Application for Canal Cove Section 6.

Mr. Moore presented the application for Terry Andrews with Westport Homes. The applicant is requesting approval for the Final Subdivision Plat for Canal Cove Section 6. Staff presented the plat to the commission noting that in Sections 1 – 5 there are only two lots that are undeveloped at this time and they are held for model homes in future phases. Section 6 will add an additional 33 lots to the community. Staff discussed that the applicant is also requesting the plat for Section 7 this evening as a separate application. Staff is recommending that request FS-19-003 be recommended to City Council for adoption.

**A motion was made by Joe Donahue, seconded by Kevin Serna that FS-19-003 be approved as presented and recommended to City Council.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**FS-19-004**

Property Owner: D.R. Horton – Indiana, LLC  
Applicant: Westport Homes  
Location: Canal Cove Subdivision  
Request: Final Subdivision Plat Application for Canal Cove Section 7.

Mr. Moore presented the application for Terry Andrews with Westport Homes. The applicant is requesting approval for the Final Subdivision Plat for Canal Cove Section 7. Sections 1 – 5 there are only two lots that are undeveloped at this time and they are held for model homes in future phases. Section 7 is the final section of the subdivision plan and it will add 37 additional lots for development, totaling at 70 new lots between Sections 6 and 7. Staff is recommending that request FS-19-004 be recommended to City Council for adoption.

**A motion was made by Joe Donahue, seconded by Mark Caulk that FS-19-004 be approved as presented and recommended to City Council.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**CU-19-003**

Property Owner: Canal Winchester Hotels, LLC  
Applicant: Brad Grose  
Location: PID 184-003286 (2.28 acres located on the south side of Winchester Blvd.)  
Request: Conditional Use from Section 1167.03(e) to allow for a 57,720 sq. ft. 82 room Fairfield Inn Hotel.

Mr. Moore presented the application for Canal Winchester Hotels, LLC for property located at PID 184-003286. The subject property is zoned GC (General Commercial) and consists of 2.28 acres on the south side of Winchester Blvd. The applicant is requesting approval for a Conditional Use from Section 1167.03(e) for a 82 room Fairfield Inn Hotel.

The proposed hotel is located on the south side of Winchester Blvd, directly behind the Winchester Office Park. Both the proposed hotel and the office park share an access drive of Winchester Blvd. The proposed building has a footprint of 14,430 sq. ft. on the ground floor. The entire hotel consists of +/- 57,720 sq. ft. over four floors. The hotel area will also consist of a lobby, breakfast area, meeting room, fitness center, and indoor swimming pool. All rooms will be accessed via internal corridors. The hotel will feature 82 rooms across all four floors. This hotel will require a variance to exceed the maximum 40 feet / 3 story maximum building height.

The building has been designed with several materials across the façade on each elevation. This material break has been done to reduce building massing and match branding requirements. The proposed use as a hotel is a Conditional Use for the zoning district and the use fits in with the surrounding uses of the area. Fairfield Inn and Suites is a brand by Marriott and will provide an additional 82 rooms to Canal Winchester to aid in tourism attraction. This site was evaluated from a traffic perspective with the proposed industrial site to the north and it was found to not have an adverse impact on the traffic of the area.

The proposed hotel will not adversely impact the safety, comfort or general welfare of the community. The applicant has shown with the submitted application materials that they can meet the criteria for approval of a conditional use permit as stated in Section 1145.03. Staff recommends that conditional use #CU-19-003 be approved as presented.

Mr. Vasko asked staff how wide the driveway is leading back to the hotel. Staff indicated it is 25 feet wide. Vasko asked if there will be a sidewalk. Staff indicated there will be a sidewalk and noted where it was located on the plans.

Mr. Vasko asked why the sidewalk is only located on one side of the drive. Staff indicated that the other side has utility easements and landscaping.

Mr. Caulk asked staff who would construct the apron where the sidewalk connects the hotel to the office park buildings that are already completed. Staff indicated based on the plans provided the hotel would construct the apron, however both sides have mutual owners.

Mr. Wildenthaler asked staff about the signage for the hotel. Mr. Haire indicated that the development has a pre-existing agreement to allow for the multi-tenant sign on the corner of Gender and Winchester Road to be altered to allow an additional tenant panel by increasing the overall height of the sign. The hotel will also have a directional sign on their access drive close to Winchester Blvd. Wildenthaler asked if the Office Park is included in that agreement for the pre-existing sign alteration. Staff indicated it is not because that property does not have the same Planned Commercial District Zoning Text.

The applicant Varun Patel commented that they are aware of the shared monument sign text and the plan on constructing the sidewalk to the street with the proposed hotel.

Mr. Christensen opened the meeting for the Public Hearing.

**A motion was made by Mike Vasko, seconded by Joe Wildenthaler that the Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

**A motion was made by Mike Vasko, seconded by Brad Richey that Conditional Use Application #CU-19-003 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**VA-19-008**

Property Owner: Canal Winchester Hotels, LLC

Applicant: Brad Grose

Location: PID 184-003286 (2.28 acres located on the south side of Winchester Blvd.)

Request: Variance from Chapter 1199.03(c) to allow building elevations to be below the 80% natural material requirement, as required per the Commercial Development Standards.

Mr. Moore presented the application for Canal Winchester Hotels for the 2.28 acres of property located at PID 184-003286 on the south side of Winchester Blvd. The applicant is requesting approval for a variance from Section 1199.03(c) to allow for building elevations to be below the 80% natural material requirement, as required by the Commercial Development Standards.

The proposed hotel is located on the south side of Winchester Blvd, directly behind the Winchester Office Park. Both the proposed hotel and the office park share an access drive of Winchester Blvd. The proposed building has a footprint of 14,430 sq. ft. on the ground floor. The entire hotel consists of +/- 57,720 sq. ft. over four floors. The hotel will feature 82 rooms across all four floors.

The hotel will consist of 5 different materials on the exterior elevations. These materials are comprised of three (3) different EIFS colors, one (1) cultured stone veneer, and one (1) Hardie Plank panel type. The building is comprised of a taller center portion with two shorter “wings” that span east and west. The first floor of the building is comprised of the ledge stone material with the north elevation having the most stone around the entry on all four floors. The center of the building also features two “towers” that are comprised entirely of Hardie Plank material. Eifs is the majority of the building material on every elevation. Staff provided the material breakdown for each elevation.

Section 1199.03(c) of the Zoning Code, which regulates building design, states: “Materials. All exterior walls shall be comprised of eighty (80) percent natural material with brick or stone as the predominant material. Other natural materials may also be incorporated into the building’s exterior design. Use of “Newer” materials is subject to approval by the Planning and Zoning Commission. Stucco, drivit and like materials may be used as accents provided the total square footage of accent material does not exceed twenty (20) percent of the gross exterior building wall square footage.”

Staff discussed that the proposed hotel has a large building massing. This scale of a building has been allowed in the past to deviate from the 80% natural

frontage where appropriate. The subject site sits in excess of 400 feet from the roadway and will be behind 4 one-story office buildings with a common access drive. The literal interpretation of the zoning code would not deprive the applicant the rights enjoyed by other properties. Due to the scale of the building, the applicant has designed the hotel with multiple materials to break apart the building massing. Additionally, the subject site has manufacturing uses to the rear and a recently approved manufacturing use to the north. The materials that were chosen for the façade are a blend between the general commercial natural material standard and the concrete paneling seen on the industrial users.

The applicant has indicated that the Marriott brand requires multiple materials on all elevations. In addition with the location of the subject site the applicant feels the materials chosen for the site are appropriate. Granting this variance will allow the structure to be built per Marriott branding standards, and blend the site into the surrounding uses.

During initial discussion of the Fairfield Inn on this site there was zero (0) natural materials provided and the building entirely comprised of EIFS with composite paneling near the entrance. The applicant has since revised their prototype to come closer to Canal Winchester's standards with a large amount of stone on all of the elevations, and adding Hardie Board Paneling to the center tower features. Staff recommends that the variance application #VA-19-008 be approved as presented.

Mr. Vasko asked staff what is the total aggregate amount of natural material on the exterior of the building by percentage. Mr. Haire comments that the aggregate amount of natural materials was not provided for staff. Vasko commented in that case the closest they come to meeting the requirement is the north elevation at 58%. Vasko further added that the aggregate is probably around 40%-45% which would be half of the standard requirement.

Mr. Donahue asked staff if the hardie board is considered a natural material. Staff affirmed.

Mr. Caulk asked if 80% natural material is required. Staff affirmed.

Mr. Vasko commented that a similar discussion was had with Hampton Inn but he does not recall the result of that variance discussion. Mr. Haire indicated that they have worked with this applicant to get to the rendering that is being proposed. This design is based off a recent Fairfield Inn that is under construction in Plainfield, Indiana. The initial design Fairfield proposed had a similar design but all eifs materials. The proposed building is must more appropriate than the previous. This building sits over 400 feet from the road and sits adjacent to two industrial projects.

Mr. Richey commented that from a distance the building will look like a large eifs block.

Mr. Vasko commented that his concern is the amount of deviation requested from code requirements.

Mr. Donahue asked staff how tall the 1 story office buildings are in front. Staff indicated they are around 24 feet tall.

Mr. Richey commented that he feels the amount of deviation is too great. Future applications will reference this project as justification for why they should have less natural material.

Mr. Wildenthaler stated that the advantage this application has over the Hampton Inn is that this building is over 400 feet from the road that is on a private access drive. Wildenthaler asked if there is going to be signage along Winchester Blvd entry identifying the hotel. Mr. Moore commented that they will most likely have a directional sign showing entry with an arrow.

Mr. Wildenthaler discussed that with the setback of the building the only visible floors will be floor 3 and 4 from the street, and only the north elevation. Nobody off site will see the other three elevations. The commission discussed the future of Winchester Blvd and it possibly continuing past the current corporation limits.

Mr. Wildenthaler asked staff if there was any discussion with the applicant to increase the amount of natural materials on all sides. Staff discussed that the building was originally proposed with 0% natural material and staff got it up to where it is now.

The applicant Varun Patel discussed that the building is designed to meet Marriott brand standards and did start at 0% natural material but was changed to the proposed 40% - 50%.

Mr. Richey commented that Marriott may have building standards but increasing the natural materials on the building could be done by switching out eifs to hardie board of the same color. More work can be done to meet the Canal Winchester material requirements. The applicant commented that they can submit that request to Marriott and see what they can do.

Mr. Christensen opened up the meeting for the Public Hearing.

**A motion was made by Mike Vasko, seconded by Joe Donahue that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

Mr. Vasko discussed that there were standards that were passed for the commercial centers. These standards do not have exceptions for distance. There

is simply a set of rules for Commercial Development that Planning and Zoning has adopted. These rules have only been deviated only marginally and Vasko stated he is not comfortable deviated to this degree. There is vacant property to the west that there are no plans for at this time. Knowing the impacts of this hotel from that direction are unknown.

**A motion was made by Brad Richey, seconded by Mike Vasko that Variance Application #VA-19-008 be approved as presented.**

**The motion failed by the following vote:**

**No: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**VA-19-009**

Property Owner: Canal Winchester Hotels, LLC

Applicant: Brad Grose

Location: PID 184-003286 (2.28 acres located on the south side of Winchester Blvd.)

Request: Variance from Chapter 1199.03(d) to construct a building that does not comply with the 40% glass requirement between the height of two (2) feet and ten (10) feet on the elevation facing the primary street.

Mr. Moore presented the application for Canal Winchester Hotels for property located at PID 184-003286. The applicant is requesting a variance from Chapter 1199.03(d) to construct a building that does not comply with the 40% glass requirement between the height of two (2) feet and ten (10) feet on the elevation facing the primary street.

The proposed hotel is located on the south side of Winchester Blvd, directly behind the Winchester Office Park. Both the proposed hotel and the office park share an access drive of Winchester Blvd. The proposed building has a footprint of 14,430 sq. ft. on the ground floor. The entire hotel consists of +/- 57,720 sq. ft. over four floors. Based on the description of the primary elevation in the zoning text, the north elevation of the hotel is the primary elevation. The north elevation of the building features 32% window glass.

Section 1199.03(d) of the Zoning Code, which regulates buildings in the Commercial Development Standards, states: "Elevations facing the primary street shall be a minimum of forty (40) percent glass between the height of two (2) feet and ten (10) feet and have an unobstructed view of the building interior to a depth of four (4) feet. The use of black, gold, green, silver, or any other reflective colored glass on building is prohibited. The use of spandrel glass is also prohibited. Frosted glass may be permitted in some cases, subject to approval of the Planning and Zoning Commission."

Staff discussed that the subject property is located on a flag lot where the front elevation of the building is over 400 feet from Winchester Blvd. This building



does not have the same pedestrian oriented scale or form due to its function and site location as other properties in the same zoning district. The literal interpretation of the zoning code would not deprive the applicant the rights enjoyed by other properties. This code section is written in reference to typical commercial development where the first floor is pedestrian oriented and allows the retail space to be viewed by the public outside of the facility. Hotel development has windows for all of the rooms, but they are not intended for the public to look inside like typical commercial development. Additionally, the plans call for 32% window glass, with the majority of the lobby area having full window glass.

Granting this variance will not confer on the applicant any undue privilege. Typical development in General Commercial district is for commercial properties with retail sales. Hotel development is a conditional use and the windows in a hotel are designed for the occupants to look out and have natural light, not intended for the public to look inside.

The building is designed with large panes of window glass across all four floors. Due to the height of the building, the amount of window glass across the entire building makes up for the small reduction in window glass on the first floor of this hotel. Additionally, a hotel is not designed in a similar way as a traditional storefront to allow people to see into the space. Staff recommends that variance VA-19-009 be approved as presented.

Mr. Wildenthaler asked staff if the north elevation is looked at for this facility. Staff affirmed.

Mr. Vasko commented that he feels the justification for the use of the facility and the use of windows is sufficient.

Mr. Christensen opened up the application for a Public Hearing.

**A motion was made by Mike Vasko seconded by Joe Donahue that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

**A motion was by Joe Donahue, seconded by Brad Richey that Variance Application #VA-19-009 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

**VA-19-010**

Property Owner: Canal Winchester Hotels, LLC

Applicant: Brad Grose

Location: PID 184-003286 (2.28 acres located on the south side of Winchester Blvd.)

Request: Variance from Chapter 1167.04(b)(1) to construct a 56 foot tall, 4 story hotel.

Mr. Moore presented the application for Canal Winchester Hotels for property located at PID 184-003286. The applicant is requesting a variance from Chapter 1167.04(b)(1) to construct a 56 foot tall, 4 story hotel. Section 1167.04(b)(1) of the Zoning Code, which regulates buildings in the General Commercial Zoning District, states: "No building shall exceed forty (40) feet in height, nor more than three (3) stories in height.

Staff discusses that the subject site is a flag lot at the rear of an office development that fronts Winchester Blvd. The subject building sits in excess of 400 feet from the street reducing its visibility. While the height of the building meets brand standards, it also helps the buildings visibility and way-finding. The General Commercial district code was written with typical big box and outlot development in mind. These type of uses typically do not need a building height to exceed 40 feet / 3 stories while modern hotel development requires a certain number of rooms to support amenities that travelers have come to expect. This proposal would bring an attractive modern hotel concept to this developed shopping, dining, and entertainment district.

The applicant is not able to make the site work with the proposed hotel under standard procedures for the Marriott Brand. The nominal height of usable space within the building is at 48 feet. The requested 57 feet variance is to allow architectural diversity with parapet wall features and crowning on the building to break apart the building mass. The Marriott brand standards ensure a consistent design theme and experience for guests and little deviation is permitted. The proposed site's geometry is set as it is a flag lot to the rear of a developing office park.

This variance will enhance the public convenience, comfort, prosperity, and general welfare of the community. This variance will allow for a new hotel to be developed in the city limits, encapsulating new bed tax dollars that will be used for community use, along with allowing more tourism dollars to stay within the community. These hotel guests will likely spend additional money at surrounding businesses that will generate further revenue in our community. The Fairfield Inn is an attractive, mid-scale brand hotel that will further enhance the experience of business and leisure travelers in Canal Winchester.

The applicant has shown with the submitted application materials that they can meet the criteria for approval of a variance as stated in Section 1147.03. Staff recommends that variance #VA-19-010 be approved as presented.

Mr. Richey asked staff if there would be any reason for someone to be above the fourth floor within the parapet area. Mr. Haire indicated the parapet height is to screen the mechanical units.

Mr. Christensen opened up the application for the Public Hearing.

**A motion was made by Mike Vasko, seconded by Brad Richey that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**A motion was made by Brad Richey, seconded by Mark Caulk that Variance Application #VA-19-010 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**SDP-19-004**

Property Owner: Canal Winchester Hotels, LLC

Applicant: Brad Grose

Location: PID 184-003286 (2.28 acres located on the south side of Winchester Blvd.)

Request: Site Development Plan for a four story, 82 room Fairfield Inn Hotel.

Mr. Moore presented the application for Canal Winchester Hotels for property located at PID 184-003286. The subject property is zoned GC (General Commercial) and consists of 2.28 acres on the south side of Winchester Blvd. The site will be accessed from Winchester Blvd from a shared access drive with Winchester Office Park complex. The site has been designed with parking located on all four sides of the building with a primary loading/drop off area on the north side of the building. A pedestrian access sidewalk connecting the front door to a sidewalk leads up the east end of the parking lot and connects to the existing walkway within the Winchester Office Park to Winchester Blvd.

The proposed site plan provides 91 parking spaces on four sides of the building. The commercial development standards allow an additional 25% increase to that 87 parking minimum for a maximum allowable at 107 parking spaces. The parking lot as provided has 35 parking spaces located in front of the building. 23 parking spaces to the rear of the building. 33 parking spaces on both sides of the building. Due to the building being over 20,000 sq. ft. and located more than 300 ft. from the right-of-way, parking can be located on all sides of the building.

Sanitary sewer and water is available from utility lines that were constructed down the shared access drive with the Winchester Office Park development. These lines connect to the public system on Winchester Blvd. A private storm system was also previously created off-site to the west for the office park development and proposed hotel.

The proposed landscape plan shows shrubs and trees to be planted on all four sides of the building and within the parking area. The number of trees planted around the site meets code standards for the size of the building and the number of parking spaces. However, the number of species of trees to be planted is insufficient. Per 1191.04(g), the maximum percentage of the same genus for a landscape plan that contains 20-39 trees is 33%. The applicant will need to amend the landscape plan to add a third (3<sup>rd</sup>) tree genus.

The applicant has provided a site lighting plan that meets the standards in code section 1199.06. The decorative light fixtures and poles are proposed at 20 feet tall on top of a 30 inch concrete base. The lighting intensity for the parking lot lights is under the maximum intensity set at 20 foot candles with a proposed range between 4.2 foot candles and 19.8 foot candles.

The applicant has provided elevations for the proposed 82 room Fairfield Inn Hotel. The Commercial Development Standards require that exterior walls be composed of 80% natural materials with brick or stone as the predominant material. The building as proposed will require a variance for being under the 80% natural material requirement.

The Commercial Development Standards require the building to have four sided architecture. The standards also require that for every 100 ft. of elevation width, each side and rear elevation must have 2 design elements and the front must have 3 design elements. Each elevation meets the requirements for the number of design elements. The combination of materials across the building that meets these standards are the of variety building materials (3 different tones of Eifs, 1 ledge stone type and Hardie Plank panels), front canopy station and the variation in wall heights. The standards also require that the building have articulation with frontage that exceeds 50 feet and offsets to the wall plane which the building meets this requirement.

Staff has worked with the applicant on multiple revisions to the plans and recommends that the application for a Site Development Plan #SDP-19-004 be approved with the following conditions.

- 1) The applicant amend the landscape plan to meet 1191.04(g) for maximum tree genus.
- 2) The elevation materials are to be further reviewed by the Planning and Zoning Commission at future meeting.

Mr. Christensen commented that if the plans are revised to meet the 80% they do not have to return for review. Mr. Haire indicated he would rather have the applicants come back for review for the façade design.

Vasko commented that this application could also be tabled. Mr. Haire commented that is an option but it would slow down the timing of the project significantly. Engineering Review for the site does not occur until after P&Z has approved the site plan. This could set the applicant back a month or two easily and they wanted to start before this winter. Mr. Richey commented that approving the site plan would allow for the applicant to start the construction process while the façade issues are worked out.

Mr. Vasko commented that while an ideal 80% natural material is preferred, he is not saying some number less than 80% wouldn't be acceptable.

The applicant Varun Patel affirmed that it sounds like the best path forward is to bring the application back with a new façade treatment.

Mr. Haire asked the applicant to describe the construction timeline. Mr. Patel noted that they would like to get the foundation done prior to winter. However, they are willing to do what the commission requires.

Mr. Richey asked the applicant where they are at in the permit process. Mr. Patel stated that Marriott has approved the site plan and once the P&Z process is complete they can get started.

Mr. Caulk asked the applicant about the construction drawings. The applicant stated they are mostly complete.

Mr. Moore informed the commission that Staff does not review the site Engineering Plans until after Planning and Zoning has approved a project. Additionally, the architectural construction drawings are not sent out for review until site engineering has been approved. Mr. Haire indicated that results in a two month delay until they can break ground.

Mr. Donahue asked at what point does the new variance request come back to P&Z. Mr. Haire indicated that the path they are suggesting would allow for the engineering approvals to get completed and in one or two months they could come back with exterior façade design.

Mr. Donahue asked the applicant if he has any issue with a vote tonight or wants the application to be tabled. The applicant indicated the commission can vote.

Mr. Wildenthaler affirmed that by approving the plans with the two conditions it requires the applicant to come back to present the new wall façade design. Staff affirmed.

A motion was made by Joe Donahue, seconded by Brad Richey that Site Development Plan #SDP-19-004 be approved with the following conditions:

- 1) The applicant amend the landscape plan to meet 1191.04(g) for maximum tree genus.
- 2) The elevation materials are to be further reviewed by the Planning and Zoning Commission at future meeting.

The motion carried by the following vote:

Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**VA-19-011**

Property Owner: Bohls Family Limited Partnership

Applicant: Jennifer Carney Triplett

Location: 8155 Howe Industrial Parkway

Request: Variance from Chapter 1185.04(d) to allow for a gravel storage yard.

Mr. Haire presented the application for Jennifer Carney Triplett representing Buckeye Power Sales for property located at 8155 Howe Industrial Parkway. The applicant is requesting approval for a Variance from Chapter 1185.04(d) to allow for a gravel storage yard at the rear of the building. The subject property is located on a 5.903-acre site at 8155 Howe Industrial Parkway in the Canal Pointe Industry & Commerce Park, which is zoned LM. All surrounding land uses are limited manufacturing.

Buckeye Power Sales has submitted a site development plan for a warehouse and office addition to their current warehouse structure. Buckeye Power Sales is planning on adding construction equipment sales and service to the Canal Winchester location and is in the need for extra space.

The applicant's plan calls for 7,600 sq. ft. of new indoor space that will consist of office/warehouse space and a new 100' x 188' outdoor gravel storage yard. The gravel yard would be used to store construction equipment. Around the gravel yard and the rear vehicle lot the applicants are proposing a new black chain link fence with two gates. The fence will be used to protect the assets that will be stored on site. Around the gravel yard on the north and the west side will be a 6 feet high earth mound with trees and shrubs as screening.

Section 1185.04(d) of the zoning code which regulates the development standards for the surfaces of parking areas states that: "All off-street parking areas shall be graded for proper drainage and surfaced with concrete, asphalt concrete, premixed asphalt pavement, blacktop, or brick so as to provide a durable and dustless surface. Off-street parking areas designs shall be reviewed and approved by the Municipal Engineer prior to issuance for a Certificate of Zoning Compliance."

Staff discussed that the applicant is looking to use gravel as their surface for a 100' x 188' storage yard. The applicant is storing small tracked construction

equipment in the lot and is concerned that paving the lot would result in heavy surface damage that would need replaced. If the applicant is required to use a hard surface they would be burdened with frequent resurfacing of the lot caused by the construction equipment. Variances have been granted for similar projects such as Kent Power, South Central Power, and Seals Construction for storage of heavy equipment.

Granting the variance to the applicant would not confer any special privilege to this owner. It would allow the owner to develop his property in a logical manner and grant a similar privilege granted to other uses in Canal Pointe that have provided appropriate screening for gravel storage yards. The granting of the variance to the applicant will not better the economic use of the property. The applicant is seeking to avoid using harder surfaces that will not hold up to the traffic of construction equipment. All parking areas will be paved only the outdoor storage area for equipment would remain a gravel surface.

The applicant has designed the gravel storage to be heavily screened from the right-of-way. With this site being in an active industrial park staff feels that the use is compatible with the surrounding area and will not negatively impact other properties. Staff recommends that application #VA-19-011 be approved as presented.

David Huston with Dublin Building Systems, General Contractor for the project commented that he is available for any questions the commission may have.

Mr. Christensen opened up the application for the Public Hearing.

Adjacent property owner Peg Tobin asked the commission if the variance request this evening would impact the types of tenants that can rent her facility. Mr. Haire indicated to Mrs. Tobin that a variance is property specific and does not have any impact on the types of tenants that can go into a property. Mr. Haire elaborated saying that her property received a Conditional Use in the past that allowed for office type uses within an Industrial Park. Conditional Uses are tenant specific.

**A motion was made by Joe Donahue, seconded by Joe Wildenthaler that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**A motion was made by Joe Donahue, seconded by Brad Richey that Variance Application VA-19-011 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**SDP-19-005**

Property Owner: Bohls Family Limited Partnership

Applicant: Jennifer Carney Triplett

Location: 8155 Howe Industrial Parkway

Request: Site Development Plan for a 7,600 sq. ft. building addition and an exterior storage yard.

Mr. Haire presented the application for Jennifer Carney Triplett for property located at 8155 Howe Industrial Parkway. The applicant is requesting for approval of a Site Development Plan for a 7,600 sq. ft. building addition to the west of the existing office/warehouse. The addition will replace the open space to the west of the building and will require 16 new parking spaces in addition to the 39 existing parking spaces. With the addition, the building will be 26,650 sq. ft. with 55 parking spaces provided.

Based on the square footage of the addition plus the original space, a total of 55 off-street parking spaces are required. The applicant has provided a total of 16 new spaces, when added to the original total of 39 parking spaces the applicant has met the parking spaces requirements. Off-street loading space requirement is one Class A space for each 10,000 sq. ft. over the first 10,000 sq. ft. of area, plus one Class A space for each 25,000 sq. ft. over the first 50,000 sq. ft. A total of seven off-street loading spaces are required. There are 6 existing loading spaces and the addition will include 2 more spaces.

Buckeye Power Sales addition will increase the office and warehousing space at the site. This expansion allows the company to move their construction sales operations to the Canal Winchester location. In addition to the 7,600 sq. ft. expansion, Buckeye Power Sales will also be adding a 100' x 188' gravel storage yard to store outdoor equipment. The gravel yard will include a black chain link fence along with gates that span the entryways to the rear lot along the east and the north elevations. Around the gravel yard on the north and west elevations will sit a 6' high earth mound with landscaping along the top to shield the yard from view from any right-of-way.

No new access points will be constructed with this project. The applicant was permitted to not construct a sidewalk across the entire frontage of the site with the initial building construction. They were required to place the sidewalk only on the portion of the site being developed. Since this proposed development covers the majority of the site the sidewalk should be completed at this time. This will require the construction of approximately 130 feet of additional sidewalk along Howe Industrial Parkway.

The proposed landscaping plan shows an additional 11 trees to be planted along the north elevation of the proposed expansion and along the top of earth mound. The applicant has proposed a mixture of Red Jade Crabapple, Skyline Honey locust, and Colorado blue spruce. The plan also calls for additional 68 bushes and shrubs, which consist of a variety of yews, barberry and spirea. The



addition and parking require 11 new trees to be planted so the applicant is meeting the landscape requirement.

The plan also calls for an earth mound as a screening for the gravel yard on the north and west elevation of the yard. The earth mound is 6' high which is two feet higher than the zoning code requires. The mound along with the proposed landscaping will be used to screen the storage of construction equipment. The applicant has also proposed a hedge row to match the existing to screen the new parking spaces from the street.

The proposed lighting plan calls for 7 new outdoor wall-mounted fixtures that are identical to the existing lights that are on the current building. The plan also calls for 2 new parking lot light poles these are identical to the light poles that currently surround the existing building.

Staff recommends the applicant's request for the major site development plan SDP-19-005 be approved with the following condition.

1. The applicant extend the sidewalk west to the property line.

**A motion was made by Joe Donahue, seconded by Mike Vasko that Site Development Plan SDP-19-005 be approved with the following condition:**

- 1. The applicant extend the sidewalk west to the property line.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

#### **SDP-19-006**

Property Owner: Canal Pointe LLC

Applicant: Jennifer Carney Triplett

Location: PID 042-0376200 (2.54 acres on the north side of Howe Industrial Parkway)

Request: Site Development Plan for a 12,000 sq. ft. office/warehouse.

Mr. Haire presented the application for Jennifer Carney Triplett for property located at PID 042-0376200, 2.54 acres located on the north side of Howe Industrial Parkway. The applicant is requesting for a Site Development Plan approval for a new 12,000 sq. ft. office/warehouse. The subject property is zoned Limited Manufacturing and is the last undeveloped parcel on the north side of the street. All surrounding properties are also zoned LM and contain developed industrial buildings.

Staff discussed that customer access to the building will be from one driveway on the east side of the site approximately 655 feet west of Diley Road. The proposed driveway will be slightly offset to the west from Buckeye Power Sales western driveway. The parking area as proposed includes 52 parking spaces. Section 1185.06(b) of the Zoning Code requires 2 Class A and 1 Class B or 3 Class B loading spaces for the proposed building. A Class A space is 14 ft. x 55 ft. and

a Class B space is 12 ft. x 30 ft. Three loading docks and three drive-in doors are provided on the rear of the building meeting code requirements.

The site requires one tree per 1,000 square feet of proposed building. Twelve trees are required to meet the building standards and 12 are provided. The Landscape Code also requires for 1 tree for every 6 parking spaces. 9 trees are provided meeting this requirement. The applicant has provided sea green juniper that screens the parking area from the street.

Three parking lot lights are proposed. They are modern flat LED fixtures on a 25 feet tall pole with a 2-foot base. Six wall pack lights are also proposed with 2 on the front and rear and one on each side. These fixtures will be approximately 18 feet above grade.

Water service will be provided from an existing 8-inch water main on the site immediately east of the proposed building. Sanitary sewer will be provided from an existing 10-inch line immediately west of the proposed buildings. The existing utilities are within a 30 feet utility easement providing access for the applicant. There is adequate capacity to serve any proposed uses within this building. Storm drainage will flow into a proposed dry-detention basin on the west side of the site. It is proposed at approximately 2.5 feet deep. The applicant will need to seek a variance from the Public Works Director from the storm-water regulations to allow a dry-detention basin. The storm sewer will outlet into an existing storm drain on Howe Industrial Parkway in front of the parcel.

The applicant is proposing a split face block and metal wall panel building. It will be very similar in construction to surrounding buildings like Lucky Bones, Buckeye Power Sales and Aerosport. There will be aluminum storefront systems with 6 doors with flat aluminum canopies above the doors. The look and layout of this building is similar to the multi-tenant building at the corner of Howe Industrial Parkway and Diley Road that contains Culligan and Hamilton Home Products. Windows and a masonry water table will continue on the sides of the building. The rear of the building is masonry and metal panels and contains three overhead doors and three loading docks that which will be metal doors to match.

Staff is recommending approval of SDP-19-006 with the following condition:

1. The applicant receives a variance from the storm water design manual requirements to allow the construction of a dry-detention area.

David Huston with Dublin Building Systems indicated he is present to answer any questions the commission may have.

**A motion as made by Joe Donahue, seconded by Mike Vasko that Site Development Plan SDP-19-006 be approved with the following condition:**

- 1. The applicant receives a variance from the storm water design manual requirements to allow the construction of a dry-detention area.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**CU-19-004**

Property Owner: Waterloo Crossing, LTD

Applicant: Bank of America

Location: PID 184-00308 (6.164 acres located on the south side of Winchester Blvd)

Request: Conditional Use from Section 1167.03(a) to allow for a drive-up window service.

Mr. Moore presented the application for Bank of America for 6.164 acres of property located on the south side of Winchester Blvd. on Parcel ID 184-00308. The applicant is requesting approval for a Conditional Use from Section 1167.03(a) to allow for drive-up window service at the proposed bank. The subject property is zoned General Commercial and all surrounding properties are zoned GC and part of the Waterloo Crossing Shopping Center.

The proposed building is 3,930 sq. ft. and will sit on a site comprised of 1.28 acres of land to be split from the original 6.164 acres. This property is a vacant piece of ground within the Waterloo Crossing shopping center. Plans for the shopping center show this site as a potential building area.

Code section 1199.03(a)(2)(h) states: “A drive thru, if deemed appropriate for the site by the Planning and Zoning Commission via a Conditional Use of the applicable zoning district, shall be designed as an integral part of the structure it serves. Features incorporated with a drive thru, including, but not limited to canopies, awnings and support posts, shall match the materials and color scheme of the building they are serving. Drive thru features shall not have any pick-up windows, ordering areas, signage, or other related items located on the front elevation of a building or located between the front of the building and a street right of way.”

The development plans for the proposed Bank of America are overall compatible with the character of the Waterloo Crossing shopping center. The proposed site plan has the building pushed close to the existing access drive in the center and has the drive-thru oriented so that it exits onto the existing access drive with an exit only design.

The subject site is surrounded by many uses of a similar nature including other fast-service restaurants, financial institutions and retail stores. The proposed site improvements increase the connectivity of the current condition of the parking lot by removing the dead end parking isles and creates a collector route from the east to west. Additionally, the applicant’s plans provide a sidewalk

connection front Winchester Blvd down the private access drive into the shopping center, increasing the pedestrian connectivity of the area.

The proposed drive thru is compatible with the surrounding outparcels in the Waterloo Crossing shopping center. The proposal increases the connectivity within the existing shopping center and with the other miscellaneous site improvements it enhances the existing center traffic design. Staff recommends that Conditional Use #CU-19-004 be approved as presented.

Mr. Serna asked staff if this is a full service branch or if it will be a virtual money center. Mr. Haire indicated that it will be a full service branch with employees.

Mr. Vasko asked staff while it is not directly related to this application and site if Panda Express appealed the applications that were denied. Staff affirmed the appeal was on August 5 but Council has not made a ruling at this time. Vasko stated that the status of the site to the west is still unknown at this time.

Ben Siembida representing the application commented to Mr. Serna's question earlier that Bank of America is anticipating this to be a full service branch with physical bodies in the space.

Mr. Christensen opened up the application for the Public Hearing.

**A motion was made by Mike Vasko, seconded by Joe Wildenthaler that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

**A motion was made by Joe Donahue, seconded by Joe Wildenthaler that Conditional Use Application #CU-19-004 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

**VA-19-012**

Property Owner: Waterloo Crossing, LTD

Applicant: Bank of America

Location: PID 184-00308 (6.164 acres located on the south side of Winchester Blvd)

Request: Variance from Chapter 1199.04(a) to allow for a building to exceed the build-to line.

Mr. Moore presented the application for Bank of America for property located within the Waterloo Crossing Shopping Center. The applicant is requesting a

Variance from Chapter 1199.04(a) to allow for a building to exceed the 25 foot build-to line.

Staff discussed that the proposed building is setback from the right-of-way line at 87 feet. The subject property has a front build-to-line at 25 feet because it is not along a major arterial identified in the Canal Winchester Thoroughfare plan. The Waterloo Crossing Shopping Center Development Plans from 2004, 2005, 2006, 2010 & 2016 notes that the subject site as a "Potential Building Area". The build-to line requirement was adopted in 2012 with the commercial development standards.

The commercial development standards in regards to build-to-lines were set up to promote pedestrian friendly and walkable streets. The proposed project has the building situated close to the private access drive that provides internal circulation for the shopping center. This access drive was designed to minimize the number of curb cuts onto Winchester Blvd and West Waterloo Street to provide internal circulation in the site. The applicant's plans show a sidewalk connecting the front door of the proposed bank to the sidewalk system at the Winchester Blvd/West Waterloo Street traffic light.

Staff further discussed that Special circumstances and conditions exist which are not applicable to other lands or structures in the same zoning district. The proposed site was conceptually laid out for a building prior to the 2012 zoning code being adopted which required the building to be on the 25' build-to line of Winchester Blvd. When the development text for the shopping center was written, it contained a building setback minimum, not pushing the building towards the public right-of-way. Additionally, the building setback is being forced by an internal private street that provides internal circulation to the shopping center.

The literal interpretation of this Zoning Code would not deprive the applicant the rights commonly enjoyed by other properties in the same zoning district. This property has a unique orientation where there is a private access drive in-between the building location and the public right-of-way. This access drive was designed to minimize the number of curb cuts onto the public road. Additionally, the layout of the private access drive does not result from the actions of the applicant. This internal roadway circulation was designed into the shopping center prior to the build-to line requirement in 2012.

Granting this variance will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare. The applicant has designed the site layout to meet the intent of the code by having the building front the road directly in front of it. If the applicant were to comply with the code as written the internal circulation route of the shopping center would

terminate into the proposed building and would create hazardous conditions that were intentionally avoided.

The applicant has designed the layout of the building to meet the intent of the zoning code by having the building front the access drive and provide a pedestrian orientation to the facility. Staff recommends that VA-19-012 be approved as presented.

Mr. Christensen opened up the application for the Public Hearing.

**A motion was made by Mike Vasko, seconded by Joe Donahue that this Public Hearing be closed.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

**A motion was made by Mike Vasko, seconded by Joe Donahue that VA-19-012 be approved as presented.**

**The motion carried by the following vote:**

**Yes: 7** – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna

#### Old Business

Mr. Moore stated that Panda Express appealed P&Z decisions on the August 5, 2019 meeting. That appeal was heard by the commission but they have not yet made a motion on the appeal request.

#### New Business

Mr. Moore commented that the last two phases of Canal Cove were approved this evening completing that subdivision. From the information found on Westport's website Section 6 already has 19 lots pre-sold. Staff's expectation is that subdivision will be built out in two years.

Mr. Christensen asked staff about the timing of the project next door. Staff indicated they would like to start in September.

Mr. Vasko asked staff to elaborate on the comments from the lady that spoke during the public hearing for Buckeye Power. Mr. Haire indicated that she owns the building that is located next door along Diley Road. When that facility was constructed they received a conditional use for a chiropractic office to be in that space. The chiropractor which is her son has since left the space. There is one vacant office suite in the facility which she is trying to fill. She tried to lease the space for massage therapy but that is not a permitted use in the Limited Manufacturing District. They are allowed to have professional office and R&D.

Adjournment

*Time Out: 9:01 pm*

**A motion was made by Joe Donahue, seconded by Mike Vasko, that this Meeting be adjourned.**

**The motion carried by the following vote:**

**Yes: 7 – Vasko, Richey, Christensen, Wildenthaler, Caulk, Donahue & Serna**

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Date

\_\_\_\_\_

Bill Christensen - Chairman

\_\_\_\_\_

Joe Donahue - Secretary