

Canal Winchester

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



Meeting Minutes - FINAL

July 2, 2018

6:30 p.m.

PUBLIC HEARING

City Council

*Bruce Jarvis - President
Mike Walker – Vice-President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

A. Call To Order

Jarvis called the meeting to order at 6:35 p.m.

B. Roll Call

Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker

C. Purpose of Public Hearing**ORD-18-025**

Development

An Ordinance Amending Section 1161.04 Of The Codified Ordinances Regarding Old Town Commercial Zoning District ([Ordinance](#))

D. Staff Report

Lucas Haire, Development Director: This is a zoning text amendment, basically it's amending a portion of the whole town commercial zoning district; there are a number of permitted uses in that code right now, this would change some of those permitted uses, and establish a new permitted use group called the 'mixed use development'; currently residential – both single and multi-family is a permitted use in the old town commercial district; this was changed back in 2007 I believe; it was a result of a number of people coming and complaining that their lenders – they couldn't refinance their homes because residential wasn't a permitted use, because a number of the properties along N. High Street and along West Waterloo are zoned old town commercial, and their use is single family residences; that change was made to allow both single family and multi-family a permitted use; multi-family is a permitted use, but it's permitted at 4 units to the acre; most of the parcels down here are a quarter acre or less; there's not really – you can't put 2 units at 4 to an acre on a quarter acre lot, generally it's not really permitted, but it is; what this would do is establish a new permitted use called 'mixed use'; mixed use would basically allow multi-family residential to be permitted on the second floor of a building, as long as the first floor has at least 70% of the space used as a commercial use, which is open to the public, to obtain goods or services; one of the main reasons is because a number of other communities in the area that have this type of ordinance have found that apartment developers will sometimes develop an apartment building, they'll put their gym on the first floor that's for residents only, and say that's a commercial use; that doesn't really meet the intent of the regulations; that was an important line of text to distinguish that it needs to be commercial use that's open to the public; this would allow the density of 20 units to the acre, or 24 units per building; it sets the minimum dimensions for the units of 700 square feet for a one bedroom unit, and then 160 square feet for additional bedroom that's proposed; we examined a number of the apartments that are being built in downtown areas – downtown Columbus, Grove City, Dublin – a number of the newer communities that are developing; 700 square feet is really - about 680 is the smallest one bedrooms that you find; if you get much less than that, it's generally a studio unit; this would promote obviously a one bedroom, and then having 160 square feet additional for each additional bedroom allows for some extra bedroom space, and living space; basically a bedroom is required to be 80 square feet in the Ohio building code, so this is just doubling that – saying that you have to have 80 square feet minimum, but also that much additional living space in the unit; it also establishes a parking requirement for a mixed use building; currently we don't have any parking standards in the old town area; this would establish – you have to have one parking space for each residential unit, and then one parking space for each 1,000 square feet of commercial space in the building; that can be located on the same parcel, or a separate parcel that's within 300 feet of the parcel that's in control of that

building; that can be leased, or could be another lot that they own that's adjacent somewhere, but not on the same parcel; Jarvis: Mr. Haire, before you keep going, I want to make sure I understand this correctly – we're talking about 20 units to the acre for mixed use, is there a single property in the old town area that this would apply to? I'm having trouble picturing one; Haire: We'll get into that in a minute, I've got maps and everything to show you the whole area, the density and what's there currently; I think that'll help you understand it a little more; Jarvis: Secondly, with regard to parking – nowadays it seems like everyone has at least 2 cars, and back in 1955 it was a one-car family, but it seems to be 2; one parking space per unit sounds good when you don't have any parking requirements, but how realistic is it when the overflow is just going to be wherever it is available? If we're talking about a large building – 20 units to the acre or whatever, I think it'd have a negative impact; Haire: What you're generally seeing is that developers are putting in less parking, and they're looking at it in terms of the mix of uses that are going into their building; you may have commercial demands during the day, and residential demands during the evening; you'll mix the uses, and you'll have a little bit of a lower parking ratio in total; also, most developers also are not charging for parking; you might pay \$1,200 a month to rent your apartment, and you'll pay another \$200 a month to rent each parking space; that's generally happening in the downtown area of Columbus, because parking is expensive to build; Jarvis: I mean it's a small example of what we're talking about, but a couple doors down there are 4 units on the lot – 2 in the main building, one in the middle, one in the back; one parking space, so they're all over the place; a lot of the times there are 2 cars per unit, and it's just not enough to cover it; I think that's why Doctor ? has got skull and crossbones signs about parking in her lot, because she's experienced that; Haire: In terms of permitted uses – in the old town commercial, we've also proposed some changes there outside of the mixed use; we've specifically included fitness studios and personal training as a permitted use; if you recall, we specifically excluded fitness studios from the industrial district, because we used to classify those as personal services, but we've created a specific definition for fitness studios and personal training; we wanted to make sure that was expressly permitted in the old town district; we've also removed laundromats as a permitted use; prohibited uses – we have removed amusement arcades, we have also removed an establishment principally for the retail sale of alcoholic beverages for off-premise consumption, unless produced onsite; it would allow a retail beer or wine store, which currently would not allow; we've also expressly prohibited mini-warehouses or self-storage units, and also laundromats; the last change is to the height of a building; the current regulation was 38 feet, or 10% higher than the immediately adjacent structure on the same side of the street; we've changed that 40 feet, or 3 stories; what this regulation would do is if you had a one story building that was located adjacent to a lot, then you could only build a one story building adjacent to it, you wouldn't be able to build a 2-story; we have a good variety of heights in the old town commercial already, we wanted to continue that where appropriate; we didn't want to exclude everything and say if it's adjacent to a one story, you can only do a one story building; this matches what the other height standards in the majority of our other districts as 40 feet; sorry I'm not keeping up on the – Tiffany can you change the slides for me? There's one that's a map, if you could go to that; here's the old town commercial zoning district; generally, along Waterloo Street and High Street south of the railroad tracks on High, down to Columbus Street, and then on Waterloo Street – generally just before you hit West Street, and then

over to Trine; as Mr. Jarvis mentioned, looking at 20 units to one acre – there's only one group of parcels that are more than one acre, and that is the McDorman museum building – that's the only parcel that would be more than one acre in the old town area; those are I think 6 or 8 parcels they have total there, so they'd have to combine all of those into one parcel, and redevelop that building to accommodate this type of mixed use development; the only other building is the former South Central Power warehouse that the church owns; that's .75 acres, so you could do up to 15 units on that if you were to basically tear down that building and start over there with commercial uses on the first floor; that building would be a challenge to make commercial uses work just with that location; the majority of the parcels down here are a third of an acre, a quarter of an acre; we would be talking about 5-8 units above – could you go to the next slide? Here's some examples of mixed use buildings that are currently in Canal Winchester; most of these are on N. High Street, and on Waterloo; most of these have 2-3 dwelling units; some of these are already over the density requirements that we would have here, with 3 units being on less than a quarter of an acre, some of them already exceed what we would require; this is generally what we're trying to allow, is development more at this scale, where you have commercial use, and you may get 3 or 4 apartments above it; that's what would happen, unless you can go in and buy 3 or 4 parcels and put them together that are adjacent, and then you'd still have to go through landmarks approvals; you can jump ahead to the next slide – this is an example that we did for the Marathon lot a few years ago of a concept plan that we had put together, it showed the capacity of that lot; this is about a 5,000 square foot building, on the first floor – commercial uses, with offices or apartments above; you could accommodate 4 or 5 apartments above while doing commercial on the first floor; this is a building that's in Clintonville that's been developed now, there's a tenant on the first floor called ?; if any of you are familiar with that stretch of Clintonville south of Morse Road there; this building is 4,800 square feet; it's got 8 apartments above it; this would meet our requirements, this would meet the standards that we've developed here, this is on a half-acre lot; this is another one, used to be the Novec Funeral Home in Clintonville; same developer, pretty much the same size of building, 8 apartments; these are just the type of units we'd be looking at; we did the old town plan 2 years ago, I guess last year we adopted it; in that – what people said is that they wanted to see a variety of housing types; we took a vote on basically what people would like to see; mixed use came up as 57 votes, and strategic infill with 58 votes; this will help accomplish both of those; what this does is it makes these developments pencil out and work for financing; it's harder and harder to finance commercial buildings currently in the environment we're in, unless you have tenants already signed; if you can come with a speculative commercial space on the first floor, but you can get 4 or 5 apartments upstairs, banks will finance that based on they know that the apartments are going to rent out, they're pretty predictable on what rent you can get for those apartments; that's why we set the density at 20 units an acre, because it helps somebody's work, and that will allow us to get more commercial space; that's one of the things we heard in the old town plan as well is that we need to promote more commercial space, and more commercial growth; that's one of the ways that we can do that and help this work is by adding a little density, also giving diversity of housing, and then the residents that are down here are more likely to shop and support the local businesses in the area, so it helps support the businesses that are already here; that's the goal overall with the changes we're proposing.

Coolman: Mr. Haire, under the approved uses section of the proposal, you have item 6 – sale of firearms, ammunition and other deadly weapons, is that approved businesses? Haire: Those are the prohibited uses; that’s currently in our regulations; Coolman: Any discussion on that particular type of business? Haire: You mean have we had any discussion about someone wanting to do that? Coolman: Yeah; Haire: No, not that someone has talked to me about.

Clark: Lucas, I just saw a minor typo on page 5, line 1 – maybe you’ve already fixed it, change ‘me’ to ‘be’; page 5, line 1.

Jarvis: Does anyone have any additional questions? Lynch: Yeah, Mr. Haire, under additional uses number 3– bed and breakfast; same standards found under section 1161; what are the standards for B&B’s in the old town? Haire: The standards for B&B’s are that you can’t have any more than 4 bedrooms that you rent out, the property owner must live onsite, and the property owner must provide a meal; we’ve had a lot of interest and inquiries from people that want to open those; they don’t want to live onsite, they want to operate them as an ‘Airbnb’, and that’s the prohibiting factor that prevents a lot of people from operating that type of use, is to require them to live in the property; we currently have one B&B that operates in the city; Lynch: So an ‘Airbnb’ where someone lives on the property, that would be allowed? Haire: It could be allowed, yes; you have to get an inspection by the fire department, there are a number of regulations you need to meet to establish a bed and breakfast; it could be allowed, yes.

Jarvis: Anyone else? Hearing none, we now open up this part of the meeting for public comments; any comments that you would want to make have to be germane to what we have been talking about, this ordinance; when we get to the general section, if you want to address council on any topic, that’s okay, but for this portion it has to be specific to this topic – is there anyone who would like to address council?

E. Public Comments – Five Minute Limit Per Person

None.

F. Council Discussion and Recommendation

Jarvis: What’s council’s pleasure regarding this proposed amendment; Bennett: I think this is great, I think this addition will be a nice addition to our code; Jarvis: My only question – Lucas could this go through landmarks commission? Haire: No, this one is planning and zoning; any new development that would fall under the regulations would go to landmarks for approvals; Jarvis: Just as a courtesy, would that be something that could be done – there’s no burning bridge here, right? To just ask them to review – I’d like another set of eyes on this, because like Mr. Bennett said, it looks good to me, I think it’s a step in the right direction, but it would be nice to know that they were; they do have – not from a zoning standpoint, but because old town is their jurisdiction as well, it would be nice to know that they looked at it and know that they feel the same way; Haire: Yeah we can provide an update at the next meeting.

Lynch: I've got a couple of comments – I'm all for development for the downtown area; I think the direction this is going is really good; I can remember from past history where there were some developments that came into town that kind of painted themselves as nice, but residents quite frankly weren't too keen on them; luckily, at that time, we had – our codes were setup to a point where they had to get a variance in order to do what they need to do; this does not allow for any of that, anything that kind of meets the historic guidelines can be brought forward, whether the public likes it or not; one of the things that really helped kind of quell the developments was the height standards – the 3 stories and the 38 foot max; this is a 40 foot – I'm wondering if we don't keep some language, retain some of the language that we had before, just in case something does come up that people may or may not want? We seem to apply the same logic to the chicken and bees, keeping that at one acre, that way if something comes up, let the citizens come forward and see if they object it; I'm just wondering if we don't allow some language in here that gives people a little more teeth, gives us a little more teeth, or a leg to stand on in case something comes up that doesn't quite meet the expectations of the community; Jarvis: I like your analogy, because that's exactly what we did with the bees; you have to consider that that was a private individual that has a personal desire to do this; this situation I think Mr. Haire is trying to address it from a commercial developer, and whether the numbers work for them; your point stands – I don't know what your feelings are Luke; have we lost golden opportunities because we were too stringent, is that what's driving this? Haire: We haven't seen any mixed use development because our standards have basically prevented it; what this is trying to do is address that, and allow it; every time you put some type of restriction – restrictions are good, don't get me wrong, I'm all for them; but if you put hurdles up, it's less likely you'll get someone to develop; the 40 feet is a 3-story building; we have 2-story buildings that are 40 feet tall; the building right here, the white house is 40 feet tall – 26 W. Waterloo that we purchased; it's 2 and a half story, so it's not really out of character to have 40 foot buildings; the Times building is more than 40 feet; Lynch: I have no problem with a lot of what you proposed here, and I see this stuff being built all over town; quite frankly it looks really nice; if our other standards – we know for sure that our other building standards that are in place, that if anything gets proposed it has to look like those pictures; full wraparound material as opposed to just Hollywood fronts; something that's going to look nice, good quality, then I think that kind of, I don't know – I think that insures us that a good product is going to be proposed; we always need that assurance that everything that gets proposed is going to be done in a very quality manner; we want to make sure this downtown area – we all do – develop it in a proper manner; Haire: Landmarks would have to approve anything that goes here, because it's the old town commercial district only; they would have to meet the landmarks requirements; Coolman: I agree with what Mr. Lynch says about that as well; I'm glad to see some thought put forth about the parking for the residential; that seems to come at a premium down here, too; we do have a parking study being done here, we have an intern that's working on that; at least preliminarily, the public parking that we have versus the square footage of space that we have down here, we're very comparable to Gender Road in the amount of parking that we have; Lynch: Comparable to what, Gender Road? Haire: Comparable to the shopping centers located there; Jarvis: Which is never filled up completely; Coolman: The difference is that we have residents living here; Haire: We have about one parking space for every 200 square feet of commercial space, which is very

comparable to a suburban shopping center; it just may not be located immediately in front of the door that you're going to; Jarvis: There's 3 measured readings on this; I'm not hearing any reason not to at least keep moving forward on it; if it needs fine-tuned, we've got 2 other opportunities outside of this evening, unless we table it or something; Lynch: I have one last question – are there currently any developments that are being proposed that might fall under these? Haire: No, the only one that we're looking at is the property that we own there at 26 West Waterloo; we don't have any developer on the board, but we need to make some changes to make it work, is what I'm hearing from the development community; that's kind of who I've been informed by through this process to make this project work, and get commercial space on these kind of parcels – 'you need to have more residential density'.

A motion was made by Clark, seconded by Coolman to move this ordinance to full council. The motion carried by the following vote:

Yes 7 – Clark, Coolman, Amos, Bennett, Jarvis, Lynch, Walker

G. Adjournment at 7:00 p.m.

A motion was made by Walker, seconded by Bennett to adjourn. The motion carried with the following vote:

Yes 7 – Walker, Bennett, Amos, Clark, Coolman, Jarvis, Lynch