

Canal Winchester

*CW Community Center
22 South Trine Street
Canal Winchester, OH 43110*



Meeting Minutes

Monday, August 10, 2020

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)

A motion was made by Brad Richey, seconded by Kevin Serna that Mark Caulk and Bill Christensen be excused.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

Excused: 2 –Caulk & Christensen

Approval of Minutes

July 13, 2020 Planning and Zoning Commission Meeting Minutes

A motion was made Brad Richey, seconded by Joe Wildenthaler, that the July 13, 2020 Minutes be approved.

The motion carried by the following vote:

Yes: 4 – Richey, Wildenthaler, Vasko & Donahue

Abstain: 1 – Serna

Public CommentPublic OathPublic Hearings**VA-20-004**

Property Owner: Crossroads Christian Church

Applicant: DaNite Sign Co.

Location: 6600 Bigerton Bend

Request: Variance to section 1189.08(b)(1), (3) & (4) to allow for a freestanding sign to be larger and taller than the setback requirement.

Mr. Moore presented the application for Crossroads Church for property located at 6600 Bigerton Bend. The applicant is requesting a variance from chapter 1189.08 to allow for a free standing sign to be larger and taller than setback requirements. Staff discussed that this application was tabled during the July meeting so that the applicant could provide additional information showing what the sign would look like in a perspective rendering.

During the last meeting it was discussed that the commission was interested in how tall adjacent development signs were. The Winchester Square bell tower is 33 feet tall and 16 feet wide. The Canal Commerce Center sign is currently 18.5 feet tall and 11 feet wide, this sign was approved to be expanded 1 time up to 25 feet tall. The Waterloo Crossing sign is 25 feet tall. The adjacent PNC Bank sign is 8 feet tall by 8 feet wide.

Staff presented the update to the commission and noted that the applicant has provided a rendering showing what the sign would look like at 16 foot tall and 14 foot tall.

Staff is recommending that variance application #VA-20-004 be approved as presented.

Mr. Donahue asked staff if the renderings the applicant put together show the sign in the same intended location. Staff affirmed.

Mr. Vasko asked the applicant if there was anything they wanted to add. Pastor Tim Moore noted that they are requesting for the taller 16 foot sign so that there is more visibility as the sign location is a challenge. Based on the other multi-tenant signage in the area the scale is not out of place.

Mr. Wildenthaler asked staff which sign was better, the 16 foot or 14 foot. Staff indicated it does not make a difference.

Mr. Vasko commented that the rendering provided is misleading because the rendering is shown from the wrong side of traffic. The 14 foot sign is much more appealing than 16 foot.

Mr. Donahue asked staff what is exactly being proposed in the variance. Staff indicated the application is for a 16 foot sign in the location as discussed.

Mr. Donahue discussed that the landscaping that is there could be modified. Staff affirmed that Council has expressed interest in screening the pond more. As part of the agreement for the sign, the church will take over the maintenance of the parcel, aside from the landscaping.

Mr. Richey commented that last month there was a big discussion on where the sign is located now its just up to how tall the sign is.

Mr. Haire indicated that in his opinion the larger the sign the more viable the outparcel identification will succeed.

A motion was made by Brad Richey, seconded by Kevin Serna that variance application #VA-20-004 be approved as presented.

The motion carried by the following vote:

Yes: 4 – Richey, Donahue, Serna & Wildenthaler

No: 1 – Vasko

CU-20-004

Property Owner: Northern Blends LLC
Applicant: Joseph Mathews
Location: PID 184-002628

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

Mr. Moore presented the application for Northern Blends LLC for property located on the northeast corner of West Waterloo Street and Winchester Blvd. The request is for a Conditional Use for chapter 1167.03 to allow for a drive-up window service on the proposed building. Staff discussed that the subject property is made up of two tracts of ground totaling 1.246 acres. 0.57 acres of the subject property to the north is a stub of West Waterloo Street owned by the City of Canal Winchester that is in contract for sale for this proposed development.

The applicant is requesting for the property to have drive-thru window service. The site is currently vacant. The proposed multi-tenant building will have a drive thru component on the east end of the building. The drive thru preliminary design is shown on the attached site plan.

The subject parcel was created when West Waterloo Street was re-routed to intersect with Winchester Blvd during the development of the shopping center in 2003. As such, the parcel is a unique island parcel that had public right-of-way on three sides, all facing West Waterloo Street. The West Waterloo Street Stub right-of-way has been removed from the north and is owned by the City of Canal Winchester as real property.

Staff has reviewed the application and finds that a commercial restaurant with drive-thru fits the plans for the area and the limitations of the site as a whole and recommends that Conditional Use #CU-20-004 be approved as presented.

Mr. Vasko asked staff where the high pressure gas line is in relation to this property. Staff indicated it is south of this site by Chipotle and Panera.

Mr. Serna asked staff if at the existing stop sign on West Waterloo Street, the existing right turn will lead into the egress for this site. Staff affirmed.

Mr. Wildenthaler asked if the only access to this site will be from the existing intersection. Staff affirmed.

Mr. Wildenthaler asked staff if this drive-thru orientation prohibits the other two tenant spaces in the building from having drive up window service. Staff noted that based on this plan, that is correct.

Mr. Vasko asked the applicant if there was anything they would like to add. The applicant indicated that the only reason why they are still in business are the locations with drive-thru service.

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

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

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

A motion was made by Joe Wildenthaler, seconded by Brad Richey that Conditional Use application #CU-20-004 be approved as presented.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

VA-20-006

Property Owner: Northern Blends LLC

Applicant: Joseph Mathews

Location: PID 184-002628

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

Mr. Moore presented the application for Northern Blends for the 1.24 acres on the northeast corner of West Waterloo Street and Winchester Blvd. The applicant is requesting a variance from Chapter 1199.04(a) to allow for the building to exceed the established 25 foot build-to line.

Staff presented the application to the commission noting that on this irregular triangle shaped parcel, the building fronts West Waterloo Street on both the west and south property lines. The building is setback 65 feet from the west and a range of 31.1 feet to 130 feet to the south.

Staff discussed that the subject parcel is unique in its shape and creating. The applicant is requesting to purchase ground from the City to allow for parking improvements on the site. This purchase reduces the number of frontages for the parcel from three to two. With the unusual shape of the building, achieving the 30 foot build-to line is not achievable without having the building shaped like the parcel in a triangular configuration.

The site layout has been designed to be efficient and work as well as it can with the limited flexibility for change given the existing utility easement and other unique site restrictions. Staff is recommending that variance application #VA-20-006 be approved as presented.

Mr. Vasko asked staff if there are any remaining parcels that are similar in this nature where a road was vacated and the city owns the ground. Mr. Haire indicated that the right-of-way in front of Hampton Inn has not yet been transferred to them. The other parcels remain subject to the old highway easement.

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

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

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

Mr. Richey commented that he knows the right-of-way has been very protected in the past but this is a unique parcel that is otherwise undevelopable and it is nice to see some development is going to take place on it.

A motion was made by Brad Richey, seconded by Kevin Serna that Variance application #VA-20-006 be approved as presented.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

VA-20-007

Property Owner: Northern Blends LLC

Applicant: Joseph Mathews

Location: PID 184-002628

Request: Variance to Chapter 1199.03(h) to allow for a drive-thru ordering area, drive-thru menu board sign and pickup window to be located between the front of the building and the public right-of-way.

Mr. Moore presented the application for Northern Blends for the 1.24 acres on the northeast corner of West Waterloo Street and Winchester Blvd. The applicant is requesting a variance from Chapter 1199.03(h) to allow for a drive-thru ordering area, drive-thru menu board sign and pickup window to be located between the front of the building and the public right-of-way.

Staff discussed that with the proposed site plan the drive-thru and its components are to be located between the building and the south right-of-way line. Due to the parcel's configuration, three out of the four sides of the building face West Waterloo Street. The proposed menu-board sign will sit between the patio and drive thru lane and is shown on the landscape plan to be screened with trees, shrubs and a 48" ornamental metal fence.

Staff discusses how the unique parcel shape and orientation along with its limited access does not allow for a drive thru lane to be reconfigured on this site. The north side of the property is limited in that it has a number of existing easements associated on it that do not allow for the building to be pushed further north. The proposed drive thru has been designed to maximize the number of stacking spaces and promote traffic flow. The building has been

oriented so that the front faces the main intersection of West Waterloo Street and Winchester Blvd.

The site layout has been designed to be efficient and work with the limited flexibility for change given the existing utility easements and site restrictions. Staff recommends that Variance Application #VA-20-007 be approved as presented.

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

A motion was made by Brad Richey, seconded by Kevin Serna that this Public Hearing be closed.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

Mr. Richey commented that for the record, there have been conversations about Burger King in the past and how the drive thru signs should not be out facing the road like that. With the situation of this application, the signage being permitted is unique and is not a standard that is being set by approving this.

Mr. Serna asked the applicant about hours of the business. Mr. Mathews noted that typically Smoothie King is open 9pm or 10pm. All of the signage is on a timer that shuts down with the operation hours.

Mr. Wildenthaler asked staff what is the size of the sign. Staff indicated the sign design is located in the Site Development Plan application. It is noted to be 80 inches tall. There were previous designs for a larger sign with an overhead canopy but the applicant removed them at staff's request.

A motion was made by Brad Richey, seconded by Kevin Serna that Variance application #VA-20-007 be approved as presented.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

VA-20-008

Property Owner: Northern Blends LLC

Applicant: Joseph Mathews

Location: PID 184-002628

Request: Variance to Chapter 1199.05(a) to allow for parking to be located between the building and the public right-of-way.

Mr. Moore presented the application for Northern Blends for the 1.24 acres on the northeast corner of West Waterloo Street and Winchester Blvd. The applicant is requesting a variance from Chapter 1199.05(a) to allow for parking to be located between the building and the public right-of-way.

Staff discussed that the subject property has two frontages on the south and west end of the site. The building is setback from the west right-of-way line at 65 feet and the south right-of-way line at 31.1 feet and 130 feet. On the west end of the building there are a total of 12 spaces and to the north of the building there are an additional 30 spaces, for a total of 42 spaces. This site is considered a corner lot with both south and west sides fronting the right-of-way. The south property line has been determined to be the primary frontage of the property.

The parcel has a unique layout with right-of-way visibility from three sides of the building. Zoning would require that all of the parking be located to the north of the site, and stop at the build-to line heading east so that there is no parking between the building face and the street.

In order for the parcel to achieve a workable number of parking spaces, the applicant needed to place parking between the building and both road rights-of-way. The western side of the parcel was identified as the secondary frontage. The applicant is proposing 12 spaces between the building and the western right-of-way and 10 spaces between the building and the southern right-of-way.

Staff discussed that Special circumstances and conditions exist which are not applicable to other lands and structures within the same zoning district. The subject parcel shape is unique in that the building faces public right-of-way on three sides of the building. Due to the shape of the lot, the permitted area for parking is extremely limited.

The literal interpretation of this Zoning Code would deprive the applicant the rights commonly enjoyed by other properties in the same zoning district. The literal interpretation of the code would reduce the site by 22 parking spaces making the total amount of parking for the facility inadequate.

Granting this variance will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare. The orientation of the facility promotes the urban character by having the formal front face the West Waterloo and Winchester Pike intersection. The parking has been designed to be strategically behind the buildings primary elevation to promote the urban context of the commercial development standards.

Staff recommends that Variance Application #VA-20-008 be approved as presented.

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

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

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

A motion was made by Brad Richey, seconded by Kevin Serna that Variance application #VA-20-008 be approved as presented.

The motion carried by the following vote:**Yes: 5** –Wildenthaler, Vasko, Donahue, Serna & Richey**VA-20-009**

Property Owner: Northern Blends LLC

Applicant: Joseph Mathews

Location: PID 184-002628

Request: Variance to Chapter 1185.03 to allow for a reduction in the number of parking spaces required.

Mr. Moore presented the application for Northern Blends for the 1.24 acres on the northeast corner of West Waterloo Street and Winchester Blvd. The applicant is requesting a variance from Chapter 1185.03 to allow for a reduction in the minimum number of parking spaces required.

Staff discussed that the proposed site plan calls for the construction of a 5,297 sq. ft. speculative multi-tenant building. The building is planned to be broken into three tenant spaces. Only one tenant, Smoothie King, has been identified at this time for the far east side of the building. The other two tenant spaces do not have defined users. Smoothie King has indicated that their internal demands are for only 8-10 spaces.

The anticipated use for one, if not both, of the open tenant slots would be for other fast casual service restaurants. Zoning requirements for restaurants are one space per 100 sq. ft. The total number of spaces for the site if all three spaces end up being restaurants is 53 parking stalls. The applicant is requesting a variance to construct a parking lot that has 42 parking stalls. Staff notes that at this time a variance from this code section is not required. However, the applicant is requesting the variance to ensure that they have the ability to lease the space available out to restaurant tenants in the future.

Staff notes that the irregular shape to the parcel necessitates a reduction in the number of code required parking spaces. The applicant previously had a plan presented to staff that had 20 spaces on the western side of the building but staff had requested that the 8 spaces closest to the intersection be removed to add additional landscaping and better visibility.

The literal interpretation would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. The applicant is designed the site for what they anticipate and to not have additional pavement when not needed. Special conditions and circumstances do not result from actions of the applicant. Staff had asked the applicant to remove eight spaces from the site plan.

Staff recommends that the variance application VA-20-009 be approved as presented. Smoothie King has indicated that their internal demands for parking is an average of 8-10 spaces. Current zoning requirements would dictate that

Smoothie King would have 16 parking spaces, which is 6-8 over what they indicated they need. Further, staff had asked the applicant to reduce the number of parking spaces shown on the original site plan for a better and more functional site layout.

Mr. Richey asked staff what are the risks with approving the variance. Staff indicated that the most intensive use from a parking standpoint is a restaurant at 1 space per 100 square feet. A full restaurant use for the entire building would require 53 spaces to meet code demand.

Mr. Vasko asked if the maximum number of spaces there will be for the site is 42. Staff indicated that they could build more than 42 but they are requesting a variance to go down to as low as 42 spaces.

Staff shared with the commission a preliminary site plan from early planning of the project showing that they can meet the parking requirements if necessary. Mr. Vasko and Serna commented that they do not like the plan for additional parking and do not want those spaces to be added. Staff indicated that if they wanted to add those additional spaces they would need to receive a new variance to add additional parking in front of the building, as the plan approved earlier did not include those spaces.

Mr. Vasko asked the applicant if they had any additional comments.

Mr. Mathews stated that when they were asked what their parking demands were for Smoothie King they were very conservative in the 8-10 space needs. That reflects the busiest store location. Typically, there are only 1-2 employees per location.

Mr. Wildenthaler asked the applicant if they have any idea who the other tenant will be in the rest of the space. The applicant indicated they have no tenants lined up at this time.

Mr. Serna asked the applicant what peak hour stacking is in the drive-thru. The applicant indicated that their best performing store is 6-8. Typically, its 3-4 cars. Serna asked what the stacking of the proposed drive-thru configuration is. The applicant indicated it is at 7 spaces.

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

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

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

A motion was made by Kevin Serna, seconded by Joe Wildenthaler that Variance application #VA-20-009 be approved as presented.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

SDP-20-006

Property Owner: Northern Blends LLC

Applicant: Joseph Mathews

Location: PID 184-002628

Request: Site Development Plan for a 5,297 sq. ft. multi-tenant commercial building with a drive-thru.

Mr. Moore presented the application for Northern Blends for the 1.24 acres on the northeast corner of West Waterloo Street and Winchester Blvd. The applicant is requesting approval for a new 5,297 sq. ft. multi-tenant commercial building with a drive-thru.

The site will be accessed by vehicle from the northwest corner of the site. The site features an existing 8-foot asphalt multi-use path to the south and a 5-foot sidewalk to the north. The plans show the applicant will be constructing a 5-foot concrete sidewalk along the west property line, providing access to the patio located on the front of the building. The proposed site plan provides 42 parking spaces. 12 spaces are located to the west of the building and 30 spaces to the north of the building.

Sanitary sewer is shown to come from the north of the site in an existing public line on the north side of West Waterloo Street stub. Water service is proposed to come from the east from the watermain that runs on the south side of the West Waterloo Street stub. The plans show the site will drain into an underground detention system under the parking area.

The landscaping plan shows parking lot screening along both sides of West Waterloo Street. The applicant has provided 17 new trees on site to meet building and parking requirements. The drive-thru area features an additional 48" decorative metal fence to further screen the area from the right-of-way. Both the dumpster and the transformer pad are to be screened from view with a tall grass planting.

The parking lot lighting plan provided shows twelve fixtures are to be installed on the site. The parking lot lights will be 16 feet tall and feature a historic bell head fixture with LED lighting. The plan shows that the maximum lighting intensity for the site will be at 3.4 foot candles while the average light intensity is 2 foot candles.

The plans submitted do not include any specific signage for review. A conceptual location for the multi-tenant monument sign is shown on the southwest corner of the site. The building elevations show that tenant identification signage will be available on the south, west and north elevations. The drive thru menu board is located between the building and the south property line.

The applicant has provided elevations of the proposed commercial building. The Commercial Development standards require that exterior walls be composed of 80% natural materials with brick or stone as the predominant material. The proposed elevations meet this requirement with a matching red brick to the shopping center as the primary building color, and an accent blue/gray brick on the wall returns.

With the development of the 0.676 acre parcel the City of Canal Winchester will be selling the applicants an additional 0.570 acres to allow for parking on the multi-tenant site. The context of the site features many unique challenges that would require the variance requests by this applicant in nearly any development proposal. The plan put together meets the intent of the Commercial Development Standards and provides for this island parcel to be developed in a thoughtful manner. Staff has reviewed the proposed site plan and recommends that Site Development Plan application SDP-20-06 be approved as presented.

Mr. Vasko asked the applicant if there was anything they would like to add. The architect presented physical samples of building materials to the commission.

Mr. Vasko asked if there were any comments from the commission.

A motion was made by Brad Richey, seconded by Kevin Serna that Site Development Plan #SDP-20-006 be approved as presented.

The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

Old Business

New Business

Adjournment

Time Out: 7:55 pm

A motion was made by Brad Richey, seconded by Joe Donahue, that this Meeting be adjourned. The motion carried by the following vote:

Yes: 5 –Wildenthaler, Vasko, Donahue, Serna & Richey

Date

Bill Christensen - Chairman

Joe Donahue - Secretary