

Canal Winchester

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



Meeting Minutes

Monday, October 8, 2018

7:00 PM

Planning and Zoning Commission

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

Call To Order

Time In: 7:00pm

Declaring A Quorum (Roll Call)

A motion was made by Joe Donahue, seconded by June Konold that Brad Richey be excused. The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

Excused: 1 – Richey

Approval of Minutes

September 10, 2018 Planning and Zoning Commission Meeting Minutes

A motion was made by Joe Wildenthaler, seconded by June Konold, that the September 10, 2018 Minutes be approved. The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

Public Comment

Public Oath

Public Hearings

VA-18-017

Property Owner: Canal Pointe LLC

Applicant: Christopher John - Dublin Building Systems

Location: PID 042-0376200 (6.123 acres located on the west side of Rutherford Dr.)

Request: Variance to Chapter 1185.03 to reduce the number of parking spaces required.

Mr. Moore presented the application for Christopher John with Dublin Building Systems for a future 6.123 acre lot split of a 14 acre property located at PID 042-0376200, on the west side of Rutherford Drive. The applicant is requesting approval this evening for a Site Development Plan approval and two accompanied variance applications. The first application is for Variance #VA-18-017, to reduce the number of parking spaces required by Chapter 1185.03 of the zoning code.

The applicant is proposing to construct a 60,000 sq. ft. industrial building that has a mix of manufacturing and office space for Mill Tech, an architectural millwork and custom cabinet company. The building will consist of 6,000 sq. ft. of office space with the remaining 54,000 sq. ft. as industrial used space. The parking count required by code would require 30 parking spaces for the office

portion and 54 spaces for the warehouse, a total of 84 parking spaces. The applicant is requesting to construct 41 parking spaces at this time but has laid out on the plot plan the location for an additional 46 parking spaces if needed in the future.

Staff is recommending that the variance application VA-18-017 be approved as presented. The applicant is proposing to construct only the parking necessary for operation and has planned for parking expansion if necessary.

The applicant indicated that they are there to answer any questions the commission may have.

Mr. Caulk asked how much office space is in the facility. The applicant indicated 6,000 sq. ft.

The Chairman opened up the Public Hearing.

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

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

A motion was made by June Konold, seconded by Joe Wildenthaler that Variance Application #VA-18-017 be approved as presented.

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

VA-18-018

Property Owner: Canal Pointe LLC

Applicant: Christopher John - Dublin Building Systems

Location: PID 042-0376200 (6.123 acres located on the west side of Rutherford Dr.)

Request: Variance to Chapter 1191.02(a) to reduce the number of trees to be planted for the building size.

Mr. Moore presented the second variance application for Christopher John for the property located at PID 042-0376200. The applicant is requesting a variance from Chapter 1191.02(a) to reduce the number of trees required to be planted based on the building size.

The proposed site plan calls for the construction of a new 60,000 sq. ft. industrial building for manufacturing and office space for Mill Tech, an architectural millwork and custom cabinet company. The proposed employee

parking area will accommodate 41 parking stalls. The parking area is proposed to be screened from the right-of-way with a combination of shrubs and evergreen trees.

The applicant is requesting a variance to plant a total of 45 trees out of the 67 trees required to be planted per code. With the request, the applicant notes that they will plant the trees required for the parking spaces, but would like to reduce the number of trees required for the building size. The justification for reducing the planting requirement is due to the limited room on site with future expansion of the facility and conflicts with an existing Columbia Gas Pipeline Easement.

Staff recommends that the variance application VA-18-018 be approved as presented. Industrial manufacturing, warehousing and production facilities typically require a larger building footprint than a standard commercial building. Due to the increase in building size, the site is maximized for the greatest potential with building and parking coverage. With a future building addition and parking expansion planned on the site, in addition with a gas pipeline easement the area to accommodate additional landscaping and trees are limited.

Staff recommends that variance application #VA-18-018 be approved as presented.

Mr. Vasko asked staff if this is a situation where the applicant could donate trees to be planted elsewhere in the city since they can not get them to fit on their property. Staff indicated that is up to the commission.

The applicant asked Mr. Vasko to clarify. Mr. Vasko explained that the street tree advisory board does take donations and in a situation like this where there is no room to plan the trees on site they can be made up elsewhere in the city. The variance being requested this evening is roughly a 35% reduction in what is required. The applicant said they would need to explore that idea further due to it increasing the cost of the project already limiting the relocation.

Mr. Haire clarified that as part of the building permit fees the property would pay \$9 per linear foot of frontage and with 400 feet of frontage they would be paying \$3,600 towards the street tree fund. Every business or resident pays that same fee.

Mr. Caulk asked staff if landscaping standards are the same for manufacturing and commercial sites. Staff affirmed. Caulk discussed that he believes that is restrictive on industrial users. Staff discussed that later this evening is a proposed amendment to the landscape code that attempts to address those issues.

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: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

A motion was made by Joe Donahue, seconded by Mark Caulk that Variance Application #VA-18-018 be approved as presented.

The motion carried by the following vote:

Yes: 5 – Donahue, Christensen, Konold, Wildenthaler and Caulk

No: 1 - Vasko

SDP-18-011

Property Owner: Canal Pointe LLC

Applicant: Christopher John - Dublin Building Systems

Location: PID 042-0376200 (6.123 acres located on the west side of Rutherford Dr.)

Request: Site Development Plan approval for a new 60,000 sq. ft. industrial building for an industrial millwork and cabinet company.

Mr. Moore presented the application for Christopher John for the 6.123 acre site located on the west side of Rutherford Drive in Canal Pointe. The applicant is requesting approval for Site Development Plan application #SDP-18-011 to approve a new 60,000 sq. ft. industrial building for an industrial millwork and cabinet company.

The subject property is zoned LM (Limited Manufacturing) and consists of a future 6.123 acre parcel located on the west side of Rutherford Drive within Canal Pointe Industry and Commerce Park. Property to the north is the remainder of the +/- 14 acre outparcel zoned LM and is vacant. Property to the east is a 2.59 acre site with a 34,000 sq. ft. production and warehouse building owned by AK Athletic. To the south is a 1.255 acre undeveloped property within Canal Pointe owned by the Columbia Gas and is zoned LM. Other property to the south at the end of Dove Parkway is vacant land owned by The City of Canal Winchester. Property to the west is +/- 89 acres of undeveloped farmland outside of the Canal Pointe Industry and Commerce Park that is in Violet Township.

The proposed site plan calls for the construction of a new 60,000 sq. ft. industrial building for manufacturing and office space for Mill Tech, an architectural millwork and custom cabinet company. The site plan shows two

access points into the site with loading docks on the north end of the building and employee parking on the east end of the building.

The subject site is proposed to have two access points on Rutherford Drive. The first access point is directly across from Howe Industrial Parkway leading directly into the truck docking area, also acting as an access into the employee-parking zone. The second access point is on the southern end of the parking lot for the employee parking area. The employee parking area will have 41 parking stalls constructed with the initial building with room to park an additional 46 spaces if necessary. The truck loading docks will accommodate two (2) lowered docking areas, two (2) dumpster locations, two (2) drive in doors and an area for a sawdust bin.

During the CEDA Land Use Committee review of the application Violet Township Fire Department commented that they would like to see a 25' wide drive isle in the front of the building. This appears it could easily be achieved by restriping the 20' parking stalls to 18'. The Fire Department also discussed that they would require a second hydrant and FDC at the rear of the building and a temporary gravel access drive at the rear of the building until the future addition has been constructed, then a permanent paved access road should be provided for fire department access.

The proposed landscaping plan shows proposed planting schedule for the site. The site will feature parking lot screening on the east end of the site with evergreen arborvitae and other landscape shrubs to screen the parking lot from Rutherford Drive. Additionally, the applicant has proposed landscape islands within the parking lot to be planted with a series of deciduous trees. Landscaping standards for the site require a total of 67 trees to be planted based on the size of the building and the parking lot. The applicant is proposing a total of 45 trees to be planted.

For site lighting the applicant is proposing LED shoe box style fixtures for the parking lot. The lighting calculations and pole heights are within specs for the Violet Pointe Overlay District.

The applicant is showing preliminary building signage that will feature the company name with a size that appears will meet code. No details for exact signage has been proposed at this time. Signage for the site will have to follow the Violet Pointe Overlay District Chapter 1175.02(a)(3) which regulates wall signage and monument signage in Canal Pointe Industrial Park.

Public sanitary sewer service is available to the site along Rutherford Drive. Water service is available through a public water line along Rutherford Drive. Storm water is being proposed to be handled with the existing detention basins that accommodate development in the Canal Pointe Industrial Park.

The front elevation of the building consists of aluminum wall panels with a stone water table feature below the office entry windows. The sides of the

building will match with aluminum paneling. No colors of the building have been submitted for review.

Staff recommends that Site Development Plan Application SDP-18-011 be approved with the following conditions:

1. The applicant restripe the front parking lot for 18' parking stalls to provide a minimum 25' drive lane for Violet Township Fire Department access.
2. The applicant construct a 25' wide temporary gravel fire lane at the rear of the building for Violet Township Fire Department Access. The gravel fire lane is to be relocated with any future building expansion and shall be a solid paved surface.
3. The applicant add an additional fire hydrant and FDC on the north-west side of the building for the Violet Township Fire Department.

Mr. Donahue asked staff if the conditions are from the CEDA meeting. Staff affirmed that these conditions are from Violet Township Fire Department as a result of that meeting. Mr. Haire indicated these are pretty standard requirements and is the same as the conditions for Manifold and Phalor approval.

Mr. Caulk asked staff if the aggregate for the emergency road base will be determined during the Civil Engineering review. Staff affirmed.

Mr. Haire added this a full sprinkled building so that changes how the fire department looks at access to the site.

The applicant affirmed that they agree to all of the conditions from the fire department for approval.

A motion was made by Joe Donahue, seconded by Mike Vasko that Site Development Plan Application SDP-18-011 be approved with the following conditions:

- 1. The applicant restripe the front parking lot for 18' parking stalls to provide a minimum 25' drive lane for Violet Township Fire Department access.**
- 2. The applicant construct a 25' wide temporary gravel fire lane at the rear of the building for Violet Township Fire Department Access. The gravel fire lane is to be relocated with any future building expansion and shall be a solid paved surface.**
- 3. The applicant add an additional fire hydrant and FDC on the north-west side of the building for the Violet Township Fire Department.**

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

ZM-18-005

Property Owner: Gender/Thirty-Three, LLC

Applicant: Douglas Swain – Project CASTO

Location: 69.24 acres of property located at PID 184-000532 and PID 184-000871 (Located on the north side of Winchester Blvd, west of Gender Road)

Request: Property be rezoned from Exceptional Use (EU) to LM (Limited Manufacturing).

Mr. Haire presented the application for Douglas Swain representing Project CASTO for 69.24 acres of property located at PID 184-000532 and PID 184-000871, on the north side of Winchester Blvd, west of Gender Road. The applicant is requesting that the subject property be rezoned from Exceptional Use (EU) to Limited Manufacturing (LM).

The subject property, approximately 69.24 acres, is on the north side of Winchester Blvd. at the dead end of the street and to the west. It is zoned for EU (Exceptional Use) and is currently used as an agricultural field. The applicant is applying to rezone to LM (Limited Manufacturing). The property to the south consists of multiple parcels that are developed and developing with commercial uses which are zoned PCD and GC. 11 acres to the south are currently for sale and being marketed for commercial uses. Property to the east is zoned GC and is the location of the Winchester Square Shopping Center. To the north is US 33 and across the highway is Wyler Chevrolet which is zoned EU. Properties to the west are within unincorporated Madison Township and are zoned Rural.

The applicant is requesting to rezone 69.24 acres from EU (Exceptional Use) to LM (Limited Manufacturing). This rezoning request is made by the Project Casto Team. Their intent with the property is to construct up to three industrial buildings that would be of a size up to 258,150 square feet each. This would consist of up to 774,450 square feet of industrial space if constructed per the concept presented.

Mr. Haire discussed the history of the site and that the subject property was annexed into Canal Winchester in 1964. It remained vacant for a number of years without access to utilities and was rezoned as part of the Winchester Square Development in 1988. This parcel had the zoning changed from R-2 (Single Family Residential) to 25 acres of AR-1 (Multi-Family Residential) on the north of the site and 44.269 acres for M-2 Light Manufacturing adjacent to the future extension of Winchester Blvd.

In 2003 the property was rezoned to TND (Traditional Neighborhood Development). The preliminary plan approved along with the rezoning indicated that the property would have incorporated commercial and office uses along with multi-family housing throughout the 68.9-acre site. Later in 2007 the site was rezoned to EU (Exceptional Use) as part of an agreement to expand the

Winchester Square Shopping Center. The owners indicated at the time that any future development of the land would require a rezoning to allow development of the site.

The applicant is proposing to rezone the site to the LM zoning district to allow future development of industrial uses. According to our zoning code, "The Limited Manufacturing District (LM) is established for the purpose of preserving areas of the Municipality for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses....". This parcel was planned for industrial development for approximately 15 years. The site was not developed during that period but City leadership thought the site was the appropriate location for industrial use at the time.

The location of the site in proximity to US 33, Gender Road, and Winchester Blvd. provide appropriate access for industrial traffic. Industrial land use would be compatible with the surrounding retail and office land uses. The 1999 Comprehensive plan promotes permitting industrial uses that will stabilize and diversify the economic base. This proposed development is most likely to attract warehouse and distribution uses which would be attractive in diversifying the local economy as none of these uses are currently located within the corporate limits of Canal Winchester.

Utilities to the site as also being proposed to be extended with the project. A 12" water main runs the length of the property on the east side of the site. There is also a 12" inch water main along the portion of Winchester Blvd. that has already been constructed. The water main will be extended along Winchester Blvd. to allow for adequate access and fire coverage of the site. The City has excess treatment capacity to serve any industrial development which would propose to locate on this site. A 12" sanitary sewer line runs the length of the property along the east side of the site. The City has excess treatment capacity to serve any industrial development which would proposed to locate on the site.

Storm water for the Winchester Square Shopping Center is currently handled within the existing retention ponds located on the property. The applicant is proposing to amend the current pond on the north side of the site to relocate the pond further north and west. This proposed pond will be approximately 5.60 acres. The existing storm water pond located within the center of the property will be relocated to the south lot line along Winchester Blvd. and at the southeast corner of the site. These pond will serve the Winchester Square Shopping Center and also the industrial site's storm water needs.

Traffic for the site will be primarily served by U.S. 33 and the Gender Road interchange. The applicant has performed a traffic study for this project. The City had asked the applicant to examine a number of traffic lights in the corridor and how the proposal would impact traffic of the area. This includes the site

drives, the extension of Winchester Blvd, intersection at Prentiss School Drive, Gender Road, and Canal Street. The applicant has performed the study and we had the City engineer EMHT review the study. The applicants study indicated that signal timing could be adjusted for the area to allow for more vehicles to turn left on Gender Road at Winchester Pike, however all of the traffic signals are linked which would require adjustment of all signals on the Gender Road corridor. Mr. Haire discussed that staff receives complaints all the time about the signal at Prentiss School and Winchester Blvd and that signal is so short to eliminate stacking in the north bound turn lane onto Gender Road. Future improvements were also asked to be looked at to provide a right hand turn lane at Gender and Winchester Blvd heading north to increase capacity.

EMHT's review of the study indicate that the MOU was not adequately addressed and that instead of doing a software simulation of the intersection they need to go out and do accurate traffic counts. An estimate of the total truck traffic volume needs to be provided and what percentage of overall traffic will be truck traffic, including what is existing truck traffic for the area. Discussion on land use codes was also a concern as the applicant did not choose the most intense land use code for traffic generation based on land use. Due to the project being speculative planning for the worst amount of traffic is beneficial. Reviewing que lengths was also an item that was not addressed in the traffic review. Staff is confident the traffic items are things that can be worked on over the next few months as it moves through Council's process.

The applicant is proposing to extend Winchester Blvd. to the west by approximately 1,000 feet and terminate the road in a cul-de-sac. The site would be served by two driveways, one on the existing portion of Winchester Blvd. that would run the length of the site along the east lot line and one that would come off the proposed cul-de-sac and run the length of the property along the west lot line. It is anticipated that each proposed building would be served by approximately 200 parking spaces and a number of trailer storage areas as well as truck loading docks. Since the specific users of any potential buildings are unknown it is difficult to estimate the specific needs of the user in regards to parking and loading spaces so the concepts presented are generalizations of how the site it likely to develop. If the site is rezoned specific building and site design will come back for a site development plan application.

Staff presented conceptual photographs of completed sites that the applicant has done elsewhere across the country. The buildings would be mostly precast concrete with some glass storefronts.

Staff recommends the applicant's request to rezone 69.24 acres from EU (Exceptional Use) to LM (Limited Manufacturing) be recommended to City Council for approval. This rezoning request and subsequent development as an industrial use will have a positive impact on the prosperity and general welfare of the community. The site has long been planned for development, with some past proposals having a much greater impact on the area.

Staff recommends the approval with the following conditions:

1. The applicant extends Winchester Boulevard as shown on the attached Project Casto preliminary plans.
2. That the applicant complies with the recommendations of the municipal engineer in regards to traffic improvements required due to the impacts of the proposed development.

Mr. Christensen asked staff how wide the extension of Winchester Blvd shall be. Staff indicated the extension will be 1 lane in each direction with a center turn lane. Christensen asked the right-of-way width. Staff indicated they believe it will be 80 feet.

Mr. Wildenthaler asked staff if they believed with changing signal timing and modifying intersections with turn lanes that traffic will not be a significant issue. Staff indicated that is what the engineering studies are showing. Wildenthaler expressed his concern that reading the traffic study it shows a loss of service at the start of the project and moving out 20 years at two intersections.

Mr. Wildenthaler if there is any conceptual future that Winchester Blvd would be extended west and provide an additional connection to U.S. 33. Staff indicated that ODOT has a concept plan for a Bixby Road interchange, although it continues to be delayed. TRAC, an organization that plans any major roadway improvements had that interchange originally planned for 2018 construction. However, it was moved to 2030 and then 2036 and as of most recently it was removed from the list as being an ODOT priority. Mr. Haire added that with development priorities do change. Especially economic development priorities. Mr. Wildenthaler asked if this would help the issue along and staff affirmed.

Mr. Donahue asked staff if the recommendation this evening is just for a zoning map amendment and as the project materializes in terms of use and traffic generation it will come back to P&Z for approval. Staff indicated that with this project the exact use or end user will not be determined because the buildings will be built first and then tenants will fill the space after.

Mr. Haire indicated that this size bulk warehouse in the state of Ohio is in short supply and is heavily in demand. This is similar to the Groveport market which is fully occupied.

Kevin O'Connor with OPUS Development Company introduced himself and his team to the commission. OPUS has developed over 5.5 million square feet of this product in the Columbus Market so far and are looking to expand further.

Mr. Christensen opened up the Public Hearing.

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

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

A motion was made by Joe Donahue, seconded by Joe Wildenthaler that Zoning Map Amendment #ZM-18-005 be recommended to City Council for approval with the following conditions:

- 1. The applicant extends Winchester Boulevard as shown on the attached Project Casto preliminary plans.**
- 2. That the applicant complies with the recommendations of the municipal engineer in regards to traffic improvements required due to the impacts of the proposed development.**

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

ZM-17-007

Property Owner: Dwight A. Imler Revocable Living Trust

Applicant: Westport Homes

Location: 11.954 acres of property located at PID 184-002994 (Located along the corner of Hayes Road and Lithopolis Road).

Request: Property be rezoned from Exceptional Use (EU) to Planned Residential District (PRD).

Mr. Moore presented the application for Westport Homes for 11.954 acres of property located at the corner of Hayes Road and Lithopolis Road, Parcel ID 184-002994. Staff discussed that City Council has held the Public Hearing and first reading of the application to rezone the property from Exceptional Use (EU) to Planned Residential District (PRD). After the first reading the applicant had made changes Council deemed to be significant they have recommended that the application be brought back to Planning and Zoning Commission for a new recommendation based on the changes. Staff discussed with this type of process the staff report prepared for the meeting has no staff recommendations as Council is looking for P&Z feedback at this time.

Staff discussed that the primary change with the plan was the removal of the “lifestyle” series of homes in Subarea 2 and to construct the “traditional” homes throughout the entire development. As a result in the removal of the “lifestyle” product, the overall site has gone down from 194 units that was presented in January 2018 to 162 units. With the removal of the “lifestyle” product, it is indicated that setbacks will be consistent throughout the entire development. Although, Staff noted that the development text is unclear if it is a minimum 8 foot and 8 foot side yard setbacks (total of 16 feet) or an 8 foot and 12 foot with a minimum of 20 feet as the development text and rendering D-2 conflict.

Staff indicated that the development text also refers to a “typical” lot width on page 5 of the development text and the renderings state a “minimum” lot width of 75 feet. Staff reminded the commission that a “typical” lot width as indicated in the text could not be enforceable. The open space layout and function is the same as previously shown since January in respect to the exiting wetlands on site, flood hazard area and stream corridor protection zone.

When comparing the changes P&Z saw last in August 2018, there was a proposed 175 units, 117 “traditional” and 58 “lifestyle” units. That again has since changed to 162 “traditional” homes only. The open space has increased as a result by 0.2%. When comparing the changes from January 2018 the project has gone down from 194 units to 162 units. Interestingly, in January the open space percentage was indicated by the applicant at 44.6% being provided, although after trying to recreate those numbers that appears to have been an error.

When looking as the site as a whole for this presentation staff looked at the reserve area to try and calculate what out of the 22.4 acres of open space being provided is influenced by Detention, Wetlands, and the Stream Corridor Protection Zone. That figure came out to be an approximate 13.14 acres out of the 22.4 acres, leaving 9.26 acres of open space not influenced by those items. When removing the proposed on-site detention for the project and only looking at existing site conditions, 8.48 acres is being influenced by the site constraints and the open space being added would be approximately 13.92 acres.

Staff further noted that based on adjacent neighbor comments and City Council discussion a diagram of all of the double frontage lots has been created. This illustration shows that with the proposed layout a total of 20 lots would have a double frontage with the rear yard facing the primary roads.

Staff discussed that City Council is looking for a new recommendation based on the changes since the last time this application was viewed in August 2018.

Mr. Vasko asked staff if it is correct in saying that at least six sections of the code are still not being met. Staff affirmed.

Mr. Vasko stated that in the chart provided in the staff report it states that there is no minimum lot depth provided in the plans for review. Staff affirmed that the development text does not discuss a minimum lot depth. Vasko asked if there were no measurements provided. Staff clarified that the development text as written would not have a minimum lot depth other than what is created through setbacks and lot coverage being considered.

Mr. Vasko asked staff how to calculate lot coverage when there is no depth being provided. Staff indicated that at time of construction a plot plan would be required to be submitted to show the physical property boundaries and the home being constructed. That would show a lot depth as each lot is created, but to say that every lot needs to be above X depth has not been indicated.

Mr. Wildenthaler is concerned that no dimensions are shown in the entire plan. Mr. Haire indicated that exhibit D-1 shows dimensions for each lot but it is not defined in the development text.

Mr. Vasko stated the developer is not bound by the plan they are bound by the text. Staff affirmed. Vasko further elaborated that changes could still be made. Staff affirmed stating that changes could be made until they receive approval for a Final Development Plan as long as it follows the development text.

Staff discussed that unless the text is specific or City Council places conditions on the approval, the development plan layout and renderings for home designs are just visual representations of the intent of the text. Specifically noting that the home models proposed are not the only homes that can be constructed, they are just visual representations of homes that would be in compliance with the development text as written.

Mr. Donahue asked staff if Council forwarded this back to P&Z due to the number of changes. Mr. Haire indicated that there were a lot of changes in Subarea 2 with the removal of the "lifestyle" homes and lots. This has since been eliminated with just the "traditional" single-family homes throughout the entire development. Mr. Moore indicated that it appears the color rendering on sheet D-1A shows the previous "lifestyle" lot configuration if the commission wanted to compare that sheet, to sheet D-1.

Mr. Vasko confirmed with staff that no engineering has been performed yet and asked if the detention and fill being proposed will remove the site from the Special Flood Hazard Area. So there is no way to tell if there is a solution to that problem. Staff indicated engineering is done at a later stage and this Preliminary Stage is to confirm that the basis of the plans are in conformance with the code not looking at fine details.

Staff discussed that plans can change from the Preliminary Plan to the Final Plan based on engineering and site constraints as long as the density does not increase. Based on an engineering analysis density can go down.

Mr. Donahue asked staff what happens if the plan does not go back to Council. Staff indicated this plan will go back to Council with either a positive or negative vote. The direction of Council is not for this to be tabled to see more changes, it is to make a recommendation based on what you see has changed.

Mr. Caulk asked staff to clarify on the significance of the application not meeting the six sections of the code. Staff indicated that in a Planned District everything can be negotiated rather than a typical variance procedure. The applicant has chosen to negotiate why these six chapters do not need to be met in their provided development text. Staff discussed each section of the code that is not being met as written.

Mr. Wildenthaler asked staff to clarify if this means that the applicant in the future will be requesting 6 different variances. Staff indicated that is incorrect, at this time they are requesting those 6 sections of the code not apply to this development. In a planned district there are no variances in the preliminary stage because the code is negotiable.

Mr. Wildenthaler commented he is concerned that the architectural diversity is not being met and based on the text as long as they change an element of the front façade, such as siding from brick to another form of siding on the same house it is considered a change in architectural diversity.

Mr. Wildenthaler noted that there has been significant changes in subarea 2 but not in the development text as a whole.

Mr. Caulk noted he is concerned that there are still six items on the list of deviation requests.

Mr. Wildenthaler discussed the concern on not noting minimum lot width and depth in the development text. Additionally, as often as the maximum coverage of a lot comes up and it is noted as being important; allowing an entire development to deviate from the maximum lot coverage is a problem.

Mr. Wildenthaler asked staff about the double frontage slide and if turning the homes around would solve the issue. Staff indicated that turning the house around still creates a double frontage, just facing the other way. The double frontage slide is not a requirement by any means, it is just a recommendation in the subdivision section of the code and due to it being brought up at multiple meetings staff wanted to present it visually.

Mr. Christensen asked if there were any questions for staff. No questions were asked.

Mr. Christensen swore in the applicants.

Tom Hart representing the applicant spoke to the commission and noted that while they received a copy of the staff report the presentation and graphics that was just presented was not included. Mr. Hart asked for a copy of the PowerPoint.

Mr. Hart discussed that they have never heard of the frontage issue and staff has never brought that issue up until now.

Mr. Hart continued to explain that the zoning text and plan both govern the preliminary development plan. While taking a look at Exhibit D-1, you can see the exact lot depth for every lot being proposed. This is not an attempt to always change the lot depth and the exhibit D-1 shows exactly what will be constructed. If need be they can show the lot depth for every single lot in the

development text but that seems unnecessary and the exhibits reflect just as important governing information as the development text itself.

Mr. Hart responded to the staff report comment that the homes in the community are being proposed exactly to be the same as those in Canal Cove and that Jack Mautino with Westport is here to discuss that item specifically. The homes in this subdivision are being redesigned for this community.

Mr. Hart discussed that staff unfairly chose a representation that two homes of similar style will be constructed next to each other and that is not their intent nor is it the spirit of the code to have this happen. This is not Westport's Example. The diversity requirements of the PRD section of the zoning code will be met in respects to different elevations as a requirement of a planned district.

Mr. Hart clarified the side yard setback, stating that there is proposed a 20 foot side yard setback in all cases. In some cases there will be 8 and 12 and in other cases 10 and 10. Code is 20 but in all cases they will be meet that requirement, period. There will be no 8 and 8 for a single home. Subarea 2 has been changed to follow the same standards.

In terms of both city code and the agencies that cover wetlands and flood development there is an allowable amount of non-disturbance of fill. There are a couple areas that are proposed to be filled for building lots. This is under the amount allowable by the army core and the code.

Mr. Hart stated he feels there is an over emphasis on the architecture of the product and Westport has performed their own analysis of the mythical six zoning non-conformities. Westport does not agree with staff's analysis and does not believe what was presented is in the written staff report.

Mr. Hart passed out the Westport analysis of the subdivision compliance. Noting, that the yellow highlights are areas where they are asking for modification from base code standards. The code standard that has been the hardest to achieve is in regards to the garage setback from the home. Code requires the garage be 4 feet behind the livable area of the home. Based on the way people live this is hard to achieve. The compromise was to have the garage flush or behind the front most facing architectural element, which in this subdivisions case is the front porch. The garage doors will have upgraded architectural treatment as well. Unless you are a professional architect, it is subjective to say how you want the garage oriented and designed. This is what Westport believes makes a good looking home.

This development also has removed all lifestyle units but some people still want the ranch product. Those who want to buy a ranch may want a smaller home than what the code requires.

Lot size standards for Canal Winchester are 14,400 square feet minimum. Westport is proposing a minimum lot width of 75 feet, 80 feet and 85 feet. This

puts the lots right under a quarter of an acre. 75, 80, and 85 foot lots are keeping what is in the existing community and Columbus in general. No builder, unless on a golf course could get to 14,000 sq. ft. for a lot.

Mr. Hart touched that this development wants a 35% lot coverage due to them providing 35% open space. Code only requires 20% open space. This is the main justification for the PRD. Green, important and natural area will be saved. When you can provide the house people want on the smaller lot size you are able to create a greater open space and perimeter buffer. A little more house on a lot can accomplish this.

Westport wants to bring to the community housing values at \$350,000 to 400,000. In addition to an abundance of open space and preservation of natural areas. The PRD analysis is typically a land use analysis and not an architecture analysis. The development proposed has 3.2 Dwelling units per acre which is below the 4 units per acre maximum.

Mr. Hart indicated this wraps up his comments and will turn the mic over to Jack Mautino to discuss the architecture and how it is different from Canal Cove.

Mr. Vasko commented that a 30% reduction in lot size is not "slightly" smaller. While this is justified is in the PRD text and this is what a PRD is designed to allow, using the terms "slightly" for something that is 30% different is not an accurate representation. Mr. Hart asked for that comment not to reflect the entire representation and the word "slightly" smaller was in reference to the market wants and needs. The 14,400 is huge and is not what the market is doing.

Mr. Mautino stated that 30% is most certainly not something "slight". While in another case only 20% open space is required and they are proposing over 35%. Resulting in a 75% increase than what is typically required.

Mr. Mautino commented that the city code states that "Planned Districts are designed to guide development in an orderly, coordinated and comprehensive manner that preserves the natural quality and beauty, provides supporting community facilities and development of diverse sound urban environments consistent with accepted land planning, landscape architecture practices, and engineering principals. One of the key elements of this is providing a more efficient pattern of development that reduces investment in utility lines, streets and supporting infrastructure." That in itself directs towards smaller home sites with larger open space. The code goes on to say that "promotes the development in a pattern of harmony with the municipal land use objectives and priorities and preserve and utilize natural topography and geological features, scenic vistas, trees and other vegetation, while preventing distribution of normal drainage patterns." Point being, the code does enhance this requirement with the amount of additional open space being provided.

Mr. Caulk asked the applicant if they are doing the Development Canal Cove. The applicant affirmed. Caulk asked what the lot widths are for that development are 70 x 125 feet. Caulk asked the minimum lot sizes. Mautino responded around 9,000.

Mr. Mautino commented that the staff report discusses the same product in Canal Cove would continue to be constructed with this development which is untrue. In 2003 Dominion homes had an approved architectural standard. In 2015 Council approved a modified version of the architectural styles of the community. That current development style is only 3 years old. What is being built in Canal Cove would not even be what is built in Middletown Farms. The garage would be equal to the porch, as a minimum 100 square foot porch will be on every single home. The garage would either be inline or behind the porch. Mautino added that they are committed to the four-sided architecture requirement as written today as well as the diversity requirement.

Lastly, if the homes need to be staggered between 25 feet and 30 feet that is fine. However, the lot coverage ratio with larger ranches people are building today cause more lot coverage, especially when you add the driveway, patio, or 3-season room at the rear.

Mr. Mautino stated 20% of the development will have side loaded garages. Previous lifestyle plans did not allow for the side load garages so that home mix has been removed to meet that section of the code. Not saying that the active adult buyer won't purchase a larger lot, but the lots just have gotten larger.

In regards to the double frontage, that is the first time they are hearing of this today. Mr. Mautino discussed it was first brought up with staff last year when staff talked about architectural diversity and character along Hayes Road and Oregon Road and it was decided that the active adult product would have a sunroom or porch on every other or every third home to break up the façade view from the street.

Staff informed the applicant that the lot coverage calculation does not include the driveway. The applicant asked staff about covered porches and other items. Staff clarified that the home and any accessory structure counts towards lot coverage but sidewalk and driveways do not count against the homeowner, as those items are required by zoning.

Mr. Wildenthaler added that if you have a 9,300 sq. ft. lot and place a 2,200 sq. ft. home on the lot you are still below the 30% lot coverage so there should be no need to allow 35% lot coverage. Mr. Mautino indicated that a 2,200 sq. ft. home does not include the 400 sq. ft. garage. Wildenthaler added that even with the garage you are only at 28% lot coverage. Mautino suggested a hypothetical sunroom addition bringing the home over 30% lot coverage and Wildenthaler stated that unless that is on every single home, it should be left to the individual homeowner to apply for a variance rather than the development as a whole.

Terry Andrews with Westport Homes approached the mic to discuss drainage with the commission. Mr. Andrews indicated that the drainage plan shown on the site layout was not just a guess, but a preliminary engineering analysis was performed to show that the ponds will work with the existing and proposed drainage patterns for the site. Andrews clarified stating that it is important to design this as accurate as possible up front because if they don't they would lose lots to make the ponds bigger. Mr. Wildenthaler said that existing homeowners in the area already have problems with drainage and he is concerned that doing any fill will compound the problem and make drainage on existing properties worse.

Mr. Hart discussed that there is a lot of law and regulation on site detention and existing water and the final engineering analysis will verify that. Ohio drainage law states you can not negatively affect another property with drainage with what you do on your property. Westport would be subject to regulatory environment as well as final law suits in that regard.

Mr. Wildenthaler asked staff the name of the water body that crosses the site. Staff indicated it is the Lisle Ditch.

Mr. Mautino commented that this site was zoned PRD in 2005 where 209 units were approved for the site. Attached quads and single-family homes were designed for this site. When Westport came to Canal and was looking at this site the design started at 194 home sites and has since gone down to 162. There have been considerable negotiations and Westport believes that this would be the premier development in Canal Winchester, particularly with the price points and architectural elements.

Staff indicated to the Chairman that this can be 1 recommendation to Council if that is easier because Councils process is 1 ordinance.

Mrs. Konold asked staff if they can discuss portions of the application they want to see changed rather than doing this as an all or nothing. Staff indicated the P&Z can make conditions to their recommendation.

Mr. Mautino noted that Westport has presented this plan to Council and they wished that these changes go to P&Z for review.

Mr. Wildenthaler discussed the double frontage lots and if that is something Council has addressed because changing that would change a lot of the development. Staff indicated that Council has seen that and it was addressed specifically with the lifestyle homes product that was being offered before. Our subdivision regulations just says that double frontage lots are discouraged it does not say it is not permitted.

Mr. Donahue commented that this development has been through many changes with this developer not alone the past 12-15 years. Donahue asked

what would happen if this development gets approved and the developer goes elsewhere to build. Staff indicated that the Preliminary Development Plan has a 5 year time frame where the plan is valid. After 5 years the development text expires. Staff further explained that a lot of the PRD developments in the city have expired such as the site MacIntosh is on was previously approved to be a condo development. Turning Stone's site was previously a PRD development for single family uses.

Mr. Caulk asked staff if there is a need to reconcile the 6 zoning chapters this evening or how to deal with it. Staff indicated that with a Planned District the entire text is negotiated and they have indicated deviations from the typical zoning text. The development needs to state how the deviations is making the project better.

Mr. Donahue asked for clarification from staff that City Council still has to adopt this plan after the P&Z recommendation. Staff affirmed that Council is the zoning authority for the city and P&Z is making a recommendation to council. Ultimately it is up to Council to rezone the parcel and approve any preliminary plan.

Mr. Vasko commented that P&Z could even recommend the applicant needs to change the entire plan. Staff affirmed.

Mr. Vasko commented he feels that Council wants to know how P&Z feels about the changes that are presented this evening and if the vote this evening is different from the previous vote.

Mrs. Konold commented that it appears the commission has reached a consensus that the 30% lot coverage is important. Mr. Wildenthaler affirmed.

Mr. Wildenthaler indicated he is not comfortable with decreasing the front yards by 5 feet but when looking at the lot layouts some homes will need to be pushed back regardless.

Wildenthaler noted that the 20 foot side yards make sense especially with side loaded garages. Mr. Vasko noted that a similar side yard setback is present in Ashbrook and parts of Westchester. Mr. Haire also noted in parts of Westchester the driveways are allowed to be 2 feet of the lot line to accommodate the side loaded garages rather than the standard of 3 feet.

Mr. Moore noted that the lifestyle product started similar to portions of Cherry landing.

Mrs. Konold commented the biggest issue for her is the garage being flush with the porch or façade of the home. Having the standard it must be 4 feet behind the home is in the code for a reason, why should this development be allowed to deviate from that standard. Mr. Vasko asked Konold if she thinks the front load garage needs to be 4 feet behind the home. Mrs. Konold affirmed.

Mr. Vasko commented that this seems to be the same as the last plan. Mr. Haire clarified that the previous plan said the garage should not be more than 4 feet in front of the home, including a porch. They have since changed the plans to state it will be flush with the home or porch. However, with that change it still does not meet code requirements.

Mrs. Konold those are the only two areas she has a major issue with.

The commission discussed the wording for the recommendation.

A motion was made by June Konold, seconded by Joe Wildenthaler that Zoning Map Amendment ZM-17-007 be recommended to City Council for approval with the following conditions:

- 1. The development text is modified to comply with Chapter 1130.09 with a maximum lot coverage of 30%.**
- 2. The development text is modified to comply with Chapter 1130.07(a) for any front loaded garage to be setback a minimum four (4) feet behind the front line of the livable area of the home.**

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

PDP-17-003

Property Owner: Dwight A. Imler Revocable Living Trust

Applicant: Westport Homes

Location: 79.488 acres primarily located along Hayes Road and Oregon Road (PID 184-002994, 184-003001 & 184-002998).

Request: Approval for a Preliminary Development Plan and associated development text for 117 Traditional Single Family Homes and 58 Lifestyle Single Family Homes.

Mr. Christensen noted that this application needs another motion as the Zoning Map Amendment Application was not noted to include the Preliminary Development Plan.

A motion was made by Mike Vasko, seconded by Joe Wildenthaler that Zoning Map Amendment ZM-17-007 be recommended to City Council for approval with the following conditions:

- 1. The development text is modified to comply with Chapter 1130.09 with a maximum lot coverage of 30%.**
- 2. The development text is modified to comply with Chapter 1130.07(a) for any front loaded garage to be setback a minimum four (4) feet behind the front line of the livable area of the home.**

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

ZA-18-003

Applicant: City of Canal Winchester Planning and Zoning Commission
Request: Proposed Zoning Code Amendment to Chapter 1130 Residential Design Standards, to modify and create Chapter 1198 Residential Development Standards.

Mr. Moore presented the Zoning Text Amendment ZA-18-003 to the commission. This zoning text amendment was tabled during the September Planning and Zoning Commission meeting to allow for the Building Industry Association for Central Ohio, or BIA to make comments on the new text prior to P&Z recommendation to City Council. Staff held a meeting with two officials from the BIA on September 21st and have amended portions of the zoning text draft based on that meeting.

Staff discussed that Council set up a committee to review the current residential development standards and revise them as necessary to guide future residential growth in the municipality. As part of the revision, many of the lot design standards have been removed from the text to solely focus on the architecture and appearance of future residential products.

Staff discussed the design requirements and noted the significant changes made from the BIA meeting. Most of the changes were to provide clarity behind sections of the code and others were to allow for developers to enter the market in a more achievable manner. Staff discussed the changes in the proposed zoning text.

Staff noted that one of the text changes based on the last P&Z Meeting was to provide more clarification on the front porch requirement and to explore other alternatives to achieve the same idea in the development text. Staff noted that these changes are to show the front entry needs to be the focal point of the home and that the front door needs to be sheltered from the elements and be inviting. Staff noted that if there is a front porch there are the same minimum size requirements and they have also noted a definition for a Portico as that would meet the intent of this design requirement.

Mr. Christensen noted that with the change front porches may never be built as it adds more cost to the home. The idea behind the front porch was to provide an entertainment area. Staff noted that the idea behind the text change was not limiting architectural styles due to styles where a front porch is not appropriate.

Staff discussed the four sided architecture section and noted the additions to this section to help diversify the options listed in the code. Staff also noted that they had asked the BIA to provide specific examples of items they felt are appropriate when considering four sided architecture but they have failed to provide a list to staff.

Staff noted that the changes that were made were to specifically clarify that “cookie cutter” developments should be avoided, and that the front entry needs to be the focal point of every one with the garage clearly being secondary.

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

A motion was made by Mike Vasko, seconded by Joe Donahue to close the Public Hearing.

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

A motion was made by Joe Donahue, seconded by Joe Wildenthaler that Zoning Text Amendment #ZA-18-003 be recommended to City Council for approval.

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

ZA-18-006

Applicant: City of Canal Winchester Planning and Zoning Commission
Request: A proposed Zoning Code Amendment to Chapter 1191 Landscaping and Screening.

Mr. Moore presented the application for Zoning Text Amendment #ZA-18-006 to revise the existing Chapter 1191 Landscaping and Screening. Staff discussed that the revision to this chapter is designed to help applicants find all of the information that they need in one spot, provide a user friendly layout, and design a code that is achievable. This update was done in conjunction with the Urban Forester guidance along with following other tree city landscape codes. The biggest portion of the code update is the preservation of existing trees and wooded sites in the community. Trees saved will be given credits and woodlands identified by City Council will have more protection.

Staff discussed the new sections of the code that were added and the sections that were majorly rewritten.

Mr. Vasko asked staff if the chapter update has been reviewed by the Street Tree Advisory Board. Staff indicated that STAB will get a copy and a presentation of the update after staff's recommendation. With this update the role of STAB will change a bit where developers are now allowed to plant within the right-of-way with city approval and that board can make recommendations towards those landscape plans.

Mr. Vasko commented that his wife is on the Street Tree Advisory Board and he feels that some of these changes will affect what they do and advised that they review the update before P&Z Commission forwards it onto Council. Overall, a lot of this code is good and the idea of making larger parking islands is a good thing. Staff clarified that P&Z Commission makes recommendations on zoning changes and STAB does not. So having a good recommendation moving to STAB is the way the order is designed.

Mrs. Konold commented on a couple grammatical errors in the text.

Mr. Haire discussed that the idea is to make the Landscape code easier to achieve. There have been many variance requests recently and this is an attempt to relieve property owners. The Street Tree Advisory Board is just an advisory board, and they cannot regulate private development. They have the ability to pose an opinion on the section about street trees but they should stay within the scope of the board.

Mr. Wildenthaler noted the Landscape Update is much better.

Mr. Vasko asked if street trees are on Private Property but in the right-of-way. Mr. Haire explained that most right-of-ways are owned by the municipality. There are some scenarios where the right-of-way is in an easement but the majority is controlled by the city.

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

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: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

A motion was made by Joe Donahue, seconded by Mark Caulk that this Zoning Text Amendment #ZA-18-006 be recommended to City Council for approval.

The motion carried by the following vote:

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

Old Business

Mr. Haire indicated that the Conditional Use approval for the recycling facility on West Walnut Street has decided not to move forward with that site.

Mr. Wildenthaler asked the reason. Staff indicated the cost for adding fire suppression to the building.

New Business

Adjournment

Time Out: 9:37 pm

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

Yes: 6 – Donahue, Christensen, Konold, Vasko, Wildenthaler and Caulk

Date

Bill Christensen - Chairman

Joe Donahue - Secretary