



## Clintonville Area Commission Meeting Minutes

Thursday, October 3, 2019, 7-9 pm

Whetstone Library Community Meeting Room

Commissioners in attendance:

- David Vottero District 1, [cacdistrict1@gmail.com](mailto:cacdistrict1@gmail.com)
- Khara Nemitz District 2, [cacdistrict2@gmail.com](mailto:cacdistrict2@gmail.com)
- Libby Wetherholt District 3, [libbywD3@gmail.com](mailto:libbywD3@gmail.com)
- Judy Minister District 4, [judym.cac4@gmail.com](mailto:judym.cac4@gmail.com)
- Dana Bagwell District 5, [dkjbagwellcac@yahoo.com](mailto:dkjbagwellcac@yahoo.com)
- Kendra Carpenter District 6, [KendraD6@yahoo.com](mailto:KendraD6@yahoo.com)
- Jim Garrison District 8, [cacdistrict8@gmail.com](mailto:cacdistrict8@gmail.com)
- B.J. White District 9, [bjwhite.cac.district9@gmail.com](mailto:bjwhite.cac.district9@gmail.com)

Commissioners absent and unexcused: John Eschenbrenner

### AGENDA

- Call to order by Chair & introduction of commissioners
- Introduction of Commissioners with District Reports

**David Vottero** reported that his district has been quiet; **Libby Wetherholt** reported she would be creating a schedule for litter clean-up on Weber and North Broadway and I-71 and North Broadway; **Judy Minister** reported on Whetstone Park Prairie Pollinator Field Day on 10.05 from 1:00 to 4:00 and had information from a neighbor about a New York Times article regarding post office box thefts. She contacted City Council Representative Emmanuel Remy about looking into theft proof mailboxes. Mr. Remy is in touch with the postmaster about these boxes; **Khara Nemitz** reported that construction is progressing on the High Street/North Broadway project; **Dana Bagwell** reported that her district has been quiet; **Kendra Carpenter** reported construction damage in Rathbone area and she is in touch with the City of Columbus in rectifying any issues; **Jim Garrison** reported on people reporting break-ins and vehicle thefts and that Blueprint is still a topic in District 8, especially the aesthetics of the rain gardens in their district; **B.J. White** reported that her district has been quiet.

- Consideration of prior meeting minutes – Commissioner Nemitz

August Minutes – Approved by all, except for Commissioner Vottero, who abstained.  
September Minutes - Approved by all, except for Commissioners Bagwell and Carpenter, who abstained.

- Consideration of electing a new Treasurer is put forth. Current Treasurer, John Eschenbrenner, has had three consecutive unexcused absences. Kendra Carpenter is unanimously elected as new treasurer. Katherine Cull will help the CAC obtain financial control.
- Consideration of declaring a vacancy for District 7 Commissioner. This is voted on and unanimously approved. Please see: Bylaws: Page 3, Section I. Membership [https://www.clintonvilleareacommission.org/?page\\_id=1580](https://www.clintonvilleareacommission.org/?page_id=1580)
- Special election protocol – Ann Henkener
  1. An Elections Committee must be formed.
  2. David Vottero volunteered to be the CAC liaison to the Election Committee.
  3. It is agreed that the election will happen after the December holidays sometime in January.

## COMMITTEE REPORTS

- Zoning & Variance Presentation by Chair Stephen Hardwick. Next Z&V Meeting is Wednesday, October 30<sup>th</sup>. Chair Hardwick may open up a secure, Google Drive folder to allow the public to access the same documents that the Z&V Committee and CAC see.
  1. BZA19-098, 401 E. Schreyer Place. [Application](#). [Staff Report](#). [Cool old map](#). The homeowner seeks a variance to reduce the required rear yard from area from 25% to 15% in order to construct a screened porch. The current rear yard is 16%. [CC3332.27](#).

Zoning & Variance approved the variance. The CAC approved the variance 8-0.
  2. BZA19-103, 129 E. Longview, [Application](#). [Staff report](#). In order to rebuild a garage on the existing footprint (plus 4' in length), the homeowner requests a variance to reduce the side-yard setback from 3' to 1.5'. [CC3332.26\(E\)](#)

Libby suggested the applicant should bring a picture of the neighbor's wall to their downtown meeting.

Zoning & Variance approved the variance. The CAC approved the variance 8-0.
  3. BZA19-104, 337 Iswald, [Application](#). [Staff Report](#). In order to rebuild a garage on approximately the same location as the former garage, the homeowner requests variances to reduce the side- yard setback from 3' to 0', [CC3332.26\(E\)](#); and to reduce the building line from 25' to 17.2', [CC3332.21](#).

Applicant submitted a Property Maintenance Agreement that she and her neighbor signed with her variance application. Commissioner White recommended that she make this an Easement by Prescription. Commissioner Voterro mentioned that he is uncomfortable with projects with zero lot lines. It can potentially cause problems with future neighbors and insurability. He also recommended getting an easement. Commissioner Bagwell thinks the project is a perfect example of why variances exist. Home owner did not create the problems within the property that she has to work around.

One person from the public asked if there is a regulation that allows a new foundation for a structure to encroach on a neighboring property. Members of the CAC said you cannot encroach on a neighbor's property without a legal document.

Zoning & Variance approved the variance. The CAC approved the variance 8-0.

4. BZA19-064, 2864 N. High St. (formerly Clintonville Outfitters)
  1. The owner seeks the following variances:
    1. A change of use of western portion of the building from retail to restaurant (the east portion of the building shall remain retail).
    2. The following to allow a reduction in parking from 32 to 10 to:
      1. Reduce the required minimum parking aisle from 20' to 19' to allow for three parking spaces on the east side of the lot, [CC3312.09](#);
      2. Reduce the soil quality for a parking lot tree rom 145 sf to 77 sf (121 sf total within property) and reduce the minimum soil radius from 4' to 3' 9", [CC3312.21](#);
      3. Eliminate the requirement for a walkway along the south face of the building to connect to High Street (the main entrance will be off High Street through the patio), [CC3312.41](#);
      4. Reduce the number of required parking spaces from 32 to 10, [CC3312.49](#)

Zoning & Variance approved the variance. The CAC approved the variance (5 yes, 2 no and 1 abstention).

#### Applicants Statement

City requested a parking audit set within certain boundaries. Applicant completed parking audit. They were able to provide evidence that there is adequate parking in public parking spaces and on side streets for their project. The owner has reduced the area of the building that they are using for their pub establishment in order to address parking concerns. The back area of the building will now be used for retail space only.

#### Commissioners Questions and Comments

Commissioner Garrison asked “What is better for the building? To have someone invest in the property or just have it sit there?” A neighbor, Alice Waldhauer, sent an email asking what would happen with the employee parking agreement at Harvest if there was a new tenant. Applicant said parking agreement for Harvest is part of the building’s lease; whoever is leasing Harvest building provides employee parking for pub establishment. Commissioner Garrison would like applicant to say somewhere, on the menu perhaps, “Don’t park in neighbors’ lots.” Commissioner Garrison did note that a parking spot in front of an owner’s house is public parking, not private parking. Neighborhoods have established permit parking in some areas in order to preserve parking for home owners as one way of addressing parking problems. This has its pros and cons.

Commissioner Vottero is abstaining because the owner is a client of his firm. He said that the owner did go a long way to addressing his concerns regarding any issues with parking. He has looked at the parking on High Street for several years. There is chronically under-utilized parking near the establishment.

Commissioner Carpenter is concerned about the parking. She is a driver and does not think there is enough parking. Commissioner Carpenter discounts the parking study. Picking a day to do the study when people are on vacation is not a realistic parking study.

Commissioner Bagwell notes that people who bought houses near High street bought houses on a commercial corridor whether it is vibrant or not. She likes it when people park in front of her house as it slows traffic and makes people pay attention. It makes the streets safer. She sees hardship of applicant’s variance request; they have struggled to address parking issue.

Commissioner White notes that the people she spoke with during CAC’S event, Beers with Commissioners, had walked to Lineage Brewing. She noted that this building is always going to have problems with parking. The previous two businesses failed. If a pub can’t make it there, then maybe the building should be leveled. The applicants are dealing with a lot of risk.

Commissioner Minister notes that it won’t be a neighborhood pub. It will be an attraction for the campus drinking crowd. Applicant replied that the size of the place will not attract large crowds due to its size.

#### Neighbors Questions and Comments

Resident, Pete Gelpi of Brighton Road, is against this establishment. He said there are already too many places to drink on High Street. He counts eleven. He does not see why there should be twelve.

Resident Diane, of Rathbone Avene, noted that Bob’s Bar has caused parking issues in the neighborhood. She is concerned that the scale of the pub will cause similar parking problems.

John Kennedy (representative of Olentangy Village) Comments

Applicant is speeding along the process and did not consult with Zoning Clearance. His application is faulty. Calculations for retail use are incorrect because prior business was an auto repair business. Because application is defective voting on variance should be tabled until corrections are made. The city rejected parking study. The assistant parking director admitted that he does not know zoning and that he did not include the stake holders. He did not consult with the commission and those who are in opposition.

Due to John Kennedy's presentation of conflicting evidence, Commissioner Carpenter motioned to table the vote until she had more time to understand the paperwork submitted. There was a vote to table the application. It was rejected 3-2. Then the CAC voted to go ahead with the vote. The CAC approved to vote on the application. The CAC voted and the variance was approved.