



**CITY OF COLUMBUS  
BOARD OF ZONING APPEALS  
(July 23, 2013 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** C/DS-13-21 (Pacheco Winery)  
**Staff:** Melissa Begley  
**Applicant:** Pacheco Winery, LLC  
**Property Size:** 4,443 square feet  
**Current Zoning:** CC (Commercial: Community)  
**Location:** 602 3<sup>rd</sup> Street, in the City of Columbus

**Background Summary:**

The applicant has indicated that the proposed variance from Zoning Ordinance Section 7.1 (Table 7.2) is for the purpose of waiving a portion of the on-site parking requirement. Specifically, the applicant is able to count 5 on street parking spaces in the area toward meeting the minimum 16 parking space requirement, for a deficit of 11 spaces.

**Preliminary Staff Recommendation:**

Approval, all criteria have been met.

**Zoning Ordinance Considerations:**

The CC (Commercial: Community) Zoning District is intended to establish appropriate locations for a variety of businesses providing a variety of goods and services to (1) community- wide consumers and (2) those who travel through or visit the area. This zoning district is not intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.

**Development Standards:** Section 7.1(Table 7.2): Off-street parking shall be provided for all properties consistent with the requirements of the Parking Space Standards Tables. Restaurant: 1 parking space is required for every 4 seats.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Restaurant/Winery
<b>Site Features:</b>	The site contains 2 existing structures.
<b>Flood Hazards:</b>	No flood hazards exist on the property.

<b>Vehicle Access:</b>	3 <sup>rd</sup> Street (Principal Arterial, Commercial, Urban) Lafayette Avenue (Local, Commercial, Urban)
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<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	CC (Commercial: Community)	Restaurant (Dairy Queen)
<b>South:</b>	CC (Commercial: Community)	Restaurant (McDonalds)
<b>East:</b>	CC (Commercial: Community)	Restaurant (Dairy Queen)
<b>West:</b>	CD (Commercial: Downtown)	Vacant Commercial Building (the former Ice House)

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	We support closing the entrance drive off of 3 <sup>rd</sup> Street.
<b>INDOT:</b>	We support closing the entrance drive off of 3 <sup>rd</sup> Street.
<b>City Utilities:</b>	No comments received.

**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The site was originally built as a gas station and has housed a variety of uses over the years. The applicant is opening a winery/restaurant at this site. The site is triangular in shape on the corner of 3<sup>rd</sup> Street and Lafayette Avenue and is only 4,443 square feet in size.
2. The applicant received a Zoning Compliance Certificate in May for signs and a change of use to a restaurant/winery with 20 seats. The site was required to have 6 parking spaces. The site plan included 1 on-site parking space and accounted for 5 on-street parking spaces. Zoning Ordinance Section 7.1(Part 1)(A)(2(a) includes a provision to count on-street and public parking towards the on-premise parking requirements. Specifically, the ordinance states “Uses in all commercial, public/semi-public, and industrial zoning districts may count 20% of any public spaces within 300 feet of the property on which the use is located toward meeting the minimum number of required parking spaces”. This allowed the applicant to count 5 on-street spaces towards their parking space requirement.
3. In the CC (Community: Commercial) zoning district, the Zoning Ordinance requires off-street parking. For restaurants, the requirement is 1 parking space for every 4 seats. The applicant originally proposed 20 indoor seats. They are now proposing 64 seats, which requires 16 parking spaces, an increase of 10 parking spaces from the original ZCC approval. The applicant is also requesting to close the driveway on 3<sup>rd</sup> Street to allow an expanded area for outdoor seating.
4. The site is directly adjacent to the CD (Commercial: Downtown) zoning district. All properties in the CD are fully exempt from the parking requirements.
5. The hours of operation for Pacheco Winery will be 3 p.m. to 11 p.m. Tuesday through Thursday, 3 p.m. to 12 a.m., Friday and Saturday, 11 a.m. to 4 p.m. on Sundays and they will be closed on

Monday. McDonalds is located directly south of the subject property and is open 24 hours a day, 7 days a week and has 39 on-site parking spaces. There is a County owned parking lot located to the southwest of the subject property with 244 parking spaces. The parking is for County Employees and the hours of operation are Monday through Friday, 8 a.m. to 5 p.m. The vacant Ice House building is located directly to the west of the subject property and does not have any on-site parking, although a Site Development Plan was approved in March of 2013 to demolish the existing building and construct a parking lot with 23 parking spaces for First Christian Church. Dairy Queen is located to the north and west of the subject property and has 35 on-site parking spaces. Their summer hours are Monday through Saturday, 6 a.m. to 10:30 p.m. and on Sunday from 7:00 a.m. to 10:30 p.m. One block to the north of the subject property is a surface parking lot for First Christian Church with 47 parking spaces. This lot is used primarily on Wednesday evenings for church activities and on Sunday for church worship services. There is another parking lot owned by First Christian Church directly to the west of the surface parking lot with 28 parking spaces, however it is designated for SIHO employees only. There are approximately 12 on-street parking spaces on Lafayette Avenue between 3<sup>rd</sup> and 4<sup>th</sup> Streets and approximately 21 on-street parking spaces on 4<sup>th</sup> Street between the alley to the west and the alley to the east of Lafayette Street. There is no on-street parking on 3<sup>rd</sup> Street or on Lafayette Avenue south of 3rd Street. The applicant does not have a shared parking agreement with any of these nearby parking lot owners.

**Provisional Findings of Fact/Decision Criteria:**

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

*Provisional Findings:* There is always an inherent risk between pedestrians and automobiles along any street or within any parking lot, however there is no increased risk to public health, safety or the general welfare of the community with on-site parking being waived at the subject property. It is the same as any business in the adjacent CD (Commercial: Downtown) where pedestrians are required to walk from their parking location to their destination. *This criterion has been met.*

**2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

*Provisional Findings:* In an urban setting, parking is not always provided on each individual property, but is provided through a combination of on-street parking, public parking, off-street parking and walking customers. Parking for this site can be provided through a combination of customers walking from public lots and garages in the downtown and on-street parking. *This criterion has been met.*

**3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

*Provisional Findings:* Any use on this site would require on-site parking, whether it is required 1 space or 16 spaces. Due to the very small size of the site, it does create a practical difficulty to provide the required parking on the site and the property would be otherwise unusable. *This criterion has been met.*

**Board of Zoning Appeals Options:**

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

# PACHECO

# WINERY

602 THIRD STREET  
COLUMBUS, IN 47201

### DESIGN DATA:

Use Group: USE TYPE F-2  
 Accessory Group: USE TYPE B  
 Accessory Group: USE TYPE M  
 Sprinklers: NO  
 Construction Type: VB- EXISTING  
 Occupancy Load:  
 Employees = 02  
 Customers = 20  
 Total Occupant = 22  
 Limitations:  
 Height: 1 Story  
 AREA = 9000 sq.ft  
 Actual:  
 Height: 1 Story  
 AREA BUILDING ONE = 370 sf EXTERIOR 278 sf EXISTING  
 AREA BUILDING TWO = 370 sf EXTERIOR 278 sf EXISTING  
 AREA BUILDING TWO = 576 sf EXTERIOR 525 sf EXISTING  
 TOTAL AREA = 1,376 sf EXTERIOR 1,081 sf EXISTING

### GENERAL NOTES:

- ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE BUILDING CODES AND LOCAL RESTRICTIONS. CONTRACTORS MUST COMPLY WITH CONTRACTOR REGISTRATION REQUIREMENTS OF ALL GOVERNING AUTHORITIES. THE GENERAL BUILDING PERMITS SHALL BE PAID FOR BY THE GENERAL CONTRACTOR. ALL OTHER PERMITS SHALL BE SECURED AND PAID FOR BY THE SUBCONTRACTOR DIRECTLY RESPONSIBLE. ALL REQUIRED CITY, COUNTY AND/OR STATE LICENSES SHALL BE ACQUIRED AND PAID FOR BY THE INDIVIDUAL SUBCONTRACTOR.
- APPROVED PLANS SHALL BE KEPT IN A PLAN BOX AND SHALL NOT BE USED BY WORKMEN. ALL CONSTRUCTION SETS SHALL REFLECT SAME INFORMATION. CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF PLANS ON THE PREMISES IN GOOD CONDITION AT ALL TIMES. THIS SHALL INCLUDE ALL ADDENDA AND CHANGE ORDERS.
- DISCREPANCIES BETWEEN PORTIONS OF THE CONTRACT DOCUMENTS, DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED. THE CONTRACTOR IS TO CLARIFY ANY SUCH DISCREPANCIES WITH THE DESIGNER PRIOR TO COMMENCING WORK.
- STATED DIMENSIONS TAKE PRECEDENCE OVER GRAPHICS, DO NOT SCALE DRAWINGS TO DETERMINE LOCATIONS. THE DESIGNER SHALL BE NOTIFIED OF ANY SUCH DISCREPANCIES PRIOR TO CONTINUING WITH WORK.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES AND TO PROTECT THEM FROM DAMAGE. CONTRACTOR SHALL BEAR THE EXPENSE OF REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED BY OPERATIONS IN CONJUNCTION WITH THE EXECUTION OF THE WORK.
- GENERAL CONTRACTOR TO REFER TO THESE DOCUMENTS AS WELL AS SPECIFICATIONS FOR IDENTIFICATION OF ALL OWNER SUPPLIED ITEMS, ALL ITEMS NOT MARKED AS "OWNER SUPPLIED" ARE TO BE SUPPLIED BY GENERAL CONTRACTOR. UNLESS NOTED OTHERWISE, ALL ITEMS ARE TO BE INSTALLED BY THE GENERAL CONTRACTOR.
- FOR CONSTRUCTION DETAILS NOT SHOWN, USE THE MANUFACTURER'S APPROVED SHOP DRAWINGS/DATA SHEETS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE JOB IS IN PROGRESS AND UNTIL BUILDING IS OCCUPIED PER THE PROVISIONS OF THE CONTRACT DOCUMENTS.
- ALL DEBRIS SHALL BE REMOVED FROM PREMISES AND ALL AREAS SHALL BE LEFT IN A CLEAN (BROOM) CONDITION AT ALL TIMES.
- CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO ENSURE THE SAFETY OF THE OCCUPANTS AND WORKERS AT ALL TIMES.
- CONTRACTOR SHALL PROVIDE TEMPORARY WATER, POWER AND TOILET FACILITIES AS REQUIRED.
- IT IS THE INTENT OF THE ARCHITECT THAT THIS WORK BE IN CONFORMANCE WITH ALL REQUIREMENTS OF THE BUILDING AUTHORITIES HAVING JURISDICTION OVER THIS TYPE OF CONSTRUCTION AND OCCUPANCY.
- CONTRACTOR SHALL SUPPLY, LOCATE AND BUILD INTO THE WORK ALL INSERTS, ANCHORS, ANGLES, PLATES, OPENINGS, SLEEVES, HANGERS, SLAB DEPRESSIONS AND PITCHES AS MAY BE REQUIRED TO ATTACH AND ACCOMMODATE OTHER WORK.
- ALL DETAILS AND SECTIONS SHOWN ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL BE CONSTRUED TO APPLY TO ANY SIMILAR SITUATIONS ELSEWHERE IN THE WORK EXCEPT WHERE A DIFFERENT DETAIL IS SHOWN.
- IT IS SOLELY THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE BUILDING AND ITS COMPONENT PARTS DURING ERECTION.

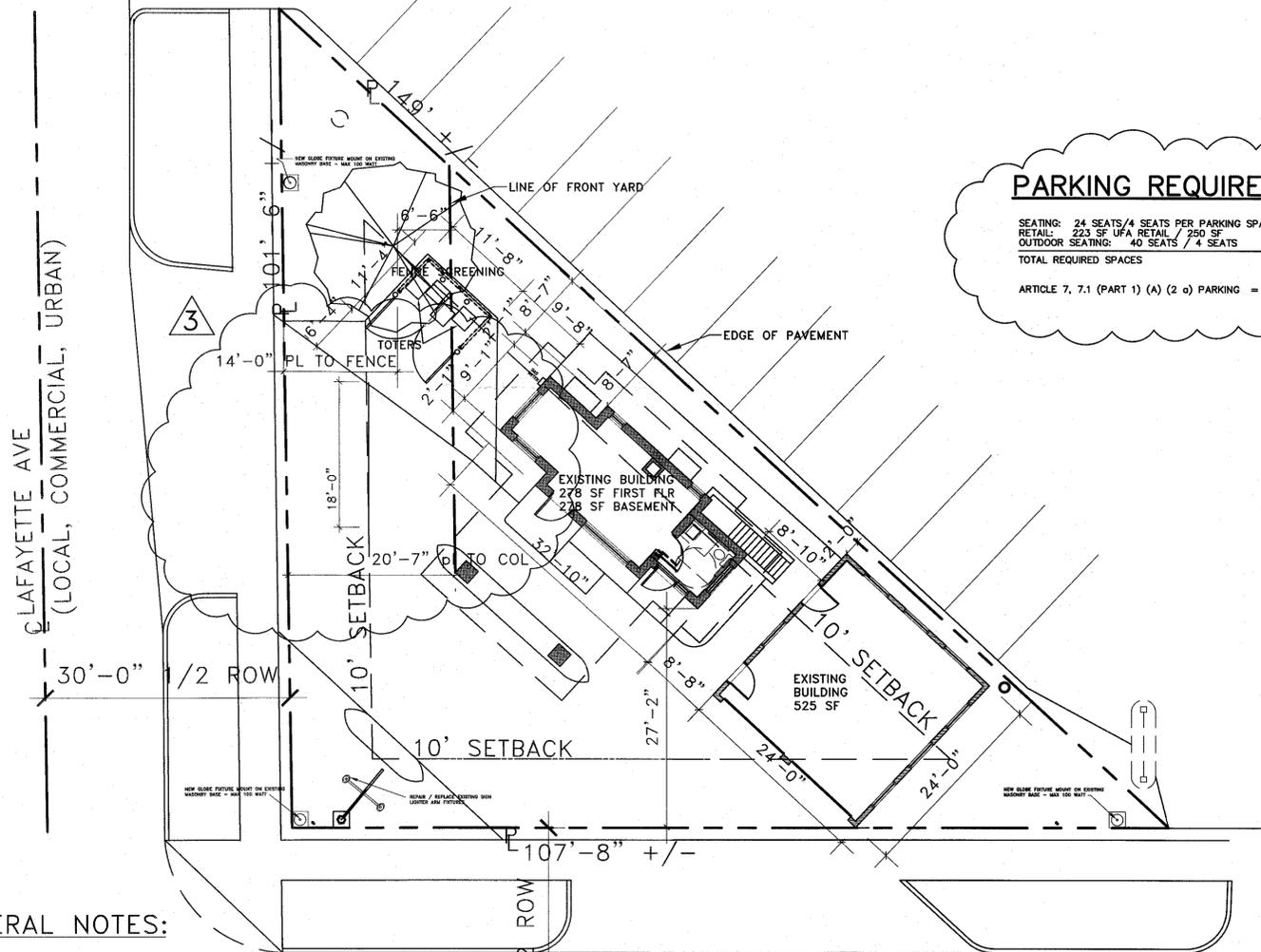
### SITE PLAN NOTES:

THE FOLLOWING OBSERVATIONS ARE SUBMITTED REGARDING THE UNCERTAINTIES IN PREPARATION WITH THIS SITE PLAN.  
 THE ORIGINAL JOSEPH L IRWIN & WESTERN W. JONES WAS RECORDED IN 1850. PLAT IS UNSCALLABLE. NO DESCRIPTION OF THE SUBJECT LOT IS PROVIDED ON THE PLAT.  
 THE 100 FOOT ROW SHOWN ON THE AFOREMENTIONED RECORDED DOCUMENT SHOWS A 100' MADISON & INDIANAPOLIS RAILROAD ROW. SURVEYOR NOTES FROM THE CLOSEST RECORDED BOUNDARY SURVEY FOR MARDEIT INVESTMENTS RECORDED 3-7-2002, INSTRUMENT #2002-4151 STATES "THE HISTORICAL RAILROAD MAPS FOUND IN THE BARTHOLOMEW COUNTY SURVEYORS OFFICE SHOW A RIGHT OF WAY 40 FEET IN WIDTH."  
 INFORMATION SHOWN ON THIS SITE PLAN ARE REFLECT EXISTING CONDITIONS FIELD MEASURED ON SITE. AS SUCH THE SITE PLAN PROVIDES RELATIONAL DOCUMENTATION OF EXISTING IMPROVEMENTS ON SITE TO INCLUDE CURBS, SIDEWALKS, STRUCTURES, AND DRIVES.  
 PROPERTY LINES ARE ASSUMED AND BASED UPON LINES OF OCCUPATION. NO SURVEY HAS BEEN PERFORMED ESTABLISHING BOUNDARIES.  
 ALL DIMENSIONS ARE FROM FIELD MEASUREMENTS UNLESS NOTED OTHERWISE.

### PARKING REQUIREMENTS

SEATING: 24 SEATS / 4 SEATS PER PARKING SPACE = 6 PARKING SPACES  
 RETAIL: 223 SF UFA RETAIL / 250 SF = 1 PARKING SPACE  
 OUTDOOR SEATING: 40 SEATS / 4 SEATS = 10 PARKING SPACE  
 TOTAL REQUIRED SPACES = 17 SPACES REQUIRED

ARTICLE 7, 7.1 (PART 1) (A) (2 a) PARKING = 5.8 SPACES



### GENERAL NOTES:

1. NEW LOT STRIPING AS SHOWN;

- A. ACCESSIBLE LINES - INDIANA BLUE
- B. PARKING - WHITE
- C. CROSS WALK - YELLOW

NOTE: ALL STRIPING TO BE MIN. 3" / MAX 4" LINES SHALL BE STRAIGHT AND TRUE TO PERPENDICULARS. PAINT SHALL BE SHALL BE TRAFFIC PAINT PER IDOT STANDARDS

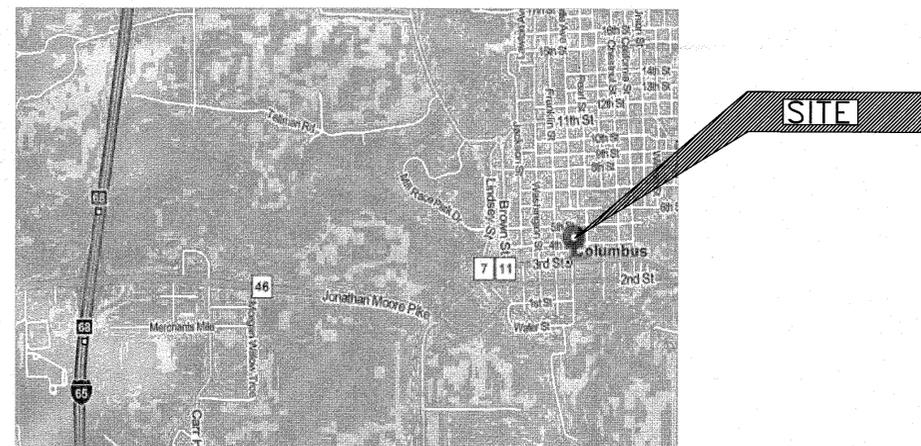
ZONING CLASSIFICATION CC-COMMUNITY COMMERCIAL  
 SETBACK REQUIREMENT - FRONT 10' ARTERIAL ST  
 FRONT 10' COLLECTOR  
 SIDE (NO SIDE)  
 REAR 10'

PROPERTY SIZE = .125 ACRES

THIRD ST (US 46)  
 (PRINCIPAL ARTERIAL, COMMERCIAL, URBAN)

### SITE PLAN

SCALE: 1" = 10'-0"



### DRAWING INDEX:

- SP100 COVER SHEET/SITE PLAN
- SP101 SITE IMPROVEMENTS/LANDSCAPE PLAN
- SP102 SITE GRADING/CONCRETE REPLACEMENT PLAN
- A100 FLOOR PLANS
- A102 TTB - EQUIPMENT PLAN
- A300 ELEVATIONS
- M100 MECHANICAL PLAN
- P100 PLUMBING PLAN
- P101 WASTE PLAN
- E100 POWER PLAN
- E101 LIGHTING REFLECTED CEILING PLAN

REVISIONS	DATE	BY
1	SITE	2-28-13
2	zcc	5-09-13
3	ADD2	7-10-13

DESIGN & PLANNING  
 1414 FRANKLIN STREET  
 COLUMBUS, IN 47201  
 (317) 372-0332 fax (317) 372-7360 fax  
 www.designplanninginc.com

PACHECO WINERY, LLC  
 602 THIRD STREET, COLUMBUS, INDIANA 47201  
 CLIENT: G DOUGLAS PACHECO - MARY ANN YOUNG  
 4304 WASHINGTON STREET, COLUMBUS, INDIANA 47203  
 PHONE

DATE:	3/27/2013
SCALE:	NOTED
PROJECT:	13A02
SHEET:	SP100
TITLE:	SITE PLAN



# Gas station triangular by necessity

**T**HE blessing of some columns I write about local subjects is that they beget other columns, thus saving me the energy of scouting out new subjects.

Take last week's article about the plans of Columbus resident Doug Pacheco to convert an empty building at Third Street and Lafayette Avenue into a winery.

The building is best remembered by longtime Columbus residents as the Triangle Service Station. Built in 1925, it dispensed Sinclair gasoline for 48 years. It stopped being a gas station in 1973 when its manager, Karl Scheidt, retired. In the years that followed, it was used in a variety of ways, but in the minds of many, it still was the old gas station.

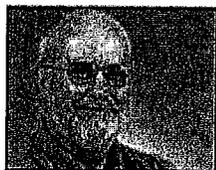
The building has several distinctive features. For one, it always looked like an old gas station and reminded people of when someone else pumped your gas and even wiped your windshield.

Its most distinctive feature — on which the name "Triangle" was based — was the way it was positioned diagonally at the intersection, thus creating a triangle of space in front of it. That triangle wasn't exactly wasted space. In fact, there was no other option than the diagonal layout.

That point was made by Columbus attorney Jeff Rucker and local resident Gerald Eichen, who passed along 19th-century maps of Columbus' downtown. Jeff's was an 1850 sketch drawn by local banker Joseph I. Irwin and Western Jones. Gerald's came from the 1886 map of Columbus.

When the gas station was built in 1925, the triangle was occupied by railroad tracks — the path of the Madison and Indianapolis Railroad through downtown Columbus. The railroad had had squatter's rights on the strip of space since 1842, when the line that began in Madison and ended in Indianapolis was opened.

The Triangle gas station wasn't the only building in the downtown that had to be designed to accommodate the railroad's



Harry McCawley

path. It also created the need for a diagonal design at Fifth and Washington Streets on a site now occupied by Old National Bank. In the early 20th century, that triangle was occupied by a hot dog stand. Just behind it was the railroad line that had caused architects to whack the corner off a building occupied by The Evening Republican, forerunner of The Republic.

The Madison and Indianapolis run had a pretty long life. Passenger trains stopped here four times a day. That life ended for all practical purposes in 1931 when the line stopped its passenger service. The freight lines were discontinued a few years later. The rails were taken up from the downtown area in 1936.

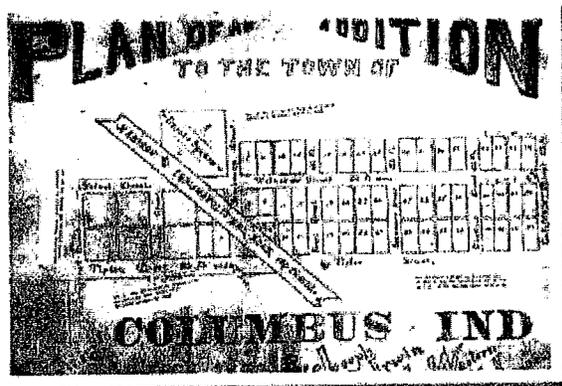
Actually, the old Triangle gas station is just about the only reminder of the Madison and Indianapolis still in existence.

## Catalpa crisis

The ball is back in the court of the Hope Town Board on the burning issue of the town square catalpa trees. They were the subject of a May 24 column about the efforts of Hope resident Alise Pate to convince the Town Board to revisit its earlier decision to have two catalpas cut down.

The council had voted 2-1 to do just that (member Tim Shoaf was the dissenting vote) on the recommendation of utility Superintendent David Clouse. He had asked for the authorization on the basis that the trees had suffered extensive damage over the years. Moreover, the tree pods that they shed each year were something of a mess.

Pate suggested that the damage wasn't all that extensive and that the trees needed to be examined by an arborist.



HARRY McCawley | THE REPUBLIC | SUBMITTED

The triangular patch at Third Street and Lafayette Avenue in front of the building that once housed the Triangle Service Station (which is now being converted into a winery, shown above) once served as a rail line for the old Madison and Indianapolis Railroad which ran through the city's downtown. The area is also shown in the sketch of downtown streets which was drawn in 1850 when Lafayette Avenue was Mechanics Street and Third Street was known as Tipton Street.

It turns out that the board's authorization to cut down the trees was put on hold after the town attorney suggested that the three who cast votes might not constitute a quorum on the five-member board.

The issue was advanced, however, when Shoaf asked Kris Medic, an arborist and Bartholomew County extension agent, to examine the trees and report back to the board.

Her report was submitted last week and pretty much left the matter in the hands of the Town Board. She acknowledged that there was damage and decay in both trees, identifying the areas most likely to fall. However, she placed the risk rating of failure at moderate in both cases, noting that it was unlikely during normal weather conditions.

The caveat to that evaluation is that it is based on a six-month interval and that responsibility for conducting regular inspections in the future rests with the Town Board.

While the Town Board digests that information, it also might consider an element raised by Bob Kirk, a retiree living in

Columbus. He suggested that the board take into account another species — the catalpa worms.

Catalpa worms are the bait of choice for many fishermen, according to Bob, a point echoed by the late outdoor writer Bayou Bill Scifres in a column that appeared July 12, 2008, in the Daily Journal of Johnson County.

He wrote: "The catalpa worms, a bodacious-looking lot, but a rather pretty-looking green, black and light yellow, are a larval stage of the catalpa sphinx (*Ceratonia catalpa*), and they feed voraciously on the leaves of some — not all — catalpa trees. Such voracious feeders are they, that infested trees sometimes are denuded. Such trees recover with a new crop of leaves after the worms are gone. They feed on the under side of leaves."

I don't know where area fishermen would stand on cutting down trees that provide nourishment for their bait, but the Hope Town Board might just be in for a real battle.

Harry McCawley is associate editor of *The Republic*. He can be reached by phone at 379-5620 or email at [harrys@therepublic.com](mailto:harrys@therepublic.com).

**Columbus – Bartholomew County Planning Department  
Development Standards Variance Application**

**Planning Department Use Only:**

Jurisdiction:  Columbus  Bartholomew County

Zoning: \_\_\_\_\_

Docket No.: C/DS-13-21

Hearing Procedure:  Hearing Officer  Board of Zoning Appeals



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**Development Standards Variance Application:**

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**Applicant Information:**

Name: Pacheco Winery, LLC

Address 602 3rd Street, Columbus, IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 859-912-1224 Fax No.: \_\_\_\_\_ E-mail Address: douglaspacheco55@yahoo.com

**Property Owner Information (the "owner" does not include tenants or contract buyers):**

Name: Clinton E. Mann

Address P.O. Box 607, Columbus, IN 47202  
(number) (street) (city) (state) (zip)

Phone No.: 812-343-3016 Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Notification Information (list the person to whom all correspondence regarding this application should be directed):**

Name: Jeffrey C. Rocker

Address 320 Franklin St., P.O. Box 426, Columbus, IN 47202  
(number) (street) (city) (state) (zip)

Phone No.: 812-372-8858 Fax No.: 812-378-4732 E-mail Address: jrocker@beckrocker.com

How would you prefer to receive information (please check one):  Email  Phone  Fax  Mail

**Property Information:**

Address 602 3rd St., Columbus, IN 47201  
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):  
\_\_\_\_\_

**Variance Requested:**

I am requesting a variance from Section Section 7.1 (Part 1)(A) of the Zoning Ordinance to allow the following:

I am requesting a developmental standards variance form Section 7.1(Part 1)(A) of the Zoning Ordinance to allow an existing structure in the CC zone, but adjacent to the CD zone, to be relieved from the obligation of providing onsite or offsite parking in correlation with its proposed use (a winery/restaurant) which use will include 64 seats (inclusive of indoor and outdoor seating)

**Variance Request Justification:**

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

**The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

See attached.

**The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

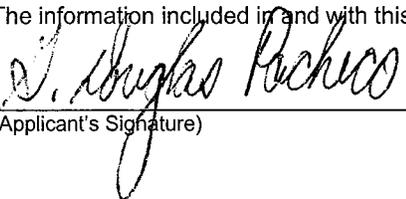
See attached

**The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.**

See attached

**Applicant's Signature:**

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
(Applicant's Signature)

7-8-13  
(Date)

**Owner's Signature** (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

Clinton Mann  
(Owner's Signature)

7/8/13  
(Date)

\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
(Date)

**The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

This property is quite small in size and uniquely shaped. Historically its primary use was a service station. Harry McCawley has done a series of articles on the history which I am attaching. The property provides only one parking space, a handicapped space, for onsite parking. The site is virtually surrounded by open fields of parking which are typically minimally used after the 8-5 businesses they serve close. Additionally, it should be noted that offsite parking is actually a safer prospect for pedestrians (limiting onsite maneuvering between cars and people) or by providing more conventional parking settings (e.g. the county lot or First Christian Church or the parking garages). Furthermore, the clear movement of Columbus is towards consolidation of parking needs. While this property is not in the CD zone, it is bordered by CD (county parking lot; First Christian Church; National Ice Building). The historic nature of the building itself is such that it has more in common with the downtown than it does with the CC zone in which it exists today. Its lack of onsite parking will not be injurious to the public health, safety, and general welfare of the community and more or differently than do the other downtown properties.

**The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

This property has been underutilized and, in essence, an abandoned lot for many years. The building had fallen into disrepair and it was not maintained, mowed, landscaped, painted, etc. In the past months, the site has been fully rehabilitated (see *Small Buildings, Big Dreams, June 30, 2013 article by Jennifer White*). As such, the site has been much improved over past iterations of temporary uses (which included a painting business and a moving company). The improvements to this site are highly visible due to the traffic on 3rd Street, as well as the downtown walking public. This visibility will be greater upon demolition of the old national ice building. The resulting area will be neat and well maintained for the first time in the memory of most Columbus citizens. If anything, this is a dramatic improvement to the value and use of adjacent properties. Furthermore, the lack of parking on this site is mitigated by street parking, the county parking lot, and the soon to be created First Christian Church parking lot, not to mention the downtown parking garages. The peak times for the proposed business will be after many of the downtown businesses are closed and after county employee shifts. As such, ample parking will be available so as to avoid parking conflict with businesses that operate with longer hours (McDonalds, Dairy Queen). Furthermore, much of the adjacent area is located in the CD zone and is, as such, accustomed to businesses having no dedicated parking onsite. This site provides no more negative impact than any other downtown property. In fact, due to the surface lots nearby, this site may very well be better served with parking than other sites located more distant from parking lots or structures.

**The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.**

This site was created during the construction of the railway corridor through Columbus, Indiana. When created, prior to 1850, the die was cast for this lot. From that point, the practical difficulty existed. Under existing developmental standards, the triangle gas station

could have never been built. Nonetheless, in 1925 the Triangle Service Station was built. Since its closure in 1973, this site has been a challenge for its owner and the community. Very simply put, the site has no parking nor does it have space to provide the same. Virtually any use would run into the same problem. The property is small and oddly shaped which means that even if the site were to be demolished, the resulting lot would be useless. Harry McCawley has done an excellent job in telling the story of the triangle gas station in his articles *Gas Station Triangular By Necessity* (June 10, 2013) and *Historic Gas Station Gets New Life* (June 5, 2013). While the site cannot provide onsite parking, that issue is mitigated by the presence of a number of surface lots on adjoining properties which provide ample parking and which are unused or underused in the evening hours during which this business will operate.

# Small building, BIG DREAMS

Columbus native opens winery in old gas station



Doug Pacheco is renovating a former gas station on Third Street into a winery.

**A** small, charcoal-and-copper building with turquoise accents is giving new life to the corner of Lafayette Avenue and Third streets downtown.

It's the future home of the Pacheco Winery on Third.

Tentatively slated to open July 15, the winery is a new addition to the blossoming downtown Columbus Arts District and the second winery to open

in the Columbus area since Simmons Winery was established in 2000.

Owner Doug Pacheco, a Columbus native, describes wine as a drink used to commemorate, appreciate and celebrate life's events, both big and small. Having made wine for more than two decades, Pacheco said there's a wine renaissance underway.

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## Pacheco Winery on Third

**HOURS:** 3 to 11 p.m. Monday through Thursday; 3 p.m. to midnight Friday and Saturday; 11 a.m. to 4 p.m. Sunday; tentative opening July 15

**WHERE:** 602 Third St., Columbus

**INFORMATION:** 859-912-1224



"Most people in the United States, before the Sonoma and Nappa valley wineries began producing, were used to very expensive wine imported from overseas," Pacheco said. "The amount of wine available has lowered the price all over the world and given rise to a new generation that is very wine savvy."

Pacheco, who previously owned and operated the Iron Pig winery in Union, Ky., wanted to introduce a new winery to Columbus. He just needed the right location.

It was his wife, Mary Ann, who suggested the abandoned building that once served as a gas station in the 1920s.

"I guess I'd driven by the building a million times," Mary Ann Pacheco said. "I thought it was interesting and that it would be cute as a retail store or coffee shop."

The building obviously needed some TLC, but it was something the Pachecos could take time and care in restoring.

After signing the lease for the building in early February 2013, renovations began in March.

## "I would rather have a small place that is packed than a large one half-empty."

Doug Pacheco, owner of Pacheco Winery on Third

Pacheco admits the greatest challenge has been bringing the building into the 21st century.

"It's been taking paddles to this little building that had no pulse and shocking it back to life," Doug Pacheco said.

"We've had to structurally make the building strong while still maintaining the character and historical nature of the building."

Renovating the nearly 100-year-old building at 602 Third St. involves more than simply "slapping mascara and lipstick" on it, Doug Pacheco said. The building required new electrical wiring, plumbing and lead-paint remediation, among other things.

Although she's very excited about the winery's upcoming grand opening, Mary Ann Pacheco said it's been difficult to be patient with the renovating process.

"You really don't know how long it's going to take when you get into something like

this," she said. "The frustration of waiting has been something I didn't anticipate. I was thinking about the finished product and not the process."

The care with which Pacheco is reviving the property is an asset to the Columbus community and the Arts District, said Karen Shrode, executive director of the Columbus Area Arts Council.

"Pacheco's winery is a great new addition that definitely lends itself to showcasing the Arts District," Shrode said. "His dedication to renovating that space certainly falls nicely within the framework of the Arts District's concern for the preservation of historic buildings."

The basement of the building, which stays between 55 and 63 degrees, is ideal for storing wine, Doug Pacheco said.

"We'll be importing express juice from vineyards around

the world to turn into wine here," he said.

The primary winery and eatery, located in the 525-square-foot garage, will offer 60 wines from locales including New Zealand and Italy and 20 draft beers.

Hungry patrons also can enjoy Italian sandwiches, soups and desserts on the winery's patio that faces Third Street.

Next door, in the 272-square-foot retail shop, 750-, 375- and 187-milliliter bottles of wines bottled on site will be available for purchase.

The quaint building is intended to offer an intimate setting for wine novices and connoisseurs alike.

"I would rather have a small place that is packed than a large one half-empty," Doug Pacheco said.

Considering that it sits on a tenth of an acre, he admits the winery is landlocked and parking will be a challenge.

"Ultimately, we'll be getting a lot of walk-up traffic at lunch," Doug Pacheco said. "Parking will be available along Lafayette Street and in the city/county lot adjacent to the winery."

# KEEPING THE SPIRIT ALIVE

## Historic gas station gets new life

I'M pretty sure that when Karl Scheidt pumped his first gallon of leaded gasoline into a car back in 1925, he never envisioned the station he would operate for the next 48 years at Third Street and Lafayette Avenue one day would be a winery.

For that matter, it's also unlikely he considered the possibility it would be an antique shop, headquarters for a moving company or an Army Surplus store.

In an age of repurposing, the old Triangle gas station is a pioneer. Abandoned for several years in recent times, it is now about to take on a new role — that of a fashionable winery.

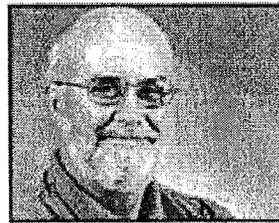
Remodeling of the property, which includes an adjacent building that once served as a garage, is nearing completion, according to owner Doug Pacheco.

Sometime after July 1, it will do business as a winery, eventually producing spirits in the former garage area.

At the outset, Doug plans to offer customers a variety of more than 70 brands. He will have tasting areas inside the old gas station, where beer also will be dispensed.

Doug is the son of the late Lee and Laraine Pacheco. A 1976 graduate of Columbus North High School who was one of the star gymnasts on some of John Hinds' state championship teams, he returned to Columbus a few years ago after establishing successful wine operations in Ohio.

His memories of the building at Third and Lafayette stretched back into childhood when he could recall his mother stopping at the station for gas. They were revived in recent months as he began thinking about opening a new business in his old hometown. "One day my wife, Mary Ann, began talking about that forlorn old building on Third Street, and



Harry McCawley

things evolved from there," he said Tuesday.

Doug has become a fan of the building's history, and he's been aided by friends in resurrecting some of its past. Jeff Rucker, former president of the Bartholomew County Historical Society, provided him with a brief background of the old station. Although it's unlikely it was the first gas station in Bartholomew County, the building likely is the oldest former gas station still standing.

It opened as a gas station in 1925 on a site that had formerly been the Griffith grain elevator. That structure had been demolished the year before. It started as a Sinclair station, and its first manager was Bartholomew County native Karl Scheidt. He would remain its only manager until 1973, when he retired and the station became Old Point Antiques, a store owned by Robert and Karen McCorny and Jack Dutro of Columbus.

By 1973, gas stations were on their way up the endangered species list. Where once, one seemed to be located on just about every street corner in Columbus, their successors were going out of business because of competition from service station/convenience store operations.

In an interview with *The Republic* that year, Karl remembered earlier times when

business was booming. Saturday nights were especially robust.

"Farmers and their families would be in their cars and trucks backed up down the street and around the corner," he told the reporter. "We pumped gas by hand then, gallon by gallon, and usually got out of there well after midnight."

Technology was still way off in the future in his early years at the station. Gas was brought in by truck from Seymour, and the storage tank was filled by hauling gas in 5-gallon cans filled by a spigot on the back of the truck.

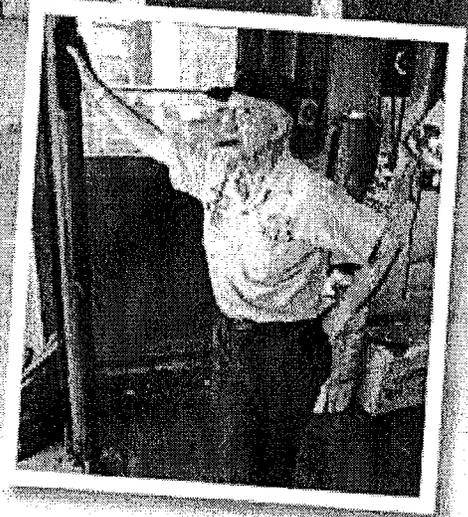
When he opened his business in 1925, he created a wooden shaft marked off in 10-gallon increments to measure the amount of gas in his storage tank. He kept using that method up to the time he closed the business.

By then Sinclair had merged with the Atlantic Richfield Co. to become ARCO. Company officials honored Karl on the occasion of his retirement, and researchers discovered that he had established a national record for the longest continuous operation of a station at the same location. Karl died in 1982.

In the years following his retirement, the building served many purposes. It was owned for quite a while by Dick Snider. His son, Lance, briefly used it as headquarters for his Honeymoon Haulers business.

While its immediate future is that of a winery, Doug Pacheco hasn't forgotten its roots. One of the elements he is resurrecting which will mark that history will be an old gas pump, one with a globe on top, that will be centered on the island in front of the building.

*Harry McCawley is associate editor of The Republic. He can be reached by phone at 379-5620 or email at [harry@therepublic.com](mailto:harry@therepublic.com).*



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**RECEIPT**  
COLUMBUS PLAN COMMISSION

**№ 8120**

General FUND

COLUMBUS IN., 110 2013  
RECEIVED FROM Spk Parker  
THE SUM OF Two Hundred & fifty dollars 10/1/10  
ON ACCOUNT OF business DS for Parker  
100 DOLLARS

\$ 250.00

PAYMENT TYPE & AMOUNT

CASH \_\_\_\_\_ CHECK 250 M.O. \_\_\_\_\_

Andrea H. Bohn

AUTHORIZED SIGNATURE

E.F.T. \_\_\_\_\_ C.C./BC \_\_\_\_\_ OTHER \_\_\_\_\_