



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (September 9, 2015 Meeting)

**Docket No. / Project Title:** DP-15-15 (Le Petit Caraibes)  
**Staff:** Melissa Begley  
**Applicant:** Dennis Roberts  
**Property Size:** 6,969 square feet  
**Current Zoning:** CD (Commercial: Downtown)  
**Location:** 412 Washington St., in the City of Columbus

#### Background Summary:

The applicant has indicated that the proposed site development plan major modification is for the purpose of allowing a second wall sign, that when combined with the first wall sign exceeds the maximum square footage allowed for wall signs. This restaurant currently has a sign on their awning. They would like to also receive approval for a sign painted on a wall.

The applicant is proposing the following waiver(s) and/or modification(s) from the zoning ordinance development standards that would typically apply to this development:

1. A request for a second wall sign, one more than permitted.
2. A request for the combined wall signs to exceed the maximum square footage allowed for wall signs.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Do the requested modifications meet the criteria established by the Zoning Ordinance?
2. Is a second wall sign that exceeds the maximum square footage allowed appropriate for this location?

#### Plan Commission Decision Criteria:

The Columbus Zoning Ordinance requires that the Plan Commission consider (1) compliance with the applicable development standards established by the Zoning Ordinance and (2) the general standards listed below in the review of site development plans (Section 12.8(E)).

1. The proposed development will be consistent with the comprehensive plan.
2. The proposed development will not be detrimental to or endanger the public health, safety, convenience, or general welfare.
3. The proposed development will not be injurious to the use and enjoyment of the surrounding property.
4. The proposed development will not impede the efficient, orderly, and normal development of the surrounding property.
5. The proposed development provides adequate access, utilities, landscaping, buffering, and other improvements.
6. The proposed development provides pedestrian and vehicle ingress, egress, and circulation in a manner that maintains adequate public safety and efficient movement.

The Plan Commission may waive or modify development requirements of the Zoning Ordinance based on findings by the Commission that the altered requirements will better serve (a) the intent of that development requirement, (b) the intent of the zoning district, and/or (c) the general standards listed above.

### Plan Commission Process, Options & Preliminary Staff Recommendation:



#### Development Standards Waivers & Modifications:

The initial step in the approval process is for the Plan Commission to determine if any requested development standards waivers and/or modifications can be supported based on the decision criteria provided by the Zoning Ordinance. The waiver or modification may be approved if one or more of the criteria have been met. A separate motion with specific findings is recommended for each requested waiver and/or modification.

**Waiver / Modification #1:** A request for 2 wall signs, 1 more than permitted for a property in the CD (Commercial: Downtown) zoning district.

Preliminary Staff Recommendation: Approval, Criteria #3 has been met.

Criteria #1: The requested waiver or modification will better serve the intent of that development requirement. The Zoning Ordinance indicates the intent of the sign standards as follows: To avoid proliferation of signs; encourage design and placement of signs that are legible and effective for communication in the context of their location and surroundings; promote principles of quality design in community development; and enhance the city's and county's economic development and growth.

*Preliminary Staff Findings:* The site was approved and has installed a 4 foot by 4 foot (16 square foot) sign on the canopy in front of the business. The business was also approved for 2- 1.6 foot by 1.6 foot (2.56 square foot) window signs, one to the entrance along Washington Street and one to the entrance along the alley. The business is clearly visible to vehicle and pedestrian traffic and the additional wall sign does not better serve the urban and pedestrian oriented context of the area. *This criterion has not been met.*

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Criteria #2: The requested waiver or modification will better serve the intent of the zoning district in which the property is located. The Zoning Ordinance indicates the intent of the CD (Commercial: Downtown Center) zoning district as follows: To serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is intended to serve as a focal point, and to be the most intensely developed area in the community. This district is further intended to support the continued use of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.

*Preliminary Staff Findings:* The wall sign does not better serve the pedestrian-focused character of the CD (Commercial: Downtown) zoning district and the intent of the zoning district. A small suspended sign under the awning would have served the same purpose, would have been permitted and would have benefited pedestrians walking both north and south along Washington Street. *This criterion has not been met.*

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Criteria #3:** The requested waiver or modification will better serve the general standards listed by Zoning Ordinance Section 12.8(E)(2) and above.

*Preliminary Staff Findings:* The Comprehensive Plan encourages signage which enhances the downtown zoning district. The proposed wall sign provides a vibrant decorative element to the entrance of the business similar to a mural and is only visible for a driver or a pedestrian traveling north along Washington Street. *This criterion has been met.*

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Waiver / Modification #2:** A request to for 2 wall signs to exceed the maximum square footage allowed in the CD (Commercial: Downtown) zoning district.

**Preliminary Staff Recommendation:** Approval, Criteria #3 has been met.

**Criteria #1:** The requested waiver or modification will better serve the intent of that development requirement. The Zoning Ordinance indicates the intent of the sign standards as follows: To avoid proliferation of signs; encourage design and placement of signs that are legible and effective for communication in the context of their location and surroundings; promote principles of quality design in community development; and enhance the city's and county's economic development and growth.

*Preliminary Staff Findings:* Larger signs benefit businesses that are located far from the road and need to be scaled accordingly to be viewed from a distance. In the CD (Commercial: Downtown) zoning district, buildings are located close to the street and are very visible to vehicles. In addition, pedestrians walking on the sidewalk can easily view businesses because they are in close proximity to the business and are not traveling at high rates of speed. *This criterion has not been met.*

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Criteria #2:** The requested waiver or modification will better serve the intent of the zoning district in which the property is located. The Zoning Ordinance indicates the intent of the CD (Commercial: Downtown Center) zoning district as follows: To serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is intended to serve as a focal point, and to be the most intensely developed area in the community. This district is further intended to support the continued use of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.

*Preliminary Staff Findings:* The large wall sign does not better serve the pedestrian-focused character of the CD (Commercial: Downtown) zoning district and the intent of the zoning district. A small suspended sign under the awning would have served the same purpose, would have been permitted and would have benefited pedestrians walking both north and south along Washington Street. *This criterion has not been met.*

*User Notes:* \_\_\_\_\_

---

---

---

**Criteria #3:** The requested waiver or modification will better serve the general standards listed by Zoning Ordinance Section 12.8(E)(2) and above.

*Preliminary Staff Findings:* The Comprehensive Plan encourages signage which enhances the downtown zoning district. The proposed wall sign provides a vibrant decorative element to the entrance of this business similar to a mural and is only visible for a driver or a pedestrian traveling north along Washington Street. Murals typically are large in scale and would normally exceed typical wall sign sizes. *This criterion has been met.*

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

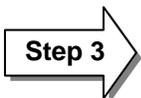


**Conditions:**

The Plan Commission should determine through discussion if any conditions of approval are appropriate for this request. Conditions are situations that need to be resolved through the action of the applicant prior to, or as part of, the proposed development. Any conditions should be clearly based on the Plan Commission Decision Criteria listed above.

Preliminary Staff Recommendation: The staff is preliminarily recommending the following conditions of approval: None

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Commitments:**

The Plan Commission should determine through discussion if any commitments of the applicant are appropriate and/or needed for this request. Commitments are long-term agreements that, together with the Zoning Ordinance, govern the use of the property. Any commitments should be clearly based on the Plan Commission Decision Criteria listed above.

Preliminary Staff Recommendation: The staff is preliminarily recommending the following commitments: None

*User Notes:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Approval, Denial or Continuance:**

In reviewing a request for site development plan approval the Plan Commission may (1) approve the application, (2) deny the application, or (3) continue the review to a future Plan Commission meeting. The Plan Commission should make, second, and vote on a motion for the approval, denial, or continuance of the request. Any motion should include reasons supporting that motion

that directly reference the Plan Commission Decision Criteria listed above. Any motion for approval should (1) note any approved waivers and/or modifications and (2) specifically list any conditions and/or commitments being made as part of the approval and the reasons for those conditions or commitments based on the Plan Commission Decision Criteria listed above.

Preliminary Staff Recommendation: Approval, the Comprehensive Plan encourages signs that enhance downtown. The applicant's sign, although considered a wall sign by the Zoning Ordinance does add a vibrant decorative element to the site, similar to a mural or art.

User Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<b>Current Property Information:</b>	
<b>Land Use:</b>	Restaurant (ground floor), storage (second floor)
<b>Site Features:</b>	Two-story building
<b>Flood Hazards:</b>	No flood hazards are present on the subject property.
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances apply to the subject property.
<b>Vehicle Access:</b>	Washington Street (Collector, Commercial, Urban)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	CD (Commercial: Downtown)	Dell Brothers, friendship alley
<b>South:</b>	CD (Commercial: Downtown)	Savory Swine, Generations
<b>East:</b>	CD (Commercial: Downtown)	SIHO
<b>West:</b>	CD (Commercial: Downtown)	Parking Garage

**History of this Location:**

The relevant history of this property includes the following: The property received approval on May 19, 2015 (DP-MM-15-08) for an awning sign and 2 window signs; one to the entrance on Washington Street and one to the entrance on the alley.

**Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Commercial.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
2. **GOAL E-1:** Maintain and enhance the attractiveness and vitality of the city's neighborhood business area.
3. **POLICY E-1-4:** Encourage signs and landscaping which enhance the attractiveness of downtown and which contribute to the economic vitality of downtown businesses.

This property is located in the Downtown Columbus character area.

The property is also located in the Central Civic & Entertainment District as identified by the Comprehensive Plan Downtown Columbus Strategic Development Plan Element.

### **Planning Consideration(s):**

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

1. The applicants are requesting approval for a 9.75 foot by 7.83 foot (76.34 square foot) wall sign. This sign is painted on the recessed wall next to the entrance of their building and next to the outdoor seating area.
2. The applicants were approved and have installed a 4 foot by 4 foot (16 square foot) canopy sign and 2 – 20 inch by 20 (2.79 square foot) window signs. One window sign is located on the front door along Washington Street and the second window sign is located on the back door along the alley.
3. The Zoning Ordinance Section 10 (Table 10.1) allows for businesses in the CD (Commercial: Downtown) zoning district 1 wall sign with a maximum total area of 8% of all front walls or 200 square feet, whichever is less. At this location, the applicant has 234 square feet of front walls and 8% of the front walls equal 18.72 square feet. They would be permitted a wall sign that is a maximum of 18.72 square feet.
4. The Zoning Ordinance provides for awning signs and projecting signs as alternatives to wall signs. In this application, the owner requested an awning sign that is 16 square feet in size, 2.72 square feet under the maximum allowance. With the addition of the second proposed wall sign, the applicants are exceeding their allotted wall sign allowance by 73.62 square feet.
5. The sign ordinance defines a mural sign as “a sign painted onto the side of a building, wall, ground, or structure”. As it is regulated by the sign ordinance, “the term mural or art shall not include any corporate logos or any statuary, images or other items that directly relate to the use on site”. In this application, the sign is painted on the wall, however it also displays the name of the business and the business logo and is therefore considered a wall sign.
6. A suspended sign is a sign that is suspended by chains or hooks and is generally placed under eaves or over walkways. These signs are commonly used in downtown settings to orient pedestrians to the businesses. In the CD (Commercial: Downtown) zoning district, 1 suspended sign of 6 square feet is permitted.

Columbus – Bartholomew County Planning Department  
Site Development Plan Application

RECEIVED  
AUG 10 2015  
BY: [Signature]

Planning Department Use Only:

Jurisdiction:  Columbus  Bartholomew County  Joint District

Docket No.: DP-15-15

Site Development Plan Application:

Application Type:  Initial Site Development Plan  Minor Modification  Major Modification

Project Title / Facility Name: \_\_\_\_\_

Type of Activity:

New Structure  Change of Use  Expansion of an Existing Structure and/or Use  
 Site Feature Modification (Landscaping, Parking, Etc.)  
 New Telecommunications Facility  Temporary Use: from \_\_\_\_\_ to \_\_\_\_\_  
(start date) (end date)

Total Number of Signs Requested 1 (please attach a separate worksheet for each sign)

Applicant Information (the person or entity that will own and/or execute what is proposed):

Name: Dennis Roberts  
Address: 412 Washington St. Columbus IN 47201  
(number) (street) (city) (state) (zip)  
Phone No.: 812-374-8216 Fax No.: \_\_\_\_\_ E-mail Address: dennisr26@yahoo.com

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

Name: Greg Fox  
Address: 9891 W Shore Dr Columbus IN 47201  
(number) (street) (city) (state) (zip)  
Phone No.: (812) 343-6310 Fax No.: \_\_\_\_\_ E-mail Address: the-foxes@comcast.net

Tenant / Lessee Information (if applicable):

Name: Le Petit Carabes  
Address: 412 Washington St Columbus IN 47201  
(number) (street) (city) (state) (zip)  
Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ E-mail Address: Dennis-r26@yahoo.com

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

Name: Dennis Rodents  
Address: 412 Washington St Columbus IN 47201  
(number) (street) (city) (state) (zip)  
Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ E-mail Address: Dennis\_r@yahoo  
How would you prefer to receive information? (please check one):  E-mail  Phone  Fax  Mail

**Property Information:**

Property Size: \_\_\_\_\_ acres *or* \_\_\_\_\_ square feet  
Zoning: CD  
Address: 412 Washington 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, etc):  
\_\_\_\_\_

**Use & Structure Information** (if applicable):

Proposed Building Area: \_\_\_\_\_ square feet  
Current Use: \_\_\_\_\_ Proposed Use (if different): \_\_\_\_\_  
For multiple use buildings, please indicate the square footage of each use (attach an additional sheet if necessary):  
Use: \_\_\_\_\_ square feet: \_\_\_\_\_  
Use: \_\_\_\_\_ square feet: \_\_\_\_\_  
Use: \_\_\_\_\_ square feet: \_\_\_\_\_  
Use: \_\_\_\_\_ square feet: \_\_\_\_\_

**Supporting Information** (please note the following which must be provided with the application):

- 5 initial copies of a site development plan (required based on the type of ZCC requested – see attached checklist). The site development plan must also show the location of any types of freestanding signs proposed (including the sign location, the proposed sign setback from all rights-of-way, the landscaping at the base of the proposed sign, and all sight visibility triangles).
- A completed worksheet for any proposed waiver or modification of the development standards mandated by the Zoning Ordinance (see attached form).
- A completed sign worksheet for each sign proposed (see attached form).
- A dimensioned drawing showing the size of each sign face and indicating each sign's proposed location (either on the face of a structure, or elsewhere on the property).

**Applicant's Signature / Acknowledgement:**

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

I understand that 20 copies of a revised Site Development Plan will be required for distribution to the Plan Commission.

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

8-10-15  
\_\_\_\_\_  
(Date)

**Property 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.

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

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

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

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



**Columbus – Bartholomew County Planning Department**  
**Site Development Plan**  
**Development Standards Waiver / Modification Worksheet**  
(Attach a separate worksheet for each requested waiver and/or modification.)

**Waiver or Modification Requested:**

I am requesting a waiver or modification from Section 10 (Table 10.1) of the Zoning Ordinance to allow the following:

to allow a wall sign that exceeds the maximum allowed area.

**Waiver or Modification Request Justification:**

The Columbus & Bartholomew County Zoning Ordinance [Section 12.8(E)] establishes specific criteria that must be met in order for a waiver or modification to be approved with a site development plan. The requested waiver or modification must meet one of the following criteria. Please describe how the waiver or modification request meets each of the following criteria.

**The requested waiver or modification will better serve the intent of the development requirement.**

We believe the sign is very diverse and the art is outstanding.

**The requested waiver or modification will better serve the intent of the zoning district in which the property is located.**

Stands out so should bring attention to the building and other businesses around the area. Everyone in the building has given positive feedback on the sign.

**The requested waiver or modification will better serve the general standards listed by Zoning Ordinance Section 12.8(E)(2) and repeated as follows:** The proposed development (1) will be consistent with the comprehensive plan; (2) will not be detrimental to or endanger the public health, safety, convenience, or general welfare; (3) will not be injurious to the use and enjoyment of the surrounding property; (4) will not impede the efficient, orderly, and normal development of the surrounding property; (5) provides adequate access, utilities, landscaping, buffering, and other improvements; (6) provides pedestrian and vehicle ingress, egress, and circulation in a manner that maintains adequate public safety and efficient movement.

There are no safety or health concerns with this sign. Sign promotes ethnic & diverse growth in the community which we believe will have a positive influence.







# RECEIPT

## COLUMBUS PLAN COMMISSION

№ 8714

General FUND

COLUMBUS IN., August 10 2015

RECEIVED FROM Douglas and Roberts LLC \$ 250.00

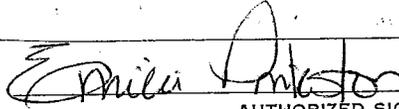
THE SUM OF Two hundred fifty and 00/100 DOLLARS

ON ACCOUNT OF Le Petit Caraibes

PAYMENT TYPE & AMOUNT

CASH \_\_\_\_\_ CHECK 575 M.O. \_\_\_\_\_

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



AUTHORIZED SIGNATURE

