



**CITY OF COLUMBUS  
BOARD OF ZONING APPEALS  
HEARING OFFICER  
(August 13, 2013 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** C/CU-13-12 (Columbus Parks and Recreation – Oakbrook Park)  
**Staff:** Emilie Pinkston  
**Hearing Officer:** Melissa Begley  
**Applicant:** Columbus Parks and Recreation  
**Property Size:** 9.12 Acres  
**Zoning:** RS3 (Residential: Single-Family 3)  
**Location:** Northeast corner of Goeller Road and Oakbrook Drive, in the City of Columbus

**Background Summary:**

The applicant has indicated that the proposed conditional use will allow the expansion of a park in the form of a new 18 foot x 20 foot (360 square foot) shelter/pavilion. The applicant is additionally requesting conditional use approval to install an 8 foot by 1 foot (8 square foot) freestanding sign with an overall height of 6 feet.

**Preliminary Hearing Officer Decision:**

Approval

**Zoning District Intent:**

The intent of the RS3 (Residential: Single-Family 3) zoning district is as follows: This district is intended to provide areas for moderate to high density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Park
<b>Site Features:</b>	Playground equipment, basketball court, walking path, parking area, pond, and open space
<b>Flood Hazards:</b>	No flood hazards exist on the subject property.

<b>Vehicle Access:</b>	The subject property gains access from Oakbrook Drive (Suburban, Residential, Local Street) but is also adjacent to Goeller Road (Suburban, Residential, Minor Arterial Street).
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<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RS3 (Residential: Single-Family 3)	Single-family residential
<b>South:</b>	RS3 (Residential: Single-Family 3)	Single-family residential
<b>East:</b>	AP (Agriculture: Preferred)	Single-family residential
<b>West:</b>	RS3 (Residential: Single-Family 3)	Single-family residential

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	The proposed sign installation as described will not significantly impact access or drainage at this location.
<b>Code Enforcement:</b>	The pavilion will require a building permit. There are no other issues at this time.

**Planning Consideration(s):**

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

1. Per Zoning Ordinance Section 3.10(B), parks/playgrounds are a conditional use in the RS3 (Residential: Single-Family 3) zoning district. Therefore, the addition of any park equipment, which is an increase in the intensity of the use, requires conditional use approval from the Board of Zoning Appeals.
2. The Columbus Parks and Recreation Department is proposing to install an 18 foot by 20 foot (360 square foot) shelter/pavilion at Oakbrook Park. The pavilion will have an overall height of 11 feet and, according to the provided site plan, will meet all applicable building setbacks on the property. The pavilion will be located approximately 170 feet from the nearest residential property.
3. No additional parking is proposed on site.
4. The Columbus Parks and Recreation Department is additionally proposing to replace an existing freestanding sign at the park. The proposed sign will measure 8 foot by 1 foot (8 square feet) and will have an overall height of 6 feet. Per Table 10.1 of the Zoning Ordinance, freestanding signs within the RS3 zoning district are limited to an area of 50 square feet and an overall height of 6 feet.
5. According to the provided site plan, the freestanding sign will not be located within any sight visibility triangles on the subject property.
6. If the proposed conditional use requests are approved, Columbus Parks and Recreation’s next step will be to submit a Zoning Compliance Certificate Application to the Planning Department for review. The Zoning Compliance Certificate will serve as the official approval and documentation for the pavilion and freestanding sign.

**Comprehensive Plan Consideration(s):**

The Comprehensive Plan designates the future land use of properties in this area as residential.

The Comprehensive Plan includes this property in the Western Hills character area. The following planning principles for that character area apply to this application: Plan for new parks and open space areas to accommodate a growing population.

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

1. **GOAL C-1-1:** Maintain and enhance the park system to benefit the community, provide a sense of neighborhood, and promote public health.
2. **POLICY C-1-2:** Encourage development of neighborhood parks.
3. **POLICY C-1-6:** Where appropriate, upgrade neighborhood parks to fulfill the need for expanded recreational opportunities for a growing population.
4. **GOAL I-1:** Provide high-quality public facilities in locations which are convenient and accessible to local residents.

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

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals Hearing Officer to allow conditional uses that meet the criteria listed below. The Hearing Officer may impose reasonable conditions as part of an approval.

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

*Provisional Findings:* Neither the proposed freestanding sign nor the pavilion will be located within on-site sight visibility triangles. Therefore, the proposal will not be injurious to the public safety. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

*Provisional Findings:* The proposed freestanding sign falls within the standards established for the size of freestanding signs in the RS3 (Residential: Single-Family 3) zoning district. The proposed pavilion meets the height and setback requirements for structures in this zoning district, as well. *This criterion has been met.*

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

*Provisional Findings:* The installation of the freestanding sign and pavilion will not impede the use of surrounding properties. Both the freestanding sign and the pavilion will meet the necessarily setback requirements. *This criterion has been met.*

4. **The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

*Provisional Findings:* The scale of the pavilion and sign are such that they will be consistent with the residential character of the neighborhood. The proposed changes will be an improvement for this neighborhood park. *This criterion has been met.*

### **Hearing Officer Options:**

In reviewing a request for conditional use the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.



Subject Property



Sight Visibility Triangle

Oakbrook Park

Columbus

OAKBROOK DR

Goeller Rd

500  
8-12-13

15 feet

150 feet

Columbus – Bartholomew County Planning Department  
Conditional Use Application



Planning Department Use Only:

Jurisdiction:  Columbus  Bartholomew County

Zoning: RS3  
Docket No.: CJU-13-12

Hearing Procedure:  Hearing Officer  Board of Zoning Appeals

Conditional Use Application:

Applicant Information:

Name: Columbus Parks and Rec - Oak Brook Park

Address: \_\_\_\_\_  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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

Name: Columbus Park and Rec

Address: 739 22<sup>nd</sup> st Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 376-2680 Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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

Name: Cesey Ritz

Address: 330 11<sup>th</sup> st Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 376-2688 Fax No.: \_\_\_\_\_ E-mail Address: CRITZ@columbus.in.gov

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

Property Information:

Address: \_\_\_\_\_  
(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):

Northeast corner of Goeller Rd and Oakbrook Drive

**Conditional Use Requested:**

I am requesting a conditional use as listed by <sup>Table</sup> Section 10.1 of the Zoning Ordinance to allow the following:

the installation of a freestanding sign in the R53 zoning district. The sign will have an area of 7.3 square feet and an overall height of

Also to allow the installation of a shelter/pavilion (Zoning Ord. 3.10 (B))

**Conditional Use Criteria:**

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

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

The sign will be placed so that it does not block or obstruct vehicular movement. It will be outside the sight visibility triangle.

**The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

The sign area and height will be within the limits established by the zoning ordinance.

**Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

The sign will not restrict or hinder the use of adjacent property owners

**The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

The sign is relatively small (7.3<sup>sq ft</sup>) and will fit w/in the surrounding residential character.



Columbus – Bartholomew County Planning Department

Sign Worksheet

(Attach a separate sign worksheet for each sign to the ZCC or Sign Application)

Use of the Sign (check only one):

- Permanent (checked)
Temporary: from (start date) to (end date)

Type of Sign (check only one):

- Wall Sign, Awning Sign, Directory Sign, Banner Sign, Development Entry Sign, Projecting Sign, Window Sign, Inflatable Sign, Freestanding Sign (checked), Pedestrian Entry Sign, Suspended Sign, Beacon Sign, Interstate Oriented Sign, Directional Sign, Flag Sign (commercial message), Other:

Sign Features (check all that apply):

- Multiple Use Sign -- Number of Secondary Elements (ie. tenant signs):
Changeable Copy: square feet
Time & Temperature: square feet

Sign Area:

Sign Area (total): 7.3 square feet (11" feet tall X 95.5" feet wide)

Freestanding Sign Information (complete as applicable):

- Sign Height (from ground level): 7 feet
Sign Area (primary element): square feet ( feet tall X feet wide)
Sign Area (secondary element #1): square feet ( feet tall X feet wide)
Sign Area (secondary element #2): square feet ( feet tall X feet wide)
Sign Area (secondary element #3): square feet ( feet tall X feet wide)

Proposed sign area has changed. See memo to file + staff report. EP 8-13-13

Wall Sign Information (complete as applicable):

- Area of Structure Front Walls: square feet
Front Wall #1: square feet ( feet tall X feet wide)
Front Wall #2: square feet ( feet tall X feet wide)

Window Sign Information (complete as applicable):

- Area of Windows: square feet
Windows on Wall #1: square feet ( feet tall X feet wide)
Windows on Wall #2: square feet ( feet tall X feet wide)