



## Legislation Details (With Text)

**File #:** 1683-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/6/2022      **In control:** Zoning Committee

**On agenda:** 6/27/2022      **Final action:** 6/30/2022

**Title:** To rezone 1393 N. 4TH ST. (43201), being 0.12± acres located at the southwest corner of North 4th Street and East 8th Avenue,, From: R-4, Residential District, To: CPD, Commercial Planned Development District (Rezoning #Z21-105).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1683-2022\_Attachments, 2. ORD1683-2022\_Labels

Date	Ver.	Action By	Action	Result
6/30/2022	1	CITY CLERK	Attest	
6/29/2022	1	MAYOR	Signed	
6/27/2022	1	COUNCIL PRESIDENT	Signed	
6/27/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
6/27/2022	1	Zoning Committee	Approved	Pass

### Rezoning Application Z21-105

**APPLICANT:** Zora's House, Inc.; c/o Jackson B. Reynolds, III, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Mixed-use development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on April 14, 2022.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 0.12± acres site consists of one parcel formerly developed with a mixed-use building in the R-4, Residential District. The applicant requests the CPD, Commercial Planned Development District to permit the construction of a new mixed-use building permitting C-2 commercial uses, delicatessens, eating and drinking establishments (2,000 square feet or less), an accessory outdoor dining patio, and a temporary shelter. The CPD text provides appropriate use restrictions and supplemental development standards, and includes a commitment to develop the site as demonstrated on the submitted site plan. While the *University District Plan* (2015) recommends "Lower Intensity Residential" uses for this location, staff supports the requested use because the site was previously developed with a two-story mixed-use building. Code modifications requested in the CPD for increased building height, and reduced parking (from 33 to 0), vision clearance, and building setbacks, are supported as they are consistent with other infill developments within urban neighborhoods. The submitted site plan demonstrates bicycle parking, landscaping, and a street tree along the North 4th Street frontage, all consistent with the Plan's guidelines. A parking study was reviewed and approved by the Division of Parking Services resulting in support of the requested parking reduction.

To rezone **1393 N. 4TH ST. (43201)**, being 0.12± acres located at the southwest corner of North 4th Street and East 8th Avenue,, **From:** R-4, Residential District, **To:** CPD, Commercial Planned Development District (Rezoning #Z21-105).

**WHEREAS**, application #Z21-105 is on file with the Department of Building and Zoning Services requesting rezoning of 0.12± acres from R-4, Residential District, to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the University Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will permit a new mixed-use building, replacing a mixed-use building that previously occupied the site, and includes appropriate use restrictions, development standards, and commitments that are consistent with the University District Plan's guidelines now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1393 N. 4TH ST. (43201)**, being 0.12± acres located at the southwest corner of North 4th Street and East 8th Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lot Number Eight-Five (85) in NEW INDIANOLA ADDITION as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 12, page 35, Recorder's Office, Franklin County, Ohio.

Property Address: 1393 N. 4<sup>th</sup> St., Columbus, OH 43201

Parcel Number: 010-024533

**To Rezone From:** R-4, Residential,

**To:** CPD, Commercial Planned Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said site plan being titled, "**ZONING PLAN**," dated April 14, 2022 and text titled, "**CPD TEXT**," dated April 12, 2022, and both signed by Jackson B. Reynolds, III, Attorney for the Applicant, and the text reading as follows:

**CPD TEXT**

**PROPOSED DISTRICT:** CPD, Commercial Planned Development District

**PROPERTY ADDRESS:** 1393 North Fourth Street

**OWNER:** Zora's House Inc

**APPLICANT:** Zora's House Inc.

**DATE OF TEXT:** 4/12/22

**APPLICATION NUMBER:** Z21-105

**1. INTRODUCTION:** The site is located at the southwest corner of North Fourth Street and East Eight Avenue and is currently vacant. The site is zoned R-4. The applicant wants to redevelop with a mixed use building (office, cafe, and temporary shelter).

**2. PERMITTED USES:** The only permitted uses are those contained in Section 3356, C-2, Commercial District of the Columbus City Code and cafes, delicatessens and restaurants (2,000 sq. ft. or less) and a small outdoor patio as permitted in the C-1, Commercial District and a temporary shelter as permitted in the C-4, Commercial District.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted written text, the applicable development standards shall be those contained in Chapter 3356, C-4, Commercial District of the Columbus City Code.

A. Density, Height, Lot, and/or Setback Requirements:

1. Building setback from East Eight Avenue shall be 0 feet.
2. Building setback from North Fourth Street shall be 20 feet.

B. Access, Loading, Parking and/or other Traffic Related Commitments:

All circulation, curbcuts and access points shall be subject to the review and approval of the City's Department of Public Service.

C. Buffering, Landscaping, Open Space and/or Screening Commitments:

1. One (1) street tree shall be planted in front of the building as shown on the site plan.
2. Landscaping shall be provided on the property as shown on the site plan.

D. Building Design and/or Interior-Exterior Treatment Commitments:

Building height shall be no greater than 38'.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type and color to ensure aesthetic compatibility.

F. Graphics and Signage Commitments:

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the CPD, Commercial District of the Columbus City Code, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

1. Modification of Code Standards: (1) Reduce the parking space number from 33 to 0. (Section 3312.49); (2) Reduce the required building setback on East Eight Avenue from 25' to 0 and on North Fourth Street from 80' to 20' (Section 3356.11(A)(2) & (3)); (3) Increase the height from 35' to 38' (Section 3309.141); (4) Reduce the alley intersection site triangle from 10' to 2' (a reduction of 8') (Section 3321.05(B)(1)).

2. The Subject Site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or when engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Service or his designee upon submission of the appropriate data regarding the proposed adjustment.

3. The development standards, use restrictions and site plan described in this CPD text shall not apply to the subject site until such time that the site is redeveloped for a mixed use building. Prior to redevelopment for a mixed use building the development standards and permitted uses under C-2, Commercial of the Columbus City Code shall apply to the subject property.

**4. CPD CRITERIA:**

A. NATURAL ENVIRONMENT: The site is currently vacant.

B. EXISTING LAND USES: To the north across East Eight Avenue is residential; to the east across North Fourth Street is residential; to the south residential and to the west residential.

C. TRANSPORTATION AND CIRCULATION: Access shall be from both East Eight Avenue and North Fourth Street.

D. VISUAL FORM OF THE ENVIRONMENT: See the development text and elevations.

E. VIEW AND VISIBILITY: In the development of the subject property and in the location of the buildings and access points, consideration will be given to the visibility and safety of the motorist and pedestrian.

F. PROPOSED DEVELOPMENT: Mixed use building.

G. EMISSIONS: No adverse effects from emissions shall result from the proposed development.

H. BEHAVIOR PATTERNS: The proposed development should not change the behavior patterns other than to attract customers from the proximate area. Existing development has established behavior patterns in the area.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.