

City of Columbus

*Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org*



Minutes - Final

Monday, July 24, 2006

6:30 PM

City Council Chambers

Zoning Committee

REGULAR MEETING NO. 39 OF CITY COUNCIL (ZONING), JULY 24, 2006 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Mentel, seconded by Hudson, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

**ZONING: MENTEL, CHR. BOYCE HABASH HUDSON
O'SHAUGHNESSY TAVARES THOMAS**

To rezone **5372 CENTRAL COLLEGE ROAD (43081)**, being 86.1± acres located on the north side of Central College Road, 3040± feet west of Harlem Road, **From:** R, Rural District, **To:** NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center and TC, Town Center Districts (Rezoning # Z03-109).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Tabled to Certain Date. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential district uses; 3332.05, Area district lot width requirements; 3332.15, R-4 Area district requirements; 3332.21, Building lines; 3332.22, Building lines on corner lots; 3372.609, Setback requirements; 3332.25, Maximum side yard required; 3332.27, Rear yard; 3332.30(b), Vision clearance; 3342.28(B)14, Minimum number of parking spaces required; of the Columbus City codes for the property located at **944 NORTH FOURTH STREET (43201)**, to permit a restaurant with reduced development standards in the R-4, Residential District (Council Variance # CV06-014).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3356.03, C-4, Permitted Uses, of the Columbus City Codes for the property located at **1835 ABERDEEN AVENUE (43211)**, to conform an existing single-family dwelling in the C-4, Commercial District (Council Variance # CV06-009).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To rezone **5797 SHANNON ROAD (43110)**, being 142.4± acres located on the south side of Shannon Road at the intersection of Shannon Road and Fitzpatrick Boulevard, **From:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts, **To:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts (Rezoning # Z06-013).

A motion was made by Habash, seconded by Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

To rezone **5797 SHANNON ROAD (43110)**, being 142.4± acres located on the south side of Shannon Road at the intersection of Shannon Road and Fitzpatrick Boulevard, **From:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts, **To:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts (Rezoning # Z06-013).

A motion was made by Habash, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **5797 SHANNON ROAD (43110)**, being 142.4± acres located on the south side of Shannon Road at the intersection of Shannon Road and Fitzpatrick Boulevard, **From:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts, **To:** PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts **and to declare an emergency.** (Rezoning # Z06-013)

A motion was made by Habash, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **8239 COLONIAL MEADOWS DRIVE (43035)**, being 5.36± acres located at the southeastern terminus of Colonial Meadows Drive, 780± feet south of East Powell Road, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District. (Rezoning # Z06-026)

A motion was made by Mentel, seconded by Tavares, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **8239 COLONIAL MEADOWS DRIVE (43035)**, being 5.36± acres located at the southeastern terminus of Colonial Meadows Drive, 780± feet south of East Powell Road, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District **and to declare an emergency.** (Rezoning # Z06-026)

A motion was made by Mentel, seconded by Tavares, that this matter be Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3332.02, R, Rural District, and 3332.06, R-rural area district requirements, of the City of Columbus codes, for the property located at **2816 MORSE ROAD (43231)**, to permit a child day care center in the R, Rural District. (Council Variance # CV06-023)

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3332.02, R, Rural District, and 3332.06, R-rural area district requirements, of the City of Columbus codes, for the property located at **2816 MORSE ROAD (43231)**, to permit a child day care center in the R, Rural District **and to declare an emergency.** (Council Variance # CV06-023)

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **5359 BRANDENBERRY DRIVE (43228)**, being 1.57± acres located on the south side of Brandenberry Drive, 200± east of Norton Road, **From:** CPD, Commercial Planned Development District, **To:** PUD-6, Planned Unit Development District. (Rezoning # Z06-035)

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **5359 BRANDENBERRY DRIVE (43228)**, being 1.57± acres located on the south side of Brandenberry Drive, 200± east of Norton Road, **From:** CPD, Commercial Planned Development District, **To:** PUD-6, Planned Unit Development District **and to declare an emergency.** (Rezoning # Z06-035)

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **28 EAST MOLER STREET (43206)**, being 0.28± acres located at the northwest corner of Moler Street and City Park Avenue, **From:** C-4, Commercial District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning # Z06-024).

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **28 EAST MOLER STREET (43206)**, being 0.28± acres located at the northwest corner of Moler Street and City Park Avenue, **From:** C-4, Commercial District, **To:** L-AR-1, Limited Apartment Residential District **and to declare an emergency.** (Rezoning # Z06-024)

A motion was made by Mentel, seconded by Hudson, that this matter be

Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3333.18, Building lines, and 3332.22, Maximum side yard required, for the property located at **28 EAST MOLER STREET (43206)**, to permit reduced development standards for a five-unit dwelling in the L-AR-1, Limited Apartment Residential District (Council Variance #CV06-016).

A motion was made by Mentel, seconded by Tavares, that this matter be Amended to Emergency. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3333.18, Building lines, and 3332.22, Maximum side yard required, for the property located at **28 EAST MOLER STREET (43206)**, to permit reduced development standards for a five-unit dwelling in the L-AR-1, Limited Apartment Residential District **and to declare an emergency.**(Council Variance #CV06-016)

A motion was made by Mentel, seconded by Tavares, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **3575 LOCKBOURNE ROAD (43207)**, being 3.2± acres located on the west side of Lockbourne Road, 206± feet north of Maplewood Road, **From:** R, Rural District, **To:** R-1, Residential District. (Rezoning # Z06-043)

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **3575 LOCKBOURNE ROAD (43207)**, being 3.2± acres located on the west side of Lockbourne Road, 206± feet north of Maplewood Road, **From:** R, Rural District, **To:** R-1, Residential District **and to declare an emergency.** (Rezoning # Z06-043)

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **2150 EAST POWELL ROAD (43230)**, being 15± acres located 1025± feet south of East Powell Road just west of the intersection with Greentree Drive. **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District. (Rezoning # Z06-019).

A motion was made by Habash, seconded by Boyce, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

To rezone **2150 EAST POWELL ROAD (43230)**, being 15± acres located 1025± feet south of East Powell Road just west of the intersection with Greentree Drive. **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District. (Rezoning # Z06-019).

A motion was made by Habash, seconded by Boyce, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **2150 EAST POWELL ROAD (43230)**, being 15± acres located 1025± feet south of East Powell Road just west of the intersection with Greentree Drive. **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District **and to declare an emergency.** (Rezoning # Z06-019)

A motion was made by Habash, seconded by Boyce, that this matter be Approved as Amended. The motion carried by the following vote:

To rezone **7440 EAST BROAD STREET (43004)**, being 11.2 ± acres located on the north side of East Broad Street, opposite Kingsmeadow Lane, **From:** R, Rural District, **To:** L-AR-12, Limited Residential District (Rezoning # Z06-027).

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To rezone **7440 EAST BROAD STREET (43004)**, being 11.2 ± acres located on the north side of East Broad Street, opposite Kingsmeadow Lane, **From:** R, Rural District, **To:** L-AR-12, Limited Residential District **and to declare an emergency.** (Rezoning # Z06-027)

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD and AR-1, Apartment Residential District Use; 3333.255, Perimeter Yard; 3342.15, Maneuvering, of the Columbus City Codes for the property located at **7440 EAST BROAD STREET (43004)**, to allow two-family dwellings and stacked parking in the L-AR-12, Limited Apartment Residential District (Council Variance CV06-038).

A motion was made by Mentel, seconded by Boyce, that this matter be Amended to Emergency. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD and AR-1, Apartment Residential District Use; 3333.255, Perimeter Yard; 3342.15, Maneuvering, of the Columbus City Codes for the property located at **7440 EAST BROAD STREET (43004)**, to allow two-family dwellings and stacked parking in the L-AR-12, Limited Apartment Residential District **and to declare an emergency.** (Council Variance CV06-038)

A motion was made by Mentel, seconded by Boyce, that this matter be Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3309.148, Area districts; 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.11 ARLD area district requirements; 3333.15, Basis of computing area; 3333.18, Building lines; 3333.255, Perimeter yard; 3333.27(b), Vision clearance; 3342.08, Driveway; 3342.25(a), Vision clearance and 3342.28, Minimum number of parking spaces required of the City of Columbus codes, for the property located at **72 DOUGLASS STREET (43205)**, to conform an existing

two-family and four (4) existing multi-family dwellings and to allow a restaurant in the ARLD, Apartment Residential District. (Council Variance # CV06-001)

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Boyce, that this matter be Approved. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3349.03, Permitted Uses; of the Columbus City Codes for the property located at **2240 SUNBURY ROAD (43219)**, to permit a single-family dwelling and accessory structures in the I, Institutional District (Council Variance # CV06-022).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To rezone **2400 MCCUTCHEON ROAD (43219)**, being 21.39± acres located at the southeast corner of McCutcheon Road and Stelzer Road, **From:** L-M-2 Limited Manufacturing, C-4, Commercial, and R-1, Residential Districts, **To:** CPD, Commercial Planned Development District (Z05-024).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

To rezone ~~2400~~ **3209 MCCUTCHEON ROAD (43219)**, being 21.39± acres located at the southeast corner of McCutcheon Road and Stelzer Road, **From:** L-M-2 Limited Manufacturing, C-4, Commercial, and R-1, Residential Districts, **To:** CPD, Commercial Planned Development District (Z05-024).

A motion was made by Mentel, seconded by Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3332.02, R, Rural district, of the Columbus City Codes for the property located at **6436 HARLEM ROAD (43054)**, to permit a daycare / Montessori school in the R, Rural District (Council Variance # CV06-012).

A motion was made by Mentel, seconded by Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3332.02, R, Rural district, of the

Columbus City Codes for the property located at **6436 HARLEM ROAD (43054)**, to permit a daycare / Montessori school in the R, Rural District (Council Variance # CV06-012).

A motion was made by Mentel, seconded by Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

To grant a Variance from the provisions of Section 3332.02, R, Rural district, of the Columbus City Codes for the property located at **6436 HARLEM ROAD (43054)**, to permit a daycare / Montessori school in the R, Rural District **and to declare an emergency.** (Council Variance # CV06-012)

A motion was made by Mentel, seconded by Hudson, that this matter be Approved as Amended. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses, and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at **3020 NORTH HIGH STREET (43202)**, to conform an existing four-family dwelling in the C-4, Commercial District with a reduction in the number of required parking spaces (Council Variance # CV06-034).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To rezone **9172 SOUTH OLD STATE ROAD (43035)**, being 14.5± acres located on the east side of South Old State Road, 347± feet north of Candlelite Lane, **From:** R, Rural District, **To:** PUD-8, Planned Unit Development District (Rezoning # Z05-050).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To rezone **700 FAIRWAY BOULEVARD (43213)**, being 3.87± acres located on the north side of Fairway Boulevard, 400± feet west of Etna Road, **From:** L-R, Limited Rural District, **To:** PUD-2, Planned Unit Development District (Rezoning # Z06-003).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Tabled Indefinitely. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3332.029, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D) Basis of computing area; 3332.25, Maximum side yards required; 3332.26,

Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6) Minimum number of parking spaces required, for the property located at **773 DENNISON AVENUE (43215)**, to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the R-4, Residential District. (Council Variance #CV06-020)

A motion was made by Mentel, seconded by Boyce, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

To grant a Variance from the provisions of Sections ~~3332.029~~ **3332.039**, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D) Basis of computing area; **3332.21, Building lines**; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6) Minimum number of parking spaces required, for the property located at **773 DENNISON AVENUE (43215)**, to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the R-4, Residential District. (Council Variance #CV06-020)

A motion was made by Mentel, seconded by Boyce, that this matter be Tabled Indefinitely. The motion carried by the following vote:

To rezone **94 WEST THIRD AVENUE (43201)**, being 0.49± acres located at the northeast corner of West Third Avenue and Apollo Place (010-017064), **From:** AR-O, Apartment Residential/Office District, **To:** L-P-2, Limited Public Parking District. (Rezoning # Z06-010).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To rezone **116 WEST STARR AVENUE (43201)**, being 0.77± acres located at the northeast corner of West Starr and Dennison Avenues, **From:** L-P-2, Limited Parking and P-2, Parking Districts, **To:** AR-O, Apartment Residential Office District (Rezoning # Z05-091).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion carried by the following vote:

To grant a Variance from the provisions of Sections 3333.15(c), Basis of computing area; 3333.18(F), Building lines; 3333.24, Rear yard; 3333.27, Vision Clearance; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.28(A)5, Minimum number of parking spaces required; 3333.26(a), Height district; of the Columbus City Code, for the property located at **116 WEST STARR AVENUE (43201)**, to permit a multi-family development with reduced standards in the AR-O, Apartment Residential Office District (Council Variance # CV05-056).

A motion was made by Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

A motion was made by Mentel, seconded by Hudson, that this matter be Approved. The motion failed by the following vote:

A motion was made by Mentel, seconded by Boyce, to adjourn this Regular Meeting. The motion carried by the following vote: