

**STAFF REPORT
DEVELOPMENT COMMISSION
SPECIAL ZONING MEETING
CITY OF COLUMBUS, OHIO
SEPTEMBER 10, 2020**

- 1. APPLICATION: Z20-019**
Location: 1199 FRANKLIN AVE. (43205), being 0.77± acres located at the southwest corner of Franklin Avenue and Sherman Avenue (010-001240, 010-023240, and part of 3 others; Near East Area Commission).
Existing Zoning: R-3, Residential District.
Request: CPD, Commercial Planned Development District (H-35).
Proposed Use: Commercial development.
Applicant(s): 1199 Franklin Investments, LLC, et al; c/o Dave Perry, Agent; 411 East Town Street, 1st Floor; Columbus, OH 43201, and Donald Plank, Atty.; 411 East Town Street, 2nd Floor; Columbus, OH 43215.
Property Owner(s): The Applicants.
Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

BACKGROUND:

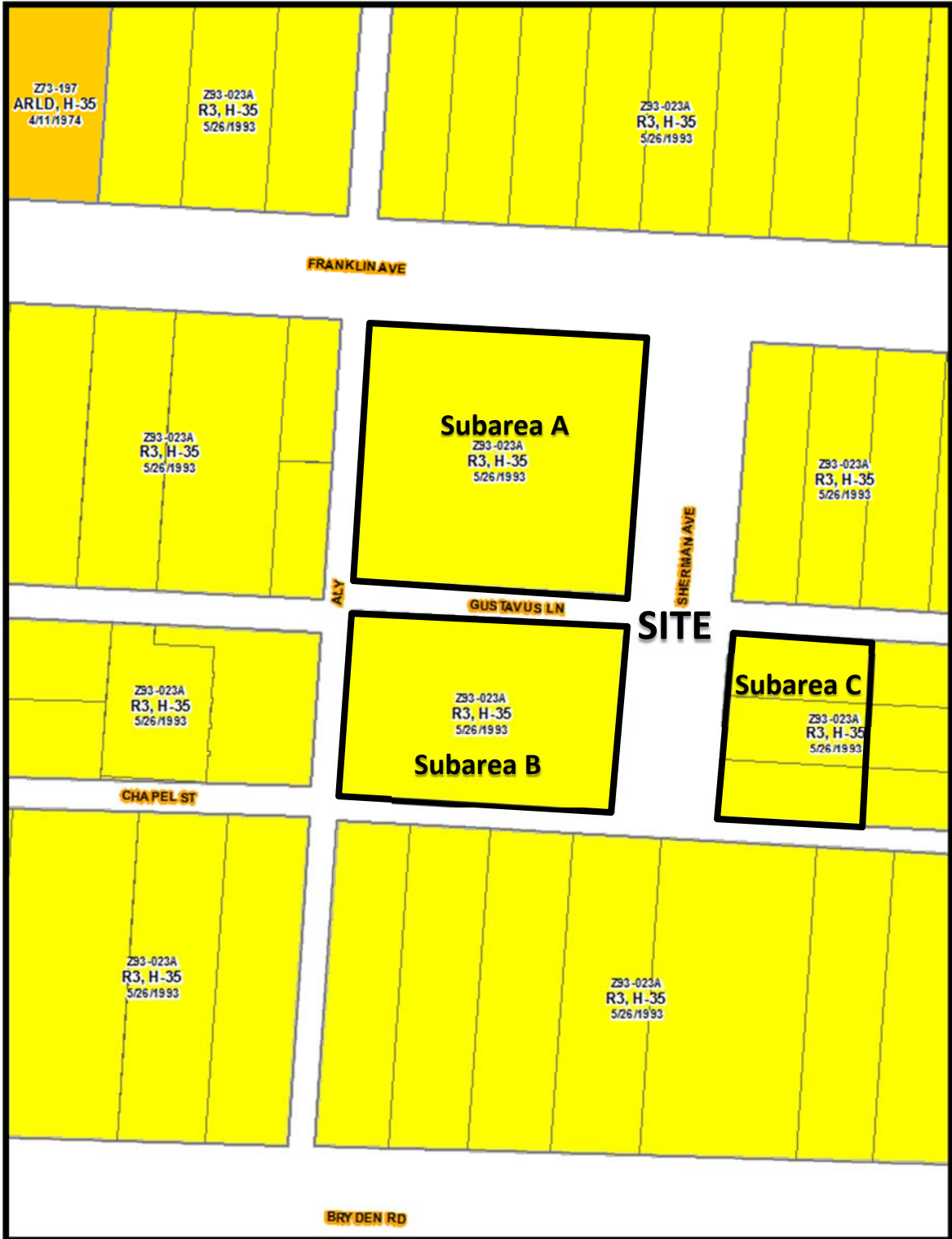
- This request was tabled at the August 13, 2020 Development Commission meeting. The 0.77± acre site consists of five parcels all zoned in the R-3, Residential District. The requested CPD, Commercial Planned Development District is comprised of three subareas: Subarea A is developed with the historic Avery Pontiac Building listed on the Columbus Register of Historic Properties, Subarea B is developed with a single-unit dwelling, and Subarea C is part of three undeveloped parcels. The requested CPD, district will permit the redevelopment of Subarea A into 7,200 square feet of eating and drinking establishment space including 800 square feet of outdoor dining space, 4,010 square feet of retail space, and 18,363 square feet of general office space, while Subareas B and C will be redeveloped into a 36-space and 16-space parking lots respectively.
- North of the site is a mix of one-, two-, and four-unit dwellings in the R-3, Residential District. South of the site are single-unit dwellings in the R-3, Residential District. East of the site is a two-unit dwelling and undeveloped land in the R-3, Residential District. West of the site is a single-unit dwelling and a mixed-use buildings in the R-3, Residential District
- The site is within the planning boundaries of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location but does provide guidance on the development of new commercial (non-residential) uses within residential areas, and encourages the preservation and renovation of historic structures rather than demolition. The Plan also states that parking needs should be balanced with the goal of preserving the character of the neighborhood and creating a pedestrian-friendly environment.
- The site is located within the boundaries of the Near East Area Commission and is

subject to review by the Historic Resources Commission, both of which recommended approval.

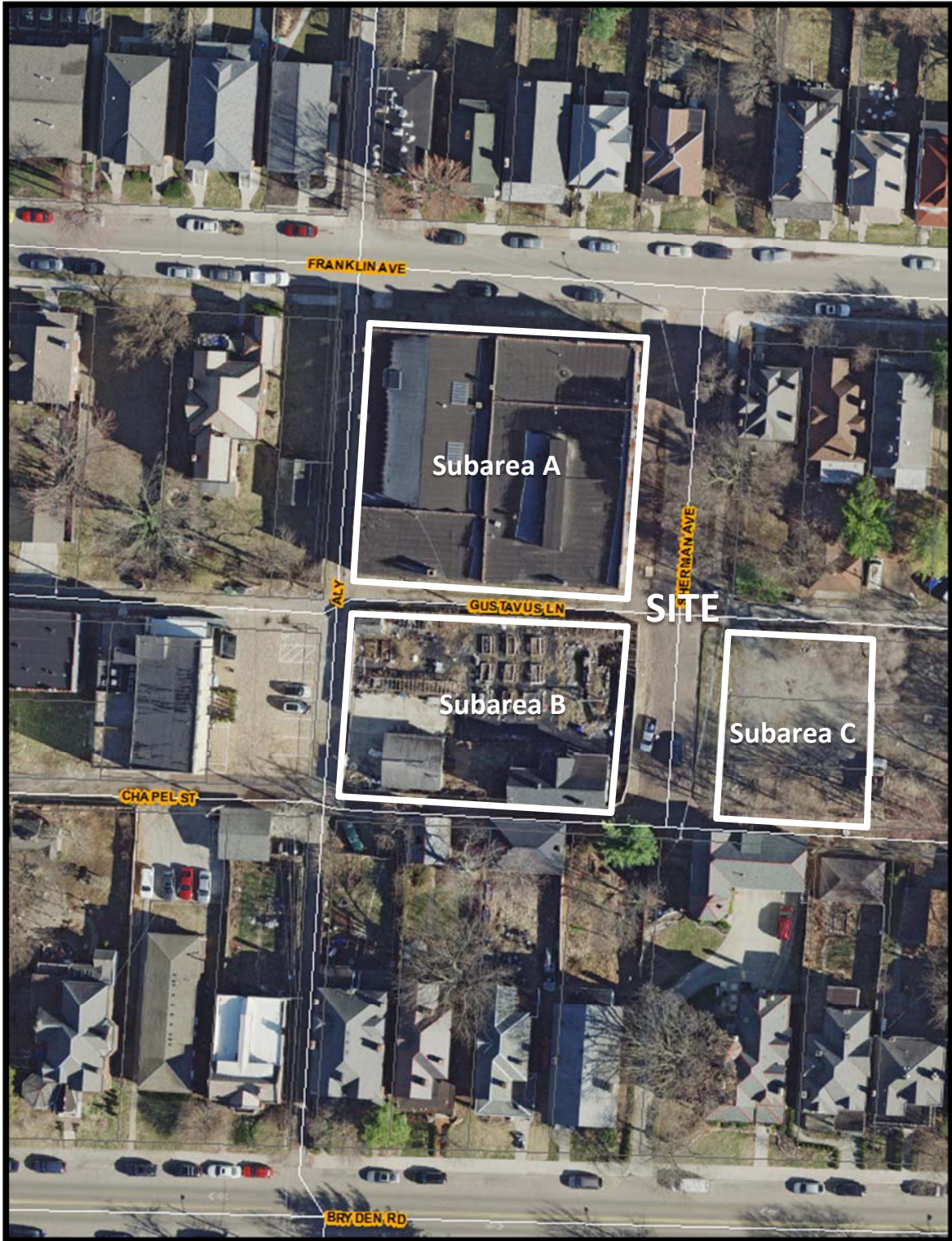
- The CPD text establishes use restrictions and supplemental development standards for each subarea that address building and parking setbacks, traffic access and parking, street trees, screening, and lighting controls, and includes a commitment to develop the site in accordance with the submitted site plan. The text includes variances for loading spaces, vision clearance, and building setbacks in Subarea A, parking lot landscaping and building and parking setbacks in Subarea B, and for parking lot shade trees and parking setbacks in Subarea C. Additionally, Subarea A includes a parking variance from 159 required parking spaces to 0 provided parking spaces. However, the CPD text clearly states (and is reflected on the submitted site plan) that Subareas B and C will be parking lots containing 36 and 16 spaces, respectively, to solely support those uses in Subarea A. A parking study was completed by the Applicant and reviewed by the Department of Public Service where it was determine the parking variance could be support at this location.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The proposed CPD, Commercial Planned Development District permits the redevelopment of the historic Avery Pontiac Building into a mixed-use development containing eating and drinking establishment, outside dining, retail, and general office uses, and provides 36-space and 16-space parking lots for a total of 52 parking spaces, specifically assigned to service those uses in Subarea A. The CPD text establishes appropriate use restrictions and supplemental development standards for each subarea, and includes a commitment to develop the site in accordance with the submitted site plan. Staff supports the requested variances because of the existing building's characteristics and urban setting. The proposal is consistent with the *Near East Area Plan's* guidelines that historic properties be preserved and renovated and parking needs should be balanced with the goal of preserving the character of the neighborhood and creating a pedestrian-friendly environment.



Z20-019
1199 Franklin Ave.
Approximately 0.77 acres
R-3 to CPD



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1199 Franklin Ave.
Approximately 0.77 acres
R-3 to CPD

Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: Z20-019

Address: 1199 Franklin Avenue

Group Name: Near East Area Commission

Meeting Date: July 9, 2020

Specify Case Type:

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one and list basis for recommendation below)

- Approval
- Disapproval

NOTES:

Vote: 10-0-0

Signature of Authorized Representative: *Ruthland D. Baulg*
SIGNATURE
NEAR EAST AREA COMM
RECOMMENDING GROUP TITLE
614-582-3053
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

HISTORIC DISTRICT COMMISSION RECOMMENDATION

HISTORIC RESOURCES COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 1199 Franklin Avenue Avery Pontiac Bldg./Individually Listed Property

APPLICANT'S NAME: 1199 Franklin Investments LLC c/o Dave Perry (Applicant)

1199 Franklin Investments LLC c/o Dean Adamant (Owner)

APPLICATION NO.: HR-20-08-016

COMMISSION HEARING DATE: 8-20-2020

The Historic Resources Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119.

Variance or Zoning Change Request

Rezoning

Parking Variance

Change of Use

Lot Split

Special permit

Setbacks

Other

TYPE(S) OF ACTION(S) REQUESTED:

Upon review of Application #HR-20-08-016, 1199 Franklin Avenue, Avery Pontiac Building/Individually Listed Property, the Historic Resources Commission recommends approval of the proposed rezoning and variances, as submitted:

Request for Recommendation/Rezoning

- Property is currently zoned R-3 (Residential); Request change in zoning to CPD (Commercial Planned Development) All uses under C.C. 3355.03 - C-3 Permitted Uses.

Subarea A (building):

1. Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 159 to zero (0) spaces on Subarea A, calculated based on ground level use of 7,200 SF of restaurant, 800 SF of seasonal restaurant patio, 4,010 SF of retail uses and total 18,400 SF of general office use (ground level and second floor), to reduce parking from 159 spaces to 0 spaces with ~~36~~ 52 spaces provided on Subareas B and C Any permitted use or combination of permitted uses with calculated parking not exceeding 159 spaces shall be permitted.
2. Section 3312.53, Minimum Number of Loading Spaces Required, to reduce loading spaces from one (1) to zero (0).
3. Section 3321.05(B)(1), Vision Clearance, to reduce vision clearance triangles for Subarea A from 10'x10' to 0'x0' at the corner of Sherman Avenue and Chapel Street (alley), to reflect existing conditions with the existing building at zero (0) setback.
1. Section 3355.09, C-3 District Setback Lines, to permit existing building setbacks on Franklin Avenue and Sherman Avenue of nine (9) feet and zero (0) feet, respectively.

Subarea B/C: parking

1. Section 3312.21(A)(3), (D)(1), Landscaping and Screening, to permit placement of

the four (4) required parking lot trees along the south property line of the Subarea B parking lot versus dispersed throughout the Subarea B parking lot, and to permit reduction of the four (4) foot landscaped buffer strip to two (2) feet with the height of screening reduce from five (5) feet to three (3) feet in Subarea B and to reduce the east landscaped strip of Subarea C from four (4) feet to zero (0) feet.


2. Section 3312.27(4), Parking Setback Line, to reduce the Sherman Avenue parking setback line from ten (10) feet to four (4) feet for Subarea B and from ten (10) feet to five (5) feet for Subarea C.
3. Section 3355.09, C-3 District Setback Lines, to permit a dumpster located at a seven (7) foot setback from Sherman Avenue in Subarea B.

MOTION: Gibboney/Prosser (5-0-0) RCOMMEND APPROVAL

RECOMMENDATION:

RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.


James A. Goodman, M.S.
Historic Preservation Officer

cet



DEPARTMENT OF BUILDING AND ZONING SERVICES

Rezoning Application

111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: Z 20 - 019

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the
following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which
is the subject of this application in the following format:

Name of business or individual (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

Table with 4 columns for listing parties with details like name, address, and employee count.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank (handwritten signature)

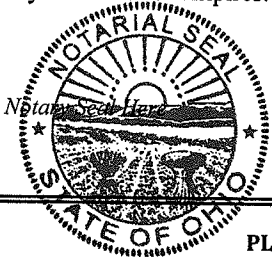
Subscribed to me in my presence and before me this 7th day of August, in the year 2020

SIGNATURE OF NOTARY PUBLIC

Kelly B. Shiflet (handwritten signature)

My Commission Expires:

09/10/2024



This Project Disclosure Statement expires six months after date of notarization.

KELLY B. SHIFLET
Notary Public, State of Ohio
My Commission Expires
September 10, 2024

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer