

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
NOVEMBER 17, 2021**

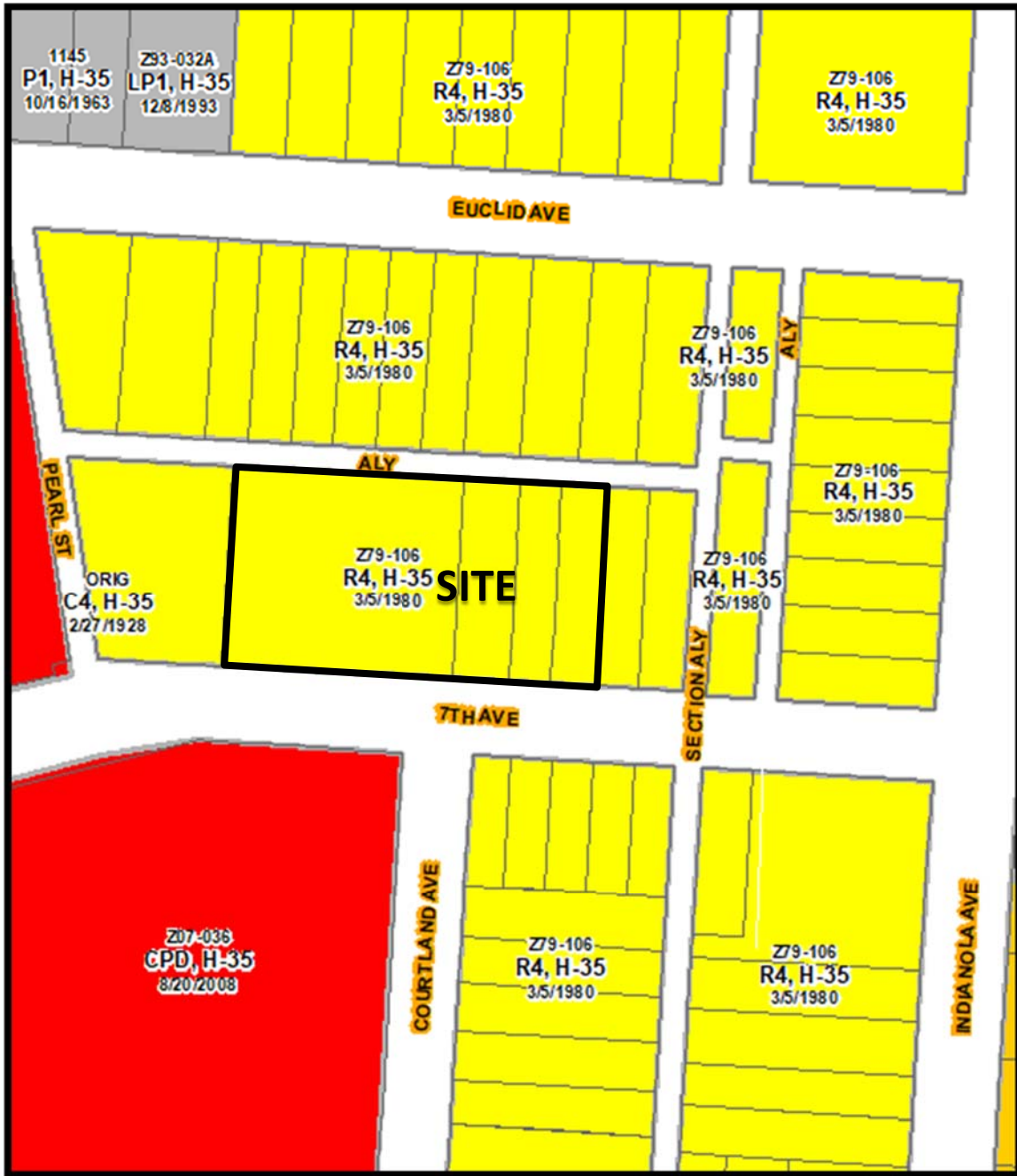
- 2. APPLICATION: Z20-113**
- Location:** **50 E. 7TH AVE. (43201)**, being 0.83± acres located on the north side of East Seventh Avenue, 85± feet east of North Pearl Street (010-026112, 010-039365, 010-055850, & 010-046808; University Area Commission & University Impact District Review Board).
- Existing Zoning:** R-4, Residential District.
- Request:** AR-3, Apartment Residential District (H-35).
- Proposed Use:** Multi-unit residential development.
- Applicant(s):** Peerless Development, LLC; c/o Michael Shannon, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.
- Property Owner(s):** 50-60 E. 7th, LLC; 105 South York Street, Suite 450; Elmhurst, IL 60126.
- Planner:** Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

BACKGROUND:

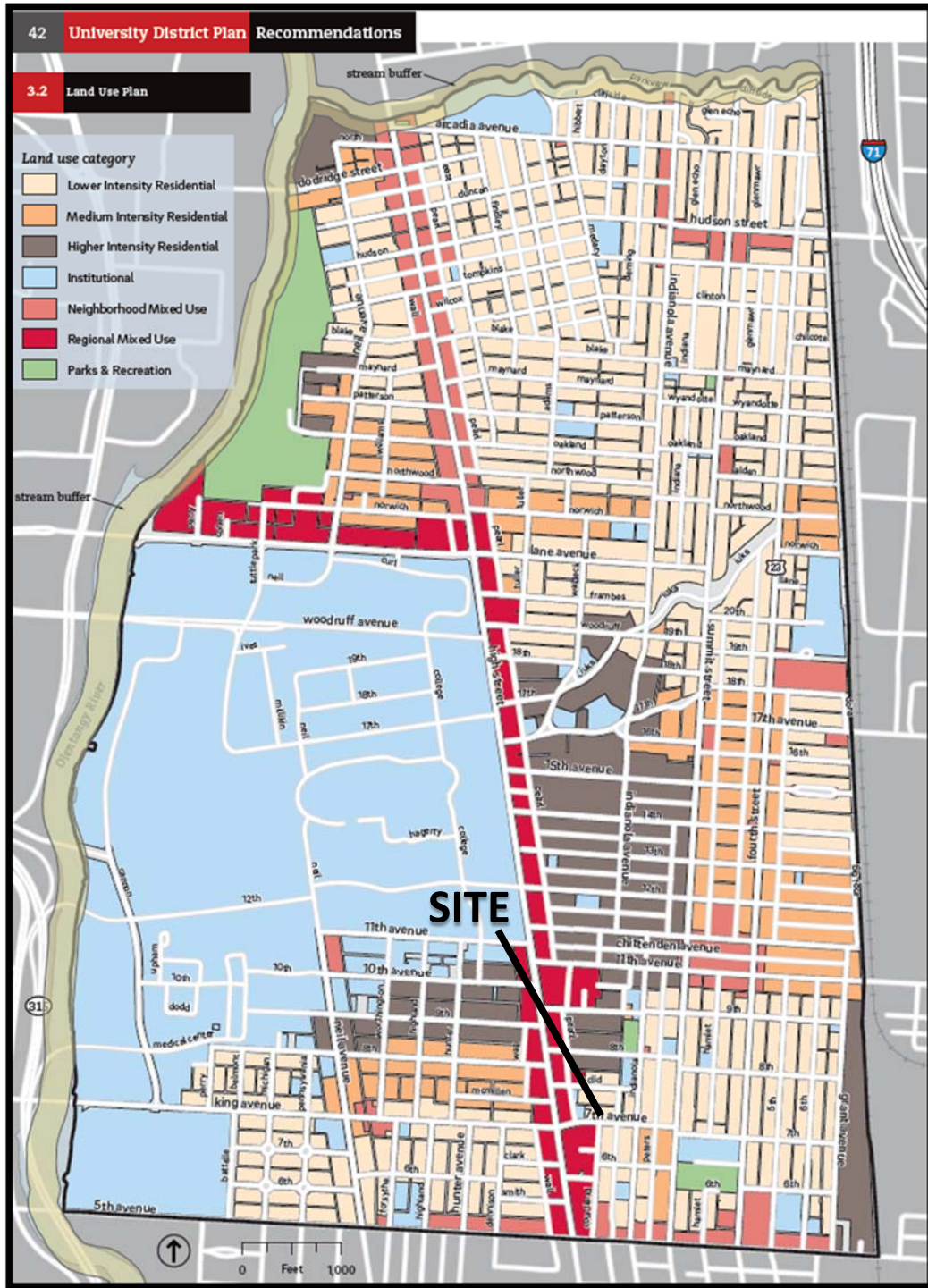
- The 0.83± acre site consists of four parcels developed with four apartment buildings in the R-4, Residential District. The requested AR-3, Apartment Residential District will permit redevelopment of the site with multi-unit residential development.
- North of the site are single- and two-unit dwellings in the R-4, Residential District. South of the site are single-unit dwellings in the R-4, Residential District and a grocery store in the CPD, Commercial Planned Development District. East of the site is a two-unit dwelling in the R-4, Residential District. West of the site is a religious facility in the R-4, Residential District.
- Concurrent Council variance CV20-127 proposes a 140-unit apartment building and includes variances to density, lot coverage, required parking, front setback, building size, maximum floor area ratio (FAR), building height, and rear yard. That request will be heard by City Council and will not be considered at this Development Commission meeting.
- The site is within the planning boundaries of the *University District Plan (2015)*, which recommends “Lower Intensity Residential” land uses at this location. Additionally, the site is within the *University District Zoning Overlay (UDZO)*.
- The site is located within the boundaries of the University Area Commission and the University Impact District Review Board (UIDRB), whose recommendations are for approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

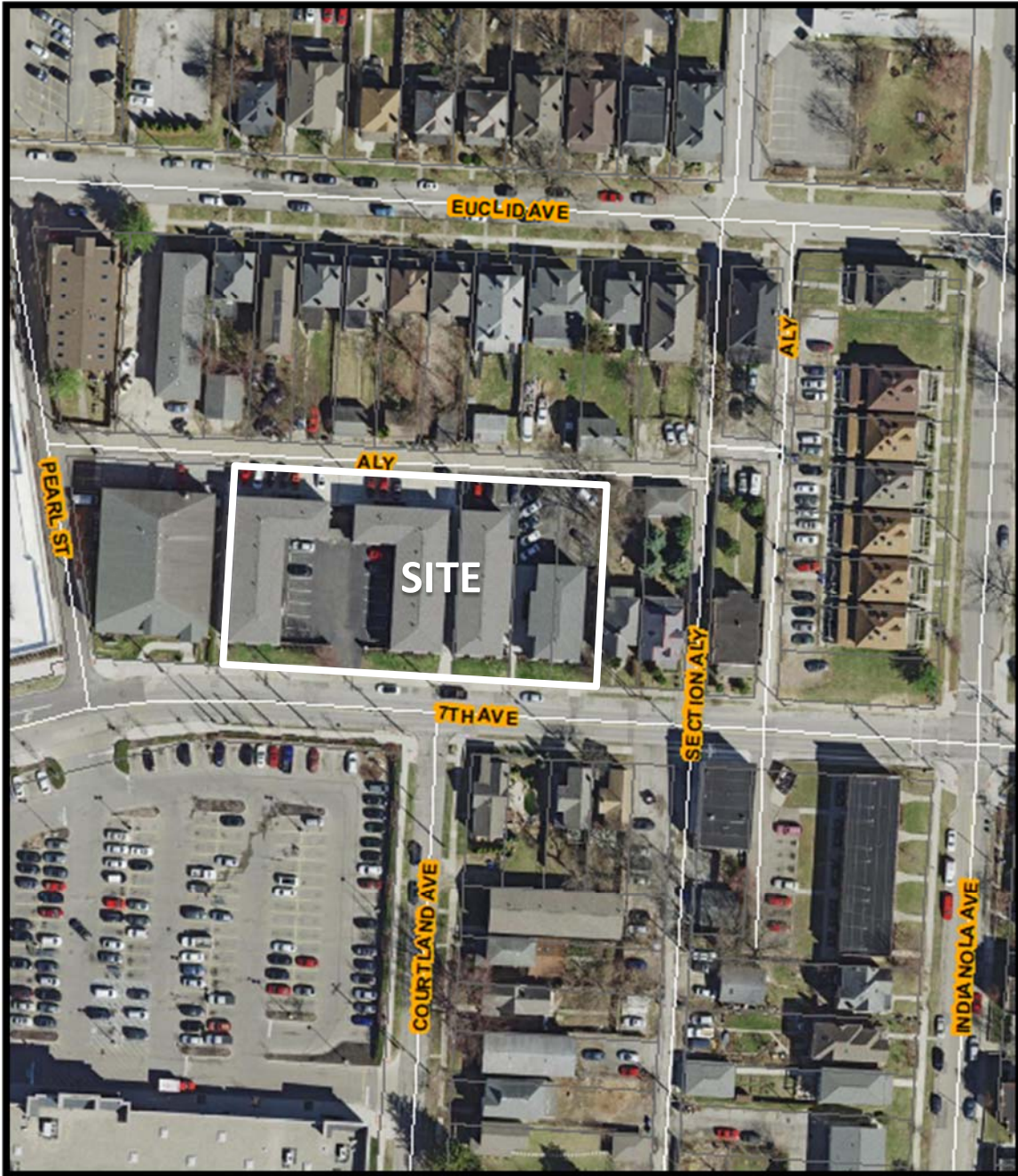
The requested AR-3, Apartment Residential District will permit the site to be redeveloped with new multi-unit residential development. Although the *University District Plan's* recommendation is for "Lower Intensity Residential" uses, Planning staff notes the existing development exceeds the recommendation in terms of building typology, rear yard landscaping, parking, and FAR, and defers to the UIDRB's recommendation on the overall design as appropriately responding to the lower intensity parcels to the east and north of the site. The request is consistent with new residential infill development in urban neighborhood and does not introduce an inappropriate use to the area.



Z20-113
50 E. 7th Ave.
Approximately 0.83 acres
R-4 to AR-3



Z20-113
50 E. 7th Ave.
Approximately 0.83 acres
R-4 to AR-3



Z20-113
50 E. 7th Ave.
Approximately 0.83 acres
R-4 to AR-3

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

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

| | |
|------------------------------------|--|
| Case Number | <u>Z20-113 and CV20-127</u> |
| Address | <u>50 E. 7th Ave.</u> |
| Group Name | <u>University Area Commission</u> |
| Meeting Date | <u>8-18-2021</u> |
| Specify Case Type | <input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit |
| Recommendation (Check only one) | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval |

LIST BASIS FOR RECOMMENDATION:

This case went to the Zoning Committee twice and was turned down each time.

July 5 Zoning Committee Vote: Yes 2 No 4 Abstain 1

Aug. 2 Zoning Committee Vote: Yes 2 No 4

This was passed at the Aug. 18 meeting of the University Area Commission. Members sided with the Weinland Park Housing Committee.

This commissioners who voted against the project sited several reasons including:

- The project is too large, too high and too dense
- The parking variance is too large
- Do not like the precedence of moving High Street type projects into residential neighborhoods

| | |
|--|--|
| Vote | <u>Yes 9 No 2 Abstain 1</u> |
| Signature of Authorized Representative | <u>Michael Kehlmeier</u> <small>Digitally signed by Michael Kehlmeier Date: 2021.08.22 11:12:41 -04'00'</small> |
| Recommending Group Title | <u>University Area Commission Zoning Committee Chairman</u> |
| Daytime Phone Number | <u>614-352-7875</u> |

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

RECOMMENDATION

Case no. **UID-21-08-007**
property address **50 E. 7th Avenue**
hearing date **October 28, 2021**
applicant **Peerless Development c/o Joe Patrick**
issue date **October 29, 2021**

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 (614-645-4522 / 111 North Front Street, First Floor) and following all other applicable codes and ordinances of the City of Columbus.

The University Impact District Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Development of Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3325.115.

Variance or Zoning Change Request

- | | | | |
|-------------------------------------|------------------|-------------------------------------|----------------|
| <input checked="" type="checkbox"/> | Rezoning | <input type="checkbox"/> | Graphics |
| <input checked="" type="checkbox"/> | Parking Variance | <input type="checkbox"/> | Special permit |
| <input type="checkbox"/> | Change of Use | <input checked="" type="checkbox"/> | Setbacks |
| <input type="checkbox"/> | Lot Split | <input checked="" type="checkbox"/> | Other |

TYPE(S) OF ACTION(S) REQUESTED:

- Rezoning and Variances as listed:
- To rezone the property from R4 to AR3 with the following variances:
 1. Section 3325.901(A) – Density. Applicant requests a variance to increase the maximum permitted density from 1 dwelling unit per 700 square feet of lot area to 1 dwelling unit per 260 square feet of lot area.
 2. Section 3325.905 – Maximum Lot Coverage. Applicant requests a variance to increase the maximum permitted lot coverage from 30% of the lot area to 82% of the lot area.
 3. Section 3325.907(B) – Parking. Applicant requests a variance to reduce the required number of parking spaces by 197 parking spaces, from 274 to 77.
 4. Section 3325.909(A) - Front Setback. Applicant requests a variance to reduce the minimum front setback from 15 feet (average of nearest building on each side of subject lot) to 4 feet.
 5. Section 3325.911(C) – Building Size. Applicant requests a variance to increase the maximum calculated floor area from 10,200 square feet to 125,000 square feet.
 6. Section 3325.913(A)(1)(b) – Maximum Floor Area Ratio. Applicant requests a variance to increase the maximum permitted F.A.R. from 0.80 to 3.42.
 7. Section 3325.915 – Building Height. Applicant requests a variance to increase the maximum building height from 35 feet to 70 feet. In consideration of this variance request, the Applicant commits that the scale shall substantially conform to the submitted Site Plan and Concept Elevations.
 8. 3333.24 – Rear yard. Applicant requests a variance to reduce the minimum rear yard from 25% of the total lot area to 7% of the total lot area.

Z20-113 & CV20-127

RECOMMENDATION:

- SUPPORT REQUESTED VARIANCES OR ZONING CHANGE DO NOT SUPPORT REQUESTED VARIANCE OR ZONING CHANGE NO ACTION TAKEN

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



Belkis Schoenhals
University Impact District Review Board, Staff



COLUMBUS DEVELOPMENT COMMISSION
Basis for Recommendation

CASE #2:

DEPARTMENT OF BUILDING AND ZONING SERVICES

Meeting Date: 11/17/2021

| | | | | | | |
|--|--|---|------------------------------------|--------|--------|---------|
| Application #: Z20-113 | Request: AR-3 | Address: 50 E. 7TH AVE. (43201) | | | | |
| # Hearings: _____ | Length of Testimony: <u>10</u> 4:20 → 4:50 | Staff Position: <u>X</u> Approval _____ Disapproval _____ _____ Conditional Approval | | | | |
| # Speakers <u>1</u> Support: _____ Opposition: _____ | Development Commission Vote: <u>3</u> Yes <u>1</u> No <u>1</u> Abstain | Area Comm/ Civic Assoc: <u>X</u> Approval _____ Disapproval _____ _____ Conditional Approval | | | | |
| Position Y=Yes N=No (type out ABSENT or ABSTAIN) | Fitzpatrick | Ingwersen | Anderson LATE ABSENT | Golden | Conroy | Onwukwe |
| | Y | Y | | Y | NO | ABSENT |
| + = Positive or Proper - = Negative or Improper | | | | | | |
| Land Use | + | + | | + | + | |
| Use Controls | | | | | | |
| Density or Number of Units | | | | | — | |
| Lot Size | | | | | | |
| Scale | | | | | — | |
| Environmental Considerations | | | | | | |
| Emissions | | | | | | |
| Landscaping or Site Plans | | | | | — | |
| Buffering or Setbacks | + | + | | + | | |
| Traffic Related Commitments | | | | | | |
| Other Infrastructure Commitments | + | + | | + | + | |
| Compliance with City Plans | | | | | | |
| Timeliness of Text Submission | | | | | | |
| Area or Civic Assoc. Recommendation | ++ | + | | + | + | |
| Governmental or Public Input | + | + | | + | | |
| MEMBER COMMENTS: | | | | | | |
| FITZPATRICK: THIS "INFILL" PROJECT IS AN APPROPRIATE USE, AND ITS LOCATION WOULD SEEM A "STUDENT" APARTMENT DESTINATION. COMMUNITY APPROVALS ARE STRONG. | | | | | | |
| INGWERSEN: THIS IS APPROPRIATE INFILL. A PROPER USE OF AN EXISTING NONCONFORMING SITE & SUPPORTED BY THE AREA COMMISSION | | | | | | |
| ANDERSON: | | | | | | |
| GOLDEN: THIS PROJECT IS AN APPROPRIATE INFILL DEVELOPMENT IN THE SOUTHERN UD AND WILL OFFER DENSE DEVELOPMENT AT A MAJOR GROCERY STORE AND BETWEEN TWO VERY DENSE NEIGHBORHOODS IN THE AREA. THE MAJOR WELLS AND PARK ARE SPREAD VOLUMES TO THE VARIANTS OF THIS PROJECT. | | | | | | |
| CONROY: THE RELEVANT PLAN GUIDANCE WHICH REPRESENTS COMMUNITY INPUT IS WAS DONE WHILE THIS WAS A NONCONFORMING USE MEANING THEY WANTED TO ENSURE FUTURE USES DO NOT INTRUDE ON THE RESIDENTIAL NEIGHBORHOOD. THIS INCREASED INTENSITY IS NOT APPROPRIATE GIVEN THESE CONSIDERATIONS. | | | | | | |
| ONWUKWE: | | | | | | |

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: Z20-113

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
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 (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

| | |
|--|---|
| <p>1. Peerless Development Group 105 South York Street, Suite 450 Elmhurst, Illinois 60126</p> | <p>2. 50-60 E 7th LLC 105 South York Street, Suite 450 Elmhurst, Illinois 60126</p> |
| <p>3.</p> | <p>4.</p> |

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT *[Signature]*

Sworn to before me and signed in my presence this 25th day of October, in the year 2021

SIGNATURE OF NOTARY PUBLIC *[Signature]* My Commission Expires 1-11-2026 Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

This Project Disclosure Statement expires six (6) months after date of registration.