

208-061 Final Received 1/19/09 by Shannon F. Fine

U-1 Closure of Klemm, APPROVED 2/5/09

CPD Plan

Z08-061

**DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
JANUARY 8, 2009**

- 2. APPLICATION: Z08-061**
- Location:** **893 NORTH FOURTH STREET (43201)**, being 0.3± acres located on the west side of North Fourth Street, 184± feet north of East First Avenue (010-0045669; Italian Village Commission).
- Existing Zoning:** R-4, Residential District.
- Request:** CPD, Commercial Planned Development District.
- Proposed Use:** Commercial development.
- Applicant(s):** Connie J. Klema, Atty.; P.O. Box 991; Pataskala, OH 43062.
- Property Owner(s):** Victor Investments, Ltd.; 929 North Fourth Street; Columbus, OH 43201.
- Planner:** Shannon Pine; 645-2208; spine@columbus.gov

BACKGROUND:

- o The 0.3± acre site is developed with a nonconforming bar/nightclub with two second-story apartments in the R-4, Residential District. The site is also located in the Urban Commercial Overlay. The applicant requests the CPD, Commercial Planned Development District to allow the bar/nightclub (and other commercial uses) on the first floor with apartments above.
- o To the north is a vacant lot and single-family residential development in the R-4, Residential District. To the east across North Fourth Street is multi-family residential development in the M, Manufacturing District. To the south is a single-family dwelling in the R-4, Residential District and M, Manufacturing Districts. To the west is a two-family dwelling and single-family dwellings in the R-4, Residential District.
- o The site is located within the planning area of the *Italian Village East Redevelopment Plan (2000)*, which recommends commercial uses for this location.
- o The site is located within the boundaries of the Italian Village Commission who recommends approval of the requested CPD District.
- o The CPD text contains customary use restrictions, landscaping, screening, and lighting and graphics controls. Variances for the reduction of 19 required parking spaces, for maneuvering area, and for six-foot high fencing in the Urban Commercial Overlay are included in the request and only apply to the existing development.
- o At the time this report was written, Transportation Division requested the following modifications to the CPD text and plan:

- In Section 4.A, please change the second sentence by adding "...shall meet those standards contained in Chapter 3356, *Chapter 3342*, the UCO, and this text, when applicable, unless permitted otherwise by variance."
- In Section 4.B, please remove item 4.B.1 allowing a variance to maneuvering area. Please adjust the parking spaces by moving them 3' to the east to allow sufficient maneuvering in the 15' alley. Transportation does not feel that the variance is justified, given that adjacent parking areas off of this alley are setback a similar distance from the alley.
- In Section 4.C, please modify the second sentence to refer to *Chapter 3342* in place of *Chapter 3361.12-3361.14*.

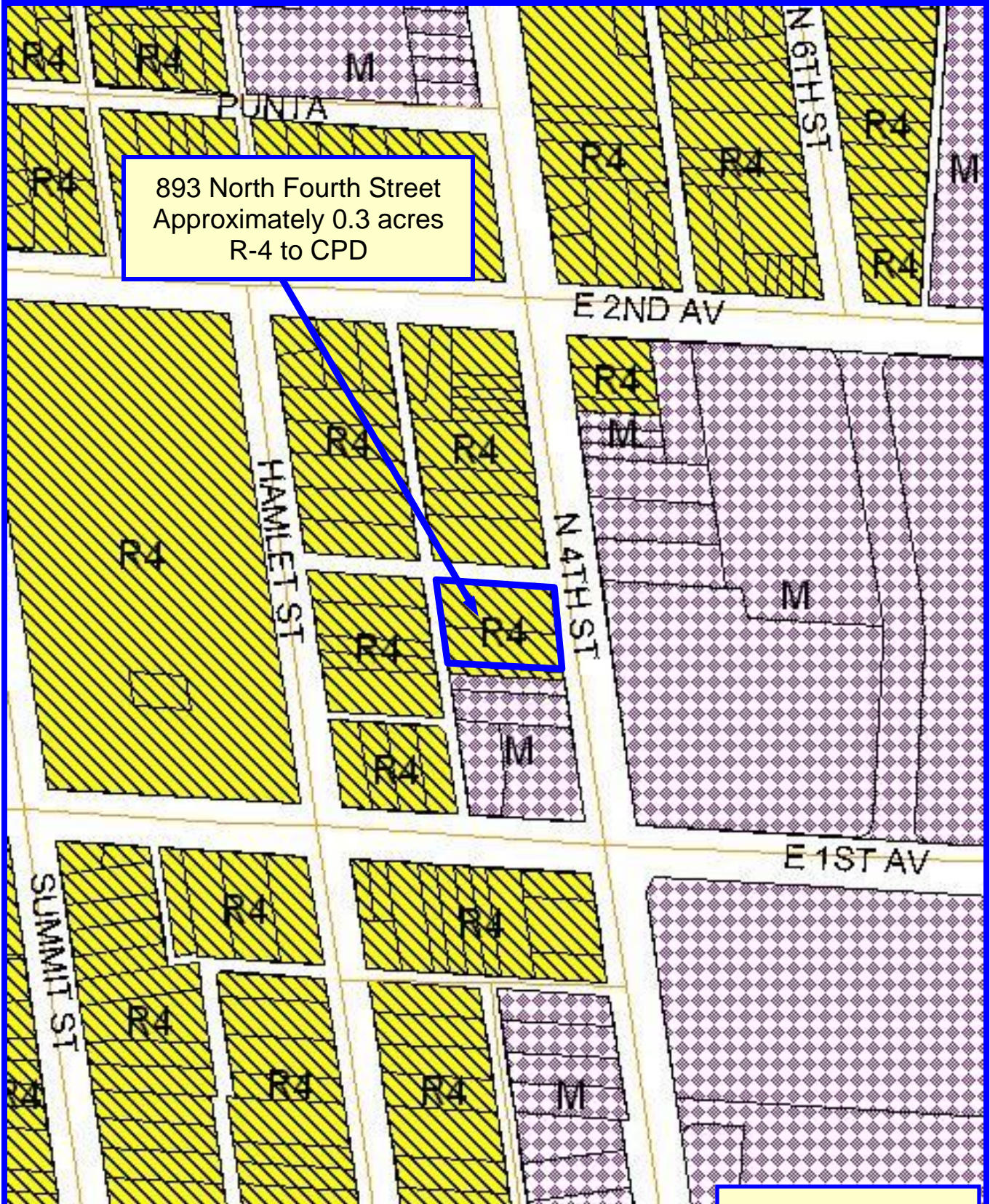
Approval of the rezoning request is pending resolution of these remaining transportation-related issues.

- o The *Columbus Thoroughfare Plan* identifies North Fourth Street as a 3-1 arterial requiring a minimum of 40 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: *Approval (pending resolution of transportation-related issues).

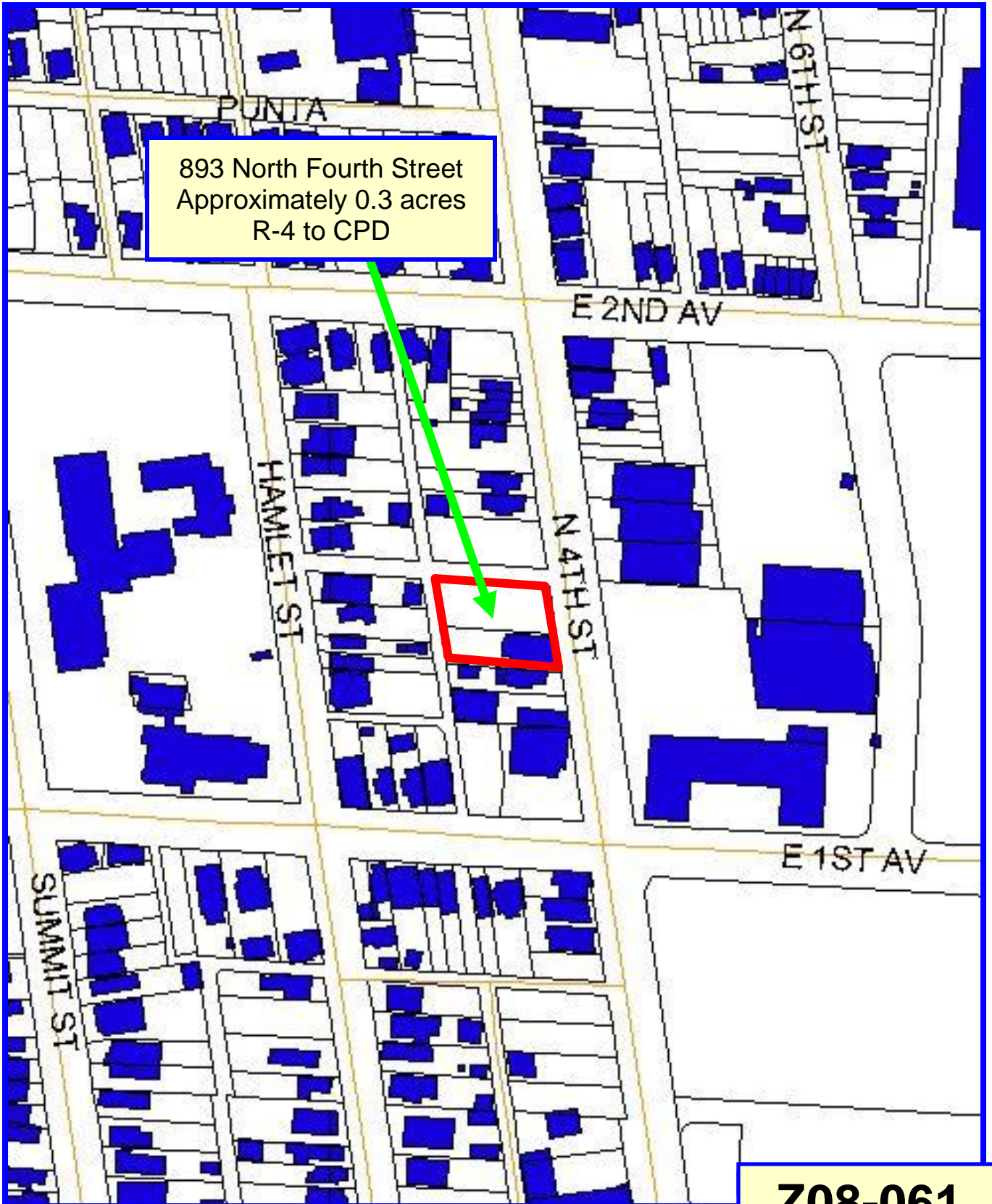
The requested CPD, Commercial Planned Development District will conform an existing bar/nightclub while allowing future commercial development in accordance with Urban Commercial Overlay requirements. The CPD text contains customary use restrictions, landscaping, screening, and lighting and graphics controls. The requested CPD District is consistent with the land use recommendations of the *Italian Village East Redevelopment Plan* (2000), and with the zoning and development patterns of the area.

*All transportation-related issues have been resolved to the satisfaction of the Transportation Division.

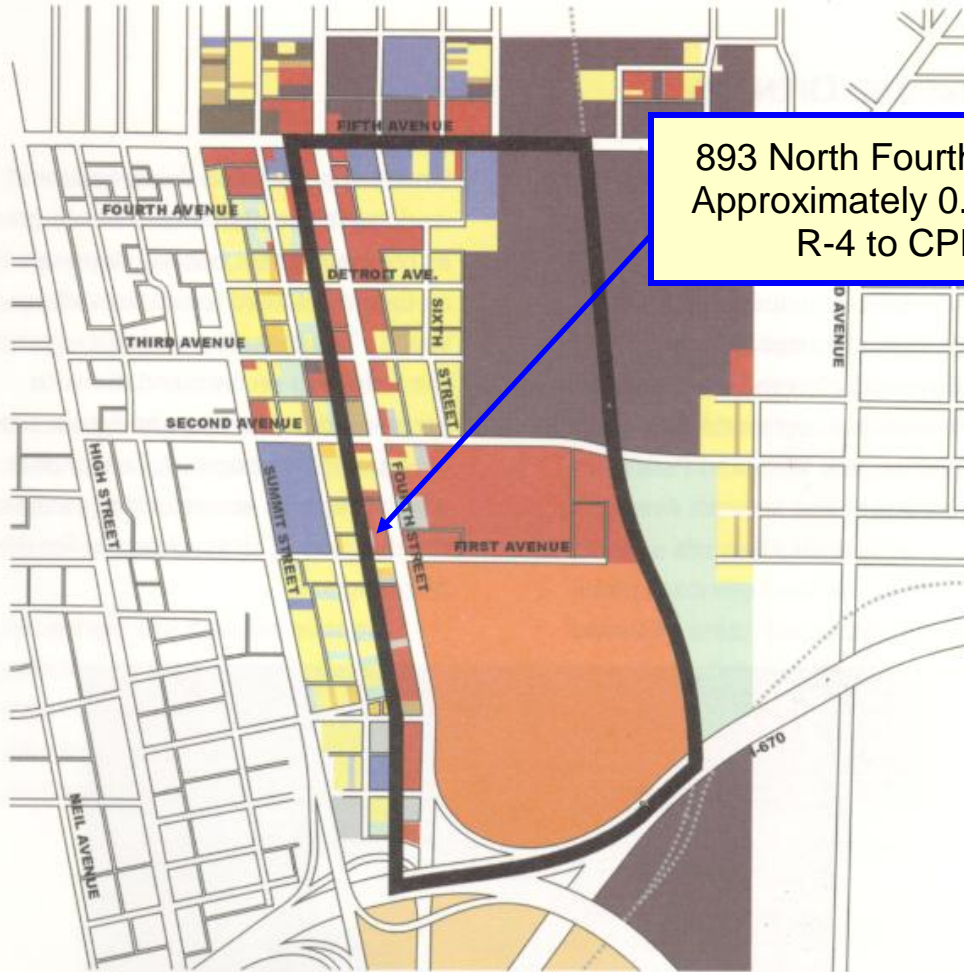


893 North Fourth Street
Approximately 0.3 acres
R-4 to CPD

Z08-061



Z08-061



893 North Fourth Street
Approximately 0.3 acres
R-4 to CPD

Italian Village East

Proposed Land Use



January 2000



	Residential (1 - 2 units)
	Residential (3 - 4 units)
	Residential (> 4 units)
	Mixed Use
	Commercial
	Manufacturing
	Institutional
	Parks/Open Space
	Vacant Lots/Buildings
	Parking
	Downtown District



City of Columbus
Michael B. Coleman, Mayor
Department of Trade and Development
Mark Barboosh, Director
Planning Office
Stephen R. McCary, Administrator
Urban Design Section
Larry D. Lewis, Graphic Designer

Z08-061



893 North Fourth Street

Z08-061
View West

Certificate of Appropriateness
ITALIAN VILLAGE COMMISSION

This Certificate of Appropriateness is not a zoning clearance nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 893 North Fourth Street
APPLICANT'S NAME: Connie J. Klema, Attorney (Applicant) Victor
Investments, Ltd. (Owner)

APPLICATION NO.: 08-11-9 **HEARING DATE:** December 16, 2008
EXPIRATION: December 16, 2009

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness 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 & 3327 and the architectural guidelines:

- Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Recommend Approval of Application #08-911-9, 893 North Fourth Street, as presented and with all clarifications as noted:

- Rezone property that has historically been used for commercial purposes from R-4 to Commercial Planned Development (CPD).
- The rezoning will serve to make the existing non-conforming use a conforming use and to permit other allowable commercial uses on the property when developed in accordance with the requirements and regulations of the Urban Commercial Overlay, Commercial Zoning Code, and the CPD property zoning text.
- The recommendation is made on the basis of the specific use exclusions outlined in the text, confirmation of the four (4) on-site parking spaces and the requirement that the property will have to meet the standards of the Urban Commercial Overlay if the property undergoes future changes in use or additional development.

MOTION: Sudy/Baker (5-0-2) [Wood, Cooke] RECOMMEND APPROVAL

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.

Randy F. Black
Historic Preservation Officer



PROJECT DISCLOSURE STATEMENT

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

APPLICATION # Z08-061

Being first duly cautioned and sworn (NAME) CONNIE J. KLEMA
of (COMPLETE ADDRESS) PO Box 991 PATASKALA OH 43062
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 formats

Name of business or individual
Business of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<u>VICTOR INVESTMENTS, LTD</u> <u>929 N. 4TH ST.</u> <u>COLUMBUS, OH 43201</u>	
<u>JOSEPH SCOTT KLEIN, MEMBER</u>	<u>ROBERT J. WAGNER, MEMBER</u>

If applicable, check here if listing additional parties on a separate page (required)

Connie J. Klem
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 25TH day
of SEPTEMBER, in the year 2008

SIGNATURE OF NOTARY PUBLIC Karen Shipley
AUG 6 2011

My Commission Expires:

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



NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES
AUGUST 20, 2011