



## Legislation Details (With Text)

**File #:** 1298-2023      **Version:** 1

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

**File created:** 4/26/2023      **In control:** Zoning Committee

**On agenda:** 5/15/2023      **Final action:** 5/18/2023

**Title:** To rezone 983 E. MAIN ST. (43205), being 0.23± acres located on the south side of East Main Street, 75± feet east of Gilbert Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z22-082).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1298-2023.Attachments, 2. ORD1298-2023.Labels

Date	Ver.	Action By	Action	Result
5/18/2023	1	CITY CLERK	Attest	
5/17/2023	1	MAYOR	Signed	
5/15/2023	1	COUNCIL PRESIDENT	Signed	
5/15/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
5/15/2023	1	Zoning Committee	Approved	Pass

**Rezoning Application: Z22-082**

**APPLICANT:** Andrew Vogel; 6745 Merwin Place; Columbus, OH 43235.

**PROPOSED USE:** Automobile sales.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on February 9, 2023.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with an automobile sales lot in the CPD, Commercial Planned Development District. The current CPD text only permits C-2 uses. The requested CPD district permits C-4 uses, commits to a site plan, and includes supplemental development standards addressing setbacks, traffic access, screening, and signage. The CPD text also includes code modifications to waive the landscaping and screening requirements, and to allow parallel parking spaces to be located to the side of the building. The site is subject to the East Main Street Urban Commercial Overlay (UCO) and is located within the planning boundaries of the *Near East Area Plan (2005)*, which recommends "Higher Density Residential/Mixed Use" land uses at this location. The Plan states that commercial development should occur within the existing historic commercial districts. Furthermore, the Plan recommends that parking be located to the rear of the principal building, and that it be screened from adjacent public streets. The requested CPD district will legitimize an existing automobile sales facility, and is consistent with the *Near East Area Plan's* recommendations for commercial development within existing historical commercial districts, such as Main Street, and for parking to be located to the rear of the principal building, screened from adjacent public streets.

To rezone **983 E. MAIN ST. (43205)**, being 0.23± acres located on the south side of East Main Street, 75± feet east of Gilbert Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z22-082).

**WHEREAS**, application #Z22-082 is on file with the Department of Building and Zoning Services requesting rezoning of 0.23± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposal will legitimize an existing automobile sales facility that is consistent with the *Near East Area Plan*'s recommendations; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**983 E. MAIN ST. (43205)**, being 0.23± acres located on the south side of East Main Street, 75± feet east of Gilbert Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being all of Lot 2, Kimball & Miller's Amended Subdivision, the same as is numbered and delineated in the recorded plat thereof, of record in Plat Book 2, Page 231, Recorder's Office, Franklin Co, Ohio and said Lot is more particularly described for zoning purposes;

Commencing at the intersection of the centerline of East Main Street (80' wide) with the centerline of Gilbert Street (50' wide):

Thence, along the centerline of said Gilbert Street, South 2° 30' 00" West, 40.0 feet to a point;

Thence across said Gilbert Street and along the southerly line of said Main Street, South 87° 35' 30" East, 78.75' to a set mag nail in the southerly line of said East Main Street at the northwest corner of said Lot 2 and THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

Thence, along said East Main Street (and the northerly line of said Lot 2), South 87° 35' 30" East, 53.75 feet to a set drill hole at the northeast corner of said Lot 2;

Thence, along the easterly line of said Lot 2, South 2° 30' 00" West, 187.60 feet to a set mag nail at the southeast corner of said Lot 2 and northerly line of McAllister Ave (44' wide);

Thence, along the southerly line of said Lot 2 (northerly line of said McAllister Ave), North 87° 35' 30" West, 53.75 feet to a set mag nail at the southwest corner of said Lot 2 (southeast corner of Lot 1, said subdivision);

Thence, along the westerly line of said Lot 2 (easterly line of said Lot 1), North 2° 30' 00" East, 187.60 feet to the place of beginning, containing 0.231 Acre (10,083 square feet);

This description was prepared for zoning purposes only. The 0.231 Acre is subject to all legal highways, easements, leases, agreements and restrictions of record and or records and in the respective utility office.

**To Rezone From:** CPD, Commercial Planned Development District

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 plans being titled, “**SHEET ST-1 & ST-2,**” and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT,**” all dated March 23, 2023, and signed by Andrew Vogel, Architect and Applicant, and the text reading as follows:

**Commercial Planned Development Text**

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

**PROPERTY ADDRESS:** 835 E Main Street

**OWNER:** Zara Realty Ltd.

**APPLICANT:** Andy Vogel, Edifice1 Architecture, LLC

**DATE OF TEXT:** March 23, 2023

**APPLICATION:** Z22-082

1. **INTRODUCTION:** This site is located on the south side of E. Main Street (just east of the intersection of E. Main Street and Gilbert Avenue. We are requesting permission to allow auto sales on this site.
2. **PERMITTED USES:** The permitted uses shall be as permitted in Section 3356.03, C-4 Permitted Uses.
3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

All parking is in the rear and a 10’ parking setback line is shown on the plans.

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

One-way traffic flow will enter from E. Main Street and exit to the south on McCallister.

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

1. See Sections 3.H(a) and 3.H(b) - modification of Sections 3312.21, 3321.07, 3321.09, and 3372.604(B).
2. Fencing will be provided on the eastern and western sides of the property, as shown on the site plan.

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

N/A

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

N/A

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the appropriate C-4, Commercial District. Any variance to the standards of Graphics Code shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

- (a) Natural Environment: The site is located on the south side of East Main Street, just east of Gilbert Avenue.
- (b) Existing Land Use: CPD - C-2. The owner has been running an auto sales business since 2015. In 2021, he was informed that he needed to re-zone if he wished to continue the auto sales. The owner purchased the property in August of 2022.
- (c) Circulation: Access to the site shall be from E Main Street and exit on McCallister Ave.
- (d) Visual from the Environment: The applicant no changes to the existing building.
- (e) View and Visibility: N/A
- (f) Proposed Development: CPD Commercial Auto Sales.
- (g) Behavior Patterns: Existing development in the area has established the behavior pattern for the motorist in the area.
- (h) Emissions: No adverse effect from emissions should result from the proposed development.

H. Modification of Code Standards

- (a) 3312.21, 3321.07 & 3321.09, Landscaping and Screening: With no site development anticipated and with a tight site, we are seeking a variance from any plantings on the property, conforming existing conditions.
- (b) 3372.604(B): To permit 2 parallel parking spaces to be located to the side of the building instead of behind the building.

I. Miscellaneous Commitments

The applicant has submitted a site plan as part of its zoning application. The 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 the development and when engineering and architectural drawings are completed. Any slight adjustments to the site plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

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