



Legislation Details (With Text)

File #: 0561-2024 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 2/15/2024 **In control:** Zoning Committee
On agenda: 3/4/2024 **Final action:** 3/6/2024
Title: To rezone 1884 GENESSEE AVE. (43211), being 0.34± acres located at the northeast corner of Genessee Avenue and Joyce Avenue, From: R-4, Residential District, To: CPD, Commercial Planned Development District (Rezoning #Z23-043).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#0561-2024_Attachments, 2. ORD#0561-2024_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 3/6/2024 | 2 | CITY CLERK | Attest | |
| 3/5/2024 | 2 | MAYOR | Signed | |
| 3/4/2024 | 1 | Zoning Committee | Amended as submitted to the Clerk | Pass |
| 3/4/2024 | 1 | Zoning Committee | Approved as Amended | Pass |
| 3/4/2024 | 2 | COUNCIL PRESIDENT | Signed | |
| 2/26/2024 | 1 | Columbus City Council | Read for the First Time | |

Rezoning Application: Z23-043

APPLICANT: Genessee Avenue Church of Christ; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Parking lot.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on February 8, 2024.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.34± acre site consists of two parcels developed with a parking lot in the R-4, Residential District. The requested CPD, Commercial Planned Development District will conform the existing parking lot. The CPD text includes appropriate use restrictions and supplemental development standards that address parking setbacks, vehicular access, landscaping and screening, graphics and signage, and includes a commitment to maintain the site in accordance with the submitted site plan. Code modifications to interior parking lot trees, parking setbacks, and vision clearance are included in the text. The site is located within the planning boundaries of the *Northeast Area Plan* (2007), which recommends “Low-Density Residential” land uses at this location. Although the proposal is not consistent with the Plan’s recommended land use, staff supports the requested use as the existing parking lot is associated with an institutional use, and the submitted site plan is consistent with the Plan’s design standards with pedestrian connectivity, headlight screening, and landscaping.

To rezone **1884 GENESSEE AVE. (43211)**, being 0.34± acres located at the northeast corner of Genessee Avenue and Joyce Avenue, **From:** R-4, Residential District, **To:** CPD, Commercial Planned Development District (Rezoning #Z23-043).

WHEREAS, application #Z23-043 is on file with the Department of Building and Zoning Services requesting rezoning of 0.34± acres from R-4, Residential District, to CPD, Commercial Planned Development District; and

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

WHEREAS, the Northeast Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will conform the existing parking lot, and commits to a site plan demonstrating pedestrian connectivity, headlight screening, and landscaping ; 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1884 GENESSEE AVE. (43211), being 0.34± acres located at the northeast corner of Genessee Avenue and Joyce Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and is described as follows:

Situated in the State of Ohio, County of Franklin and City of Columbus and being described as Lot Number Thirty-Three (33) and Thirty-six (36) of Wolf & Cary's Addition as the same is numbered and delineated upon the recorded plat thereof in Plat Book 8, Page 7-B, Recorder's Office, Franklin County, Ohio,

And

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Burwell Street (Original name) 50 feet wide, as delineated on the recorded plat of Wolfe & Cary's Addition as is recorded in Plat Book 8, Page 7-B, name changed to Joyce Avenue by City of Columbus Ordinance Number 371-51 on April 16, 1951 and part of Lot 32 of said Addition conveyed to the City of Columbus in Deed Book 2297, Page 548 and Deed Book 2297, Page 550, dedicated to public use by City of Columbus Ordinance Number 1571-61 on December 11, 1961 and being more particularly bounded and described as follows:

BEGINNING at a set iron pin at the southwest corner of Lot 33 of said Wolfe & Cary's Addition, also being the intersection of the east line of Burwell Street with the north line of Genessee Avenue, 50 feet wide;

Thence, along part of the north line of Genessee Avenue, along the south line of Burwell Street and along part of the south line of said Lot 32, North 89 degrees 39 minutes 30 seconds West, 63.99 feet to a set iron pipe;

Thence, across part of said Lot 32, along a curve to the right having a radius of 1770.00 feet, a central angle of 02 degrees 13 minute 10 seconds, an arc length of 68.56 feet, North 09 degrees 03 minutes 09 seconds East, 68.56 feet to a found 1" iron pipe at a point of tangency;

Thence, continuing across part of said Lot 32 and across part of said Burwell Street, North 10 degrees 09 minutes 44 seconds East, 42.91 feet to a found 1" iron pipe;

Thence, continuing across part of Burwell Street, South 89 degrees 39 minutes 30 seconds East, 46.90 feet to a found 1¼” iron pipe at the northwest corner of said Lot 33, also being the intersection of the east line of Burwell Street with the south line of a 15 foot wide alley;

Thence, along the west line of said Lot 33 and the east line of Burwell Street, South 00 degrees 39 minutes 30 seconds West, 110.05 feet to the POINT OF BEGINNING, CONTAINING 0.141 ACRES. Subject, however to all legal highways, easements, agreements, restrictions of record and of records in the respective utility offices. Basis of bearings is assumed to be North 89 degrees 39 minute 30 seconds West on the north line of Genessee Avenue. Iron pipes set are 1” O.D. x 30” long with an orange plastic cap inscribed “MYERS PS 6579”. Found iron pipes were previously set by Myers Surveying Company in May, 1985. This description is based on a field survey by Myers Surveying Company, in January, 2020.

Parcel Number: 010-069426 and 010-303838

Property Address: 1884 Genessee Avenue, Columbus, OH 43211

To Rezone From: R-4, Residential 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 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 text titled, “**DEVELOPMENT TEXT**,” and “**SITE PLAN**,” both dated February 9, 2024, signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

Existing Zoning District: R-4, Residential District

Proposed Zoning District: CPD, Commercial Planned Development

Property Address: 1884 Genessee Avenue, Columbus, OH 43211

Property Owner: Genessee Avenue Church of Christ c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

Applicant: Genessee Avenue Church of Christ c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

Date of Text: 02/089/2024

Application Number: Z23-043

1. INTRODUCTION: The site is 0.34 +/- acres located at the northeast corner of Genessee Avenue and Joyce Avenue. The site is proposed to be rezoned to CPD for a parking lot for the Church of Christ at Genessee Avenue, located at 1889 Genessee Avenue, at the southeast corner of Genessee Avenue and Joyce Avenue. The site is paved and has been used as a parking lot for approximately 25 years. By this rezoning application, applicant seeks to establish proper zoning for the parking lot since it is off-site of the church building. The site plan titled “Zoning Site Plan”, dated February 9, 2024, hereafter, Site Plan, is submitted with this application as the CPD Site Plan for the parking lot.

2. PERMITTED USES: Uses of Section 3355.03, C-3 Permitted Uses, subject to the only permitted use being a parking lot exclusively to provide parking for the property located at the southeast corner of Genessee Avenue and Joyce Avenue (1889 Genessee Avenue, multiple parcels).

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 3355, C-3, Commercial District and Chapter 3312,

Off-Street Parking and Loading, of the Columbus City Code.

A. Density, Height, Lot and/or Setback Commitments:

1. The Genessee Avenue and Joyce Avenue parking setbacks shall be 3' and 5', as existing.
2. The east property line pavement setback shall be 1' (existing).

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

1. Vehicular access shall be from the unnamed public alley abutting the north side of the parking lot. There shall be no direct vehicular access to Genessee Avenue or Joyce Avenue.
2. Parking blocks shall be provided for all perimeter parking spaces in the parking lot.

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

1. Four (4) street trees shall be planted the Joyce Avenue frontage. The trees may be placed in the Joyce Avenue parking setback or in the curb lawn of the Joyce Avenue right of way, subject to approval of the placement of trees and type of tree in the Joyce Avenue right of way.
2. Existing trees, as depicted on the site plan, along the Genessee Avenue frontage shall be maintained.
3. Screening along the east and north sides of the parking lot shall be provided, as is presently existing with slats in the fence to a height of five (5) feet (min). Screening on the north side of the parking lot shall occur starting at the east side of the entrance gate. Screening shall not be required on the north side of the parking lot west of the east side of the gate.
4. Headlight screening (3', 75% opacity) shall be placed along the Genessee Avenue and Joyce Avenue frontages, Headlight screening may be slats placed to a height of 3' within the existing chain link fence or landscaping in the parking setback of each street.

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

No building or shed is permitted in the parking lot.

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

N/A

F. Graphics and/or Signage Commitments:

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-3, Commercial District. Any ground sign shall be monument-style. Any variance to applicable sign requirements shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements:

1. Natural Environment: The site is 0.34 +/- acres located at the northeast corner of Genessee Avenue and Joyce Avenue.
2. Existing Land Use: The site has been developed as a parking lot for approximately 25 years.
3. Circulation: Vehicular access shall be from the unnamed public alley abutting the north side of the parking lot. There shall be no direct vehicular access to Genessee Avenue or Joyce Avenue.
4. Visual Form of the Environment: The parking lot will provide parking exclusively for the property located at the southeast corner of Genessee Avenue and Joyce Avenue (1889 Genessee Avenue, multiple parcels).

5. Visibility: The site is visible from both Genessee Avenue and Joyce Avenue.
6. Proposed Development: Accessory parking lot for the property located at the southeast corner of Genessee Avenue and Joyce Avenue (1889 Genessee Avenue, multiple parcels).
7. Behavior Patterns: Vehicular access and on-site circulation shall be from parking lot access at the northwest corner of the parking lot and internal parking lot circulation within the parking lot aisles.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text. There will be no objectionable emissions.

H. Modification of Code Standards:

1. Section 3312.21(A)(D), Landscaping and Screening, to reduce interior parking lot trees from 4 to zero (0), to reduce the east pavement setback from 4' to 1', to permit the existing chain link fence with slats for screening on the north and east sides of the parking lot, to permit chain link fence on the south side (Genessee Avenue frontage) and west side (Joyce Avenue frontage) and to place slats to 3' high for parking lot screening in the south and west chain link fences.
2. Section 3312.27(4), Parking Setback Line, to reduce the Genessee Avenue and
3. Joyce Avenue parking setback from 10 feet to 3' and 5', respectively.
4. Section 3321.05, Vision Clearance, to permit part of an existing 6' chain link fence (open) in the 10' x 10' clear vision triangle at the intersection of Joyce Avenue and the unnamed 15' alley along the north side of the parking lot.

I. Miscellaneous Commitments:

1. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.
2. Development of the site shall be in accordance with the Site Plan titled "Zoning Site Plan", dated February 89, 2024, signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment. Parking space layout may change as needed for provision of ADA parking spaces.

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