



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 10/27/2006 **In control:** Zoning Committee

On agenda: 11/20/2006 **Final action:** 11/22/2006

Title: To rezone 2121 JOYCE AVENUE (43219), being 0.93± acres located at the northwest and northeast corners of Joyce and Blake Avenues, From: R-2 Residential District, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z06-063)

Sponsors:

Indexes:

Code sections:

Attachments: , ,

Date	Ver.	Action By	Action	Result
11/22/2006	2	CITY CLERK	Attest	
11/21/2006	2	MAYOR	Signed	
11/20/2006	1	Zoning Committee	Reconsidered	Pass
11/20/2006	2	Zoning Committee	Approved	Pass
11/20/2006	2	Zoning Committee	Approved as Amended	Pass
11/20/2006	1	Zoning Committee	Amended to Emergency	Pass
11/20/2006	2	COUNCIL PRESIDENT	Signed	
11/7/2006	1	Dev Reviewer	Reviewed and Approved	
11/7/2006	1	Dev Zoning Drafter	Sent for Approval	
11/7/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/7/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
11/6/2006	1	Dev Zoning Drafter	Sent for Approval	
11/6/2006	1	Dev Zoning Reviewer	Reviewed and Approved	

Rezoning Application # Z06-063

APPLICANT: Galilee Missionary Baptist Church; c/o Marcia Shanefelt, Agent; Master Church Builders, LLC; 1667 Gateway Circle; Grove City, OH 43123.

PROPOSED USE: Church expansion and parking lot.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0-1) on October 12, 2006.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would permit an 8,266± square foot expansion to an existing church, and a twenty-six (26) space parking lot across Joyce Avenue. The CPD text and plan limit the use of the property to only the church and parking lot, and include development standards that

address building and parking setbacks, sidewalks, crosswalks, screening, street trees, and lighting controls. The proposal also includes variances for building and parking setbacks and a parking space reduction for sixty-one (61) required parking spaces, but the church will be leasing an additional fifty-one (51) spaces from the property to the south of the church site. The site is located within the planning area of the *North Central Plan* (2002) which recommends residential uses for the site. Since churches are permitted within residential districts, it has been determined that the continued use of the property as a church is consistent with surrounding land uses. Additionally, the construction of sidewalks around the site will help maintain the community character of the neighborhood that is highly residential and lacking in pedestrian links along Joyce Avenue.

To rezone **2121 JOYCE AVENUE (43219)**, being 0.93± acres located at the northwest and northeast corners of Joyce and Blake Avenues, From: R-2 Residential District, To: CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z06-063)

WHEREAS, application #Z06-063 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.93± acres from R-2, Residential District to CPD, Commercial Planned Development District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the North Central 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 would permit an 8,266± square foot expansion to an existing church, and a twenty-six (26) space parking lot across Joyce Avenue. The CPD text and plan limit the use of the property to only the church and parking lot, and include development standards that address building and parking setbacks, sidewalks, crosswalks, screening, street trees, and lighting controls. The proposal also includes variances for building and parking setbacks and a parking space reduction for sixty-one (61) required parking spaces, but the church will be leasing an additional fifty-one (51) spaces from the property to the south of the church site. The site is located within the planning area of the *North Central Plan* (2002) which recommends residential uses for the site. Since churches are permitted within residential districts, it has been determined that the continued use of the property as a church is consistent with surrounding land uses. Additionally, the construction of sidewalks around the site will help maintain the community character of the neighborhood that is highly residential and lacking in pedestrian links along Joyce Avenue, 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:

2121 JOYCE AVENUE (43219), being 0.93± acres located at the northwest and northeast corners of Joyce and Blake Avenues, and being more particularly described as follows:

Tract I (Parcel A):

Legal Description of 0.716 acres of land.

Situated in the State of Ohio, County of Franklin, City of Columbus, and being 0.716 acres of land, and said 0.716 acre tract being all of Lots 69, 70, 71, 72, 73, 74, and 75 of Norlea Park Subdivision of record in Plat Book 19 page 23, at the Franklin County Recorders Office, Franklin County Ohio, and said 0.716 acre tract of land being more particularly described as follows:

Beginning at a point, said point being located at the intersection of the southerly right-of-way line of Cordell Avenue (50 feet wide) and the westerly right-of-way line of Joyce Avenue (60 feet wide), said point also being located at the most northeasterly property corner of said Lot No. 69 of said Subdivision, thence along the said westerly right-of-way line of said Joyce Avenue, S, 13° 32' 00" W, a distance of 260.05 feet to a point, said point being located at the intersection of the northerly right-of-way line of Blake Avenue (50 feet wide), and the said westerly right-of-way line of said Joyce Avenue, said point also being located at the most southeasterly property corner of said Lot No. 75 of said Subdivision;

Thence along the said northerly right-of-way line of said Blake Avenue and also along the most southerly property line of said Lot

No. 75, N 86° 45' 00" W, a distance of 121.90 feet to a point, said point being located at the most southwesterly property corner of said Lot No. 75, said point also being located at the most easterly right-of-way line of a 16 foot alley;

Thence along the said easterly right-of-way line of said alley, N 13° 32' 00" E, a distance of 260.05 feet to a point, said point being located at the most northwesterly property corner of said Lot No. 69, said point also being located at the said southerly right-of-way line of said Cordell Avenue;

Thence along the said southerly right-of-way line, S 86° 45' 00" E, a distance of 121.90 feet to the Point of Beginning and containing 0.716 acres of land more or less.

The attached Legal Description was prepared from courthouse documents, and for Zoning purposes only.

Tract II (Parcel B):

Legal Description of 0.209 acres of land.

Situated in the State of Ohio, County of Franklin, City of Columbus, and being 0.209 acres of land, and said 0.209 acre tract being all of Lots 223 and 224 of Duxberry Park Subdivision of record in Plat Book 20 page 21, at the Franklin County Recorders Office, Franklin County Ohio, and said 0.209 acre tract of land being more particularly described as follows:

Beginning at a point, said point being located at the intersection of the easterly right-of-way line of Joyce Avenue (60 feet wide) and the northerly right-of-way line of Blake Avenue (50 feet wide), said point being located at the most southwesterly property corner of said Lot No. 223;

Thence along the said easterly right-of-way line of Joyce Avenue, N 13° 32' 00" E, a distance of 85.05 feet to a point, said point being located at the most northwesterly property corner of said Lot No. 224;

Thence along the said northerly property line of said Lot No. 224, S 76° 36' 47" E, a distance of 123.05 feet to a point, said point being located at the most northeasterly property corner of said Lot No. 224, said point also being located at the westerly right-of-way line of a 16 foot alley;

Thence along said westerly right-of-way line, S 13° 32' 00" W, a distance of 63.05 feet to a point, said point being located at said northerly right-of-way line of said Blake Avenue, said point also being located at the most southeasterly property corner of said Lot No. 223;

Thence along said Northerly right-of-way line, N 86° 45' 00" W, a distance of 125.00 feet to the Point of Beginning and containing 0.209 acres of land more or less.

The attached Legal Description was prepared from courthouse documents, and for Zoning purposes only.

To Rezone From: R-2 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 District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**ADDITION TO FACILITIES FOR GALILEE MISSIONARY BAPTIST CHURCH,**" and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" both signed by Marcia Shanefelt, Agent for the Applicant, dated October 26, 2006, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD - COMMERCIAL PLANNED DEVELOPMENT DISTRICT
PROPERTY ADDRESS: 2121 JOYCE AVENUE, COLUMBUS, OHIO 43219
OWNER: GALILEE MISSIONARY BAPTIST CHURCH
APPLICANT: GALILEE MISSIONARY BAPTIST CHURCH
DATE OF TEXT: 10-26-2006
APPLICATION NUMBER: Z06-063

1. INTRODUCTION: The subject property (Property) consists of two parcels having a total of 0.925 acres. Parcel "A" is developed with a church; Parcel "B" is vacant land. Parcel "A" is located on the west side of Joyce Avenue located between Blake Avenue and Cordell Avenue. Parcel "B" is located on the northeast corner of Joyce Avenue and Blake Avenue. Applicant desires to rezone the Property from R-2 to CPD - Commercial Planned Development.

Parcel "A" - Parcel "A" is developed with a church and currently has 16 parking spaces. The applicant proposes a reduction of side yard setback on Blake Avenue from 25' parking setback to 20' to allow for additional parking. Decrease rear yard setback on the alley to 0' from the existing 10'.

Parcel "B" - Parcel "B" is currently vacant land. The applicant proposes to install a parking area of an additional 26 parking spaces and include a six foot fence installed on the entire north side of property adjacent to R-2 district. Decrease side yard setback on Blake Avenue from 25' parking setback to 0' because of the property's configuration.

Parking requirement reduction on site from 111 required spaces to 50 parking spaces total (24 on-site parking spaces including handicap parking on Parcel "A", and 26 parking spaces on Parcel "B").

Off-site lease agreement shall be provided for an additional 51 parking spaces.

Surrounding parcels are zoned as follows:

- North - R-2
- East - R-2
- South - LM
- West - R-2

2. PERMITTED USES:

Parcel "A" permitted use is a church facility.
Parcel "B" to be limited to parking of motor vehicles for church activity only.

3. DEVELOPMENT STANDARDS:

A. SETBACK COMMITMENTS:

Code 3361.04A reducing required 25' setback to:

- Alley: Parcel "A" - Zero (0') Setback
- Cordell: Parcel "A" - Two (2') Existing Setback
- Blake Avenue: Parcel "A" - Twenty (20') Setback
- Joyce Avenue: Parcel "A" - Twenty-five (25') Setback
- Joyce/Blake Avenues: Parcel "B" - Zero (0') Setback
- Alley, North PL: Parcel "B" - Zero (0') Setback

B. ACCESS, LOADING, PARKING AND/OR TRAFFIC RELATED COMMITMENTS:

1. Required parking for the church sanctuary of 3,320 sf divided by 30 equals 111 required parking spaces. We propose to reduce the number required as follows:

Code 3342.28C3 Reduce required number of parking spaces from 111 to 50. (Parcel "A" On site - 24 spaces including 5 handicap spaces and Parcel "B" 26 parking spaces). Total on-site parking will be 50

spaces (both parcels)

Adjacent lease 51 spaces

Total of all areas: 101 Parking spaces

2. Parcel "A" to provide 4' City sidewalk as approved by Transportation Division.

3. Parcel "A" to Parcel "B" Provide painted crosswalk and handicap accessible ramps as approved by Transportation Division. The addition of sidewalks will contribute to the safety and convenience of pedestrians and motorists.

C. BUFFERING, LANDSCAPING, OPEN SPACE, AND/OR SCREENING COMMITMENTS:

1. Parcel "B" - A six foot opaque fence to be maintained between R-2 and parking area.

2. Street trees shall be planted evenly spaced along Joyce and Blake Avenues at a ratio of one tree per thirty (30) feet of frontage.

D. BUILDING DESIGN AND/OR EXTERIOR TREATMENT COMMITMENTS:

Not applicable

E. LIGHTING, OUTDOOR DISPLAY, AND/OR ENVIRONMENTAL COMMITMENTS:

1. All external lighting shall be cut-off fixtures (down-lighting) , no more than 18' in height

F. GRAPHICS AND/OR SIGNAGE COMMITMENTS:

Not applicable

G. MISCELLANEOUS COMMITMENTS:

Not applicable

4. CPD REQUIREMENTS

A. Natural Environment

Parcel "A" has been developed for a church facility. The proposed addition will upgrade the existing facility. Parcel "B" is currently vacant. Development of the Property as a parking lot would be an improvement to the area.

B. Existing land uses

North - Church facility
East - Church facility and vacant land
South - Business
West - Residential

C. Transportation and Circulation

Access to Property Parcel A & B shall be from Joyce Avenue and adjacent alleys.

D. View and Visibility

The church addition will be visible from Cordell, Joyce, and Blake Avenues. The parking lot on parcel B will be visible from Joyce and Blake Avenues.

E. Emissions

No adverse effect from emissions will result from the proposed addition or proposed parking lot.

F. Behavior Patterns

The proposed use would provide additional off street parking to the existing church facility and bring the current site to zoning compliance for parking.

G. Miscellaneous Commitments

The subject site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and when engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

H. Variances

3361.04A, Performance criteria for setbacks; 3342.28, Minimum number of parking spaces required.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**