



Legislation Details (With Text)

File #: 1752-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/24/2015 **In control:** Zoning Committee

On agenda: 7/13/2015 **Final action:** 7/16/2015

Title: To rezone 76 PARSONS AVENUE (43215), being 0.28± acres located on the east side of Parsons Avenue, 105± feet south of Oak Street, From: ARLD, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z15-005).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1752-2015.Attachment, 2. Notice Of Public Hearing - Council Mtg20150713

Date	Ver.	Action By	Action	Result
7/16/2015	1	CITY CLERK	Attest	
7/15/2015	1	MAYOR	Signed	
7/13/2015	1	COUNCIL PRESIDENT	Signed	
7/13/2015	1	Zoning Committee	Approved	Pass

Rezoning Application Z15-005

APPLICANT: Henry Schwarz; 64 Parsons Avenue; Columbus, Ohio 43215.

PROPOSED USE: Mixed commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on June 11, 2015.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a non-conforming commercial building in the ARLD, Apartment Residential District. The requested CPD, Commercial Planned Development District will allow the relocation of an existing commercial business currently situated on the west side of Parsons Avenue, which will be displaced by Ohio Department of Transportation right-of-way taking for I-71 highway improvements. The site is located within the planning area of the *Near East Area Plan* (2005), which recommends high density residential and mixed uses for the site. The proposed use is consistent with the land use plan recommendation and surrounding development.

To rezone **76 PARSONS AVENUE (43215)**, being 0.28± acres located on the east side of Parsons Avenue, 105± feet south of Oak Street, From: ARLD, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z15-005).

WHEREAS, application #Z15-005 is on file with the Department of Building and Zoning Services requesting rezoning of 0.28± acres from ARLD, Apartment Residential 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 requested CPD, Commercial Planned Development District, is consistent with the land use recommendation of the *Near East Area Plan* and the surrounding development; 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:

76 PARSONS AVENUE (43215), acres located on the east side of Parsons Avenue, 105± feet south of Oak Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus,
Lot 4, 5 of Deshler and Sinks Subdivision in the City of Columbus, as the same are numbered and delineated upon the recorded plat and thereof, of record in Plat Book 3 page 423' recorder office, Franklin County Ohio.

To Rezone From: ARLD, Apartment 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 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 plan being titled, "**76 PARSONS AVENUE SITE PLAN**," and text titled, "**CPD TEXT**," both signed by Henry Schwarz, Applicant, dated June 17, 2015, and the text reading as follows:

CPD Text

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 76 Parsons Avenue

OWNER: Henry and Candis Schwarz

APPLICANT: Henry Schwarz

DATE OF TEXT: 6/17/15

APPLICATION: Z15-005

1. INTRODUCTION:

The subject site is along Parsons Avenue South of Oak Street and North of Franklin Avenue. The site lies within the boundaries of the Near East Area Commission and the Parsons Avenue / Olde Towne Quarter Urban Commercial Overlay.

The site is occupied by 1 building 76-80 Parsons Avenue and is currently zoned under ARLD, Apartment Residential Low Density District, the site has zero setback, access is by pedestrian sidewalk and curbside drop-off. This CPD,

Commercial Planned Development District, text is being submitted to rezone the site from ARLD, Apartment Residential Low Density District, to CPD, Commercial Planned District.

2. PERMITTED USES:

(C.C.C. 3351.03) C-1 uses shall be permitted for the site, except that eating and drinking establishment uses may occupy up to 4,000 square feet.

3. DEVELOPMENT STANDARDS:

Except as specified herein, the applicable development standards shall be specified in Chapter 3351, C-1 Community Commercial District.

A .Density, Height Lot and Setback Commitments:

1. Maintain existing zero setbacks on all sides, and existing height district of 35 feet.

B. Access, loading parking and/or other traffic related commitments: N/A

C. Buffering, Landscaping, Open Space and or screening commitments: N/A

D. Building design and/or exterior treatment commitments: N/A

E. Dumpsters, Lighting and/or other environmental commitments: N/A

F. Graphics and Signage commitments:

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District, in addition to compliance with the Graphics Standards of the Parsons Avenue/Olde Town Quarter Urban Commercial Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

The site shall be developed in general conformance with the attached 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 complete. Any slight adjustment to the Site Plan is 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 the proposed adjustment.

4. CPD REQUIREMENTS:

A. Natural Environment: The site is developed as 11,432 square foot one story brick building with 8,849 being commercial warehouse space, and 2,498 square feet retail space in front of building.

B. Existing Land Use: The building currently houses an accountant occupying approximately 2,245 square feet, a clothing retail and design production operation, occupying 8,437 square feet and a Tattoo shop occupying 750 square feet.

C. Transportation and Circulation: the site access will remain as currently situated.

D. Visual Form of the Environment: The existing uses of the surrounding properties are:

South: Apartments

North: Parking Lot, commercial and retail use

East: Commercial and retail
West: Residential

E. View and Visibility: Existing Structures

F. Proposed development: An eating drinking establishment use of up to 4,000 square feet.

G. Behavior Patterns: Existing traffic flows will be maintained until such time as the I-71 interchange modifications are accomplished to the East of the site.

H. Emissions: No change to character or level of emissions to the site.

5. VARIANCES

There is no onsite parking. A variance is needed to conform the existing condition of no off-street parking provided.

Existing retail use of 11,432 square feet with 0 on-site parking spaces with change of use to eating and drinking establishment for 4,000 square feet (calculated per Section 3312.03C.2.c.):

Required spaces for existing retail: $4000 \times 1 \text{ space per } 250 \text{ square feet} = 16 \text{ spaces} \times 50\% \text{ UCO reduction} = 8 \text{ spaces}$

Required spaces for change of use to eating and drinking establishment: $4,000 \text{ square feet} \times 1 \text{ space per } 75 \text{ square feet} = 54 \text{ spaces} \times 25\% \text{ UCO reduction} = 40 \text{ spaces}$

Existing on-site spaces: 0

Difference between intensities: $40 - 8 = 32$

Required parking for new use = existing + the difference (0 + 32)

Total variance required for change of use from retail to eating and drinking establishment: 32 spaces.

Therefore, a variance to Section 3312.49, Minimum number of parking spaces required, is requested for 32 parking spaces. Shared parking spaces are provided in the adjacent lot to the north (owned by the applicant) and public parking is available directly west of the site, across Parsons Avenue, but none of these spaces are dedicated to the proposed establishment.

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