



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 0546-2024, **Version:** 1

Rezoning Application Z23-069

APPLICANT: 697 East Broad, LLC c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Commercial development.

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

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.76± acre site consists of five parcels developed with an office building and parking in the CPD, Commercial Planned Development District, which only allows C-2 commercial uses. The requested CPD, Commercial Planned Development District will update the allowed uses to include a limited number of C-4 uses, while also conforming the site's existing conditions. The CPD text includes appropriate use restrictions and supplemental development standards. The allowed uses are consistent with the *Near East Area Plan's* (2005) recommendation for "Higher Density Residential/ Mixed Use Development." Additionally, the included code modifications will conform the existing site conditions, resulting in staff support. Staff does note that the site is a located with the initial Zone In zoning code update initiative.

To rezone **697 E. BROAD ST. (43215)**, being 0.76± acres located at the southwest corner of East Broad Street and Parsons Avenue, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z23-069).

WHEREAS, application #Z23-069 is on file with the Department of Building and Zoning Services requesting rezoning of 0.76± 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 requested CPD, Commercial Planned Development District allows uses and site development standards that are 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

697 E. BROAD ST. (43215), being 0.76± acres located at the southwest corner of East Broad Street and Parsons Avenue, and being more particularly described as follows:

0.64 ± ACRE ZONING BOUNDARY:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half-Section 25, Township 5, Range 22, Refugee Lands, and being the remainder of Lot 4, and all of Lots 5 and 6 as delineated by Gill and Morgan Subdivision of Outlots Nos. 68 and 69 recorded in Plat Book 1, Page 22, and conveyed to 697 East Broad, LLC by Instrument Number 202010220165367, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of said Lot 6 and also being on the southerly right-of-way line of East Broad Street (120 feet wide), South 08°10'35" East, 191.95 feet to a point at the southeasterly corner of said Lot 6 and also being on the northerly right-of-way line of Capital Street (30 feet wide);

Thence along the southerly lines of said Lots 4-6, inclusive, and along said northerly right-of-way line of Capital Street, South 81°46'21" West, 150.70 feet to a point at the southwesterly corner of said Lot 4, and also being the intersection of the said northerly right-of-way line of Capital Street and the easterly limited access right-of-way line of Interstate-71 Parcel 21-WDV recorded in Instrument Number 201908120101317;

Thence along the westerly line of said Lot 4 and along the said easterly limited access right-of-way line for the following five (5) courses:

North 06°13'30" West, 164.38 feet to a point; North 82°13'10" East, 9.41 feet to a point; North 07°43'31" West, 13.66 feet to a point; North 82°38'45" East, 1.09 feet to a point;

North 07°43'30" West, 14.77 feet to the northwesterly corner of said Lot 4, also being the intersection of the said southerly right-of-way line of East Broad Street and the said easterly limited access right-of-way line;

Thence along the northerly line of Lots 4-6, inclusive and along the said southerly right-of-way line of East Broad Street, North 82°03'19" East, 134.38 feet to the POINT OF BEGINNING, containing 0.64± acres, more or less.

This description is based on records, written by E.P. Ferris & Associates in November 2023, and is intended to be used for zoning purposes only.

0.12 ± ACRE ZONING BOUNDARY:

Situated in the State of Ohio, County of Franklin, in the City of Columbus, being in Half-Section 25, Township 5, Range 22, Refugee Lands, and being all of Lot 1 as delineated by G. & L.A. Bellows subdivision recorded in Plat Book 1, Page 343, and conveyed to 697 East Broad, LLC by Instrument Number 202010220165367, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of said Lot 1, also being the intersection of the southerly right-of-way line of Capital Street (30 feet wide) and the westerly right-of-way line of Parsons Avenue (60 feet wide), South 03°25'01" West, 33.29 feet to a point at the southeasterly corner of said Lot 1 and the northeasterly corner of Lot 2 delineated in said G. & L.A. Bellows subdivision;

Thence leaving said westerly right-of-way line of Parsons Avenue and along the southerly line of said Lot 1 and the northerly line of said Lot 2, South 82°09'21" West, 164.17 feet to a point on the southwesterly corner of said Lot 1, the northwesterly corner of said Lot 2, and the easterly limited access right-of-way line of Interstate-71 Parcel 20-WDV recorded in Instrument Number 201908120101317;

Thence along the westerly line of said Lot 1 and the said easterly limited access right-of-way line, North 06°46'41" West, 29.17 feet to a point at the northwesterly corner of said Lot 1, also being the intersection of said easterly limited access

right-of-way line and the said southerly right-of-way line of Capital Street;

Thence along the westerly line of said Lot 1 and the said easterly limited access right-of-way line, North 83°26'40" East, 10.00 feet to a point at the northeasterly corner of said Lot 1, also being the intersection of said easterly limited access right-of-way line and the said southerly right-of-way line of Capital Street;

Thence along the westerly line of said Lot 1 and the said easterly limited access right-of-way line, North 06°32'52" West, 2.61 feet to a point at the northeasterly corner of said Lot 1, also being the intersection of said easterly limited access right-of-way line and the said southerly right-of-way line of Capital Street;

Thence along the northerly line of said Lot 1 and the said southerly right-of-way line of Capital Street, North 81°45'42" East, 160.07 feet to the POINT OF BEGINNING, containing 0.12± acres, more or less.

This description is based on records, written by E.P. Ferris & Associates in November 2023 and is intended to be used for zoning purposes only.

To Rezone From: CPD, Commercial Planned Development District

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of sixty (60) 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 site plan being titled, "**CPD SITE PLAN,**" dated January 29, 2024, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" dated February 6, 2024, all signed by Eric Zartman, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

Application: Z23- 069

Address: 697 East Broad Street

Parcel(s): 010-046088, 010-011680, 010-031756, 010-032267, 010-011977

Property Size: +/- 0.76

Current District: CPD

Proposed District: CPD

Area Commission: Near East Commission

Owner(s): 697 East Broad LLC

Applicant: 697 East Broad LLC

Attorney: David Hodge, Underhill & Hodge LLC

Date: February 6, 2024

I. Introduction:

The +/- 0.76 acre site is located south-west of the intersection of East Broad Street and Parsons Avenue. The site was rezoned from AR-O and L-P-1 to CPD in 1994 and the CPD text limits the site to C-2 (office) uses. The site was subsequently developed and later expanded with 19,875 SF office building which operates today.

The Applicant does not propose new development for the site. Rather, the Applicant requests rezoning the site primarily to expand the permitted uses from C-2 to C-4. This change will allow the Owner to attract and lease space to a variety of

commercial tenants. Also, part of the site was taken to accommodate the I-71 exit ramp and the new CPD plan will reflect existing current conditions.

The subject site is located within the boundaries of the Near East Area Commission and the Near East Area Plan. The Plan recommends higher density residential/mixed use for part of the site along Parsons Avenue and does not make a recommendation for the rest of the site. The south-east most parcel is located within the Urban Commercial Overlay but the rest of the parcels are not within that boundary.

II. Permitted Uses:

A. Those uses permitted within Section 3356.03, C-4, Permitted Uses, of the Columbus City Code shall be permitted, except for those uses prohibited by Section II.B of this CPD Text.

B. The following uses shall be explicitly prohibited: Automobile and Light Truck Dealers; Automotive Sales, Leasing and Rental; Blood and Organ Banks; Check Cashing and Loans; Missions/Temporary Shelters; Motorcycle, Boat, and Other Motor Vehicle Dealers; Outdoor Power Equipment Stores; Pawn Brokers; Recreational Vehicle Dealers; Truck, Utility Trailer, and RV Sales, Rental, and Leasing; Warehouse Clubs and Super Centers; Drive-In Motion Picture Theaters; Farm Equipment and Supply Stores; Garden, Landscaping and Nursery Centers and Sales; Hotels and Motels; Hospitals; Lawn and Garden Equipment and Supplies Stores; Animal Shelter; Halfway House; Rooftop Telecommunications; Repossession Services; Display Advertising; Monopole Telecommunication Antennas; Armored Car, Investigation Guard and Security Services; Funeral Homes and Services; Crematory.

III. Development Standards: Unless otherwise indicated in this Text or on the submitted development plan (“CPD Site Plan”), the applicable development standards are contained in Chapter 3356, C-4 Commercial District of the Columbus City Code shall apply.

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

1. The maximum building height shall be 60 feet.
2. The minimum building line shall be zero feet from East Broad Street, Parsons Avenue and from Elija Pierce Way (or western right-of-way) from 25 feet to zero feet.

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

1. The minimum number of parking spaces required shall be 52.
2. The minimum number of loading size shall be 48 feet by 12 feet.
3. The minimum drive aisle for 90 degree parking shall be 19 feet, as shown on the CPD Plan.
4. The vision clearance triangles at the intersection of Parsons Avenue and Capital Street (alley) may be obstructed.
5. The minimum parking setback shall be 0 feet from Parsons Avenue.

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

No commitments.

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

No commitments.

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

No commitments.

F. Graphic and Signage Commitments:

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

G. CPD Criteria:

1. Natural Environment. This is a metropolitan area and there is no natural environment.
2. Existing Land Use. The site is constructed with a 19,875 SF commercial building. The building is currently used for office uses.
3. Transportation and Circulation. The site is accessed from Parsons Avenue and Capital Street.
4. Visual Form of the Environment. The visual form of the environment is a commercial corridor. The Applicant does not propose any new development and will not change the visual form of the environment.
5. View and Visibility. The Site is visible from East Broad Street and Parsons Avenue.
6. Proposed Development. The Applicant does not propose any new development. Rather, the Applicant requests to rezone the site to expand the permitted commercial uses and to reflect site changes due to right-of-way dedication.
7. Behavior Patterns. East Broad Street and Parsons Avenue are developing commercial corridors.
8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

1. 3312.27 - Parking setback line. This section shall be modified to reduce the minimum parking setback from Parsons Avenue from 25 feet to 0 feet.
 2. 3312.49(C), Parking required. 19,875 SF of retail use requires 80 parking spaces. This section shall be modified to reduce the minimum number of parking spaces required from 80 parking spaces to 52 parking spaces.
 3. 3312.51 - Loading Space. 19,875 SF of retail use requires 1 loading space. This section shall be modified to reduce the minimum size of the required loading space from 50 feet by 12 feet to 48 feet by 12 feet.
 4. 3321.05 - Vision clearance. This section shall be modified to allow existing brick wall to obstruct vision clearance at intersection of Parsons Avenue and Capital Street (alley).
 5. 3356.11, C-4 district setback lines. This section shall be modified to reduce the minimum building line from East Broad Street 60 feet to 0 feet, from Parsons Avenue from 40 feet to 0 feet, and from Eliza Pierce Way (or western right-of-way) from 25 feet to zero feet.
- 3312.09, Aisle. This section shall be modified to reduce the minimum aisle width for 90 degree parking from 20 feet to 19 feet, as depicted on the CPD Plans

I. Miscellaneous Commitments:

The site shall be developed in accordance with the submitted site plan titled “CPD Plan”. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or their designee, upon submission of the appropriate data regarding the proposed adjustment.

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