



## Legislation Details (With Text)

**File #:** 0528-2015      **Version:** 2

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

**File created:** 2/12/2015      **In control:** Zoning Committee

**On agenda:** 3/2/2015      **Final action:** 3/4/2015

**Title:** To rezone 1085 PARSONS AVENUE (43206), being 1.41± acres located at the southwest corner of Parsons and Stewart Avenues, From: CPD, Commercial Planned Development, C-4, Commercial, and R-2F, Residential Districts, To: CPD, Commercial Planned Development District (Rezoning # Z14-050).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0528-2015Attachments, 2. Notice Of Public Hearing - Council Mtg20150302

Date	Ver.	Action By	Action	Result
3/4/2015	2	CITY CLERK	Attest	
3/3/2015	2	MAYOR	Signed	
3/2/2015	2	COUNCIL PRESIDENT	Signed	
3/2/2015	1	Zoning Committee	Approved as Amended	Pass
3/2/2015	1	Zoning Committee	Amended as submitted to the Clerk	Pass
2/23/2015	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z14-050

**APPLICANT:** Mark S. Larrimer; Moody Nolan Inc.; 300 Spruce Street, Suite 300; Columbus, OH 43215.

**PROPOSED USE:** Public library.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on January 8, 2015.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The majority of the site is zoned commercially with frontage on Parsons Avenue, and is located within the Urban Commercial Overlay (UCO). The western portion of the site is zoned in the R-2F, Residential District, and is west of the alley that runs parallel with Parsons Avenue. The requested CPD, Commercial Planned Development District will allow redevelopment of the site with a new public library. The CPD text includes use restrictions, commitments to site and landscaping plans, screening, and variances to setbacks because institutional uses do not qualify for UCO setbacks. Staff prefers a UCO-style development as proposed which is more consistent with the established development pattern along Parsons Avenue. The site falls within the boundaries of the *South Side Plan* (2014), which calls for neighborhood mixed-use along the Parsons Avenue frontage, and medium-high density residential development for the parcels located west of the alley. In general, expansion of commercial developments beyond an alley into primarily residential districts is discouraged in the Plan, but is supported in this case because the proposed use is compatible with the Plan's land use recommendations, the site design complies with the UCO requirements, and buffering, landscaping, and lighting controls minimize the impacts on the adjacent

neighborhood. The request is consistent with the *South Side Plan* land use recommendations and several considerations that support the encroachment of the parking lots across the rear alley.

To rezone **1085 PARSONS AVENUE (43206)**, being 1.41± acres located at the southwest corner of Parsons and Stewart Avenues, From: CPD, Commercial Planned Development, C-4, Commercial, and R-2F, Residential Districts, To: CPD, Commercial Planned Development District (Rezoning # Z14-050).

**WHEREAS**, application #Z14-050 is on file with the Department of Building and Zoning Services requesting rezoning of 1.41± acres from CPD, Commercial Planned Development, C-4, Commercial, and R-2F, Residential Districts, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Columbus Southside 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 permit new a public library with development standards that ensure compatibility with surrounding commercial and residential developments. The request is consistent with the *South Side Plan* land use recommendations and several considerations that support the encroachment of the parking lots across the rear alley; 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:

**1085 PARSONS AVENUE (43206)**, being 1.41± acres located at the southwest corner of Parsons and Stewart Avenues, and being more particularly described as follows:

**Tract One**

Situated in the State of Ohio, County of Franklin, City of Columbus, being 87, the south 27.00 feet of Lot 95 and Lot 96 of the Wirth-Barth and Huber Subdivision as delineated in Plat Book 3, Page 380 and Lots 1 through 10 of the Herman Wirth's Subdivision as delineated in Plat Book 4, Page 87, said Lots being conveyed to the Board of Trustees of the Columbus Metropolitan Library by Instrument Number 201311190193004 (Lots 7 through 10 and Lot 87), Instrument Number 201311150191825 (Lot 6), Instrument Number 201311150191824 (Lot 5), Instrument Number 201311250195374 (Lots 1 through 4) and Instrument Number 201311150191826 (Lot 96), all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

**Description Area #2**

Beginning at a bent 3/4" diameter iron pipe found at the intersection of the south Right of Way of East Stewart Street, formerly East Germania Street (60 foot) and the east Right of Way of Huber Alley (17 foot), point also being the northwest corner of said Lot 87, all delineated in said Plat Book 4, Page 380;  
Thence, South 85°49'20" East, a distance of 126.81 feet, along the south Right of Way of said East Stewart Street and the north line of Lot 87, to a PK nail set at the intersection of the south Right of Way of said East Stewart Street and the west Right of Way of Parsons Avenue, formerly Groveport Pike (60 foot) as delineated in said Plat Book 4, Page 380, said point also being the northeast corner of Lot 87;  
Thence, South 03°40'04" West, a distance of 170.00 feet, along the west Right of Way of said Parsons Avenue and the east lines of said Lot 87 and Lots 6 through 10 as delineated in Plat Book 4, Page 87 to a PK nail set at the intersection of west Right of Way of said Parsons Avenue the north Right of Way Biehl Alley (17.80 foot) as delineated in Plat Book 4, Page 380, said point also being the southeast corner of said Lot 6;  
Thence, North 85°49'28" West, a distance of 128.83 feet, along the north Right of Way of said Biehl Alley and the south

line of said Lot 6, to a bent 3/4" diameter iron pipe found at the intersection of the north Right of Way of said Biehl alley and the east Right of Way of said Huber Alley, said point also being the southwest corner of Lot 6; Thence, North 04°20'48" East, a distance of 170.00 feet, along the east Right of Way of said Huber Alley and west line of said Lots 6 through 10 and said Lot 87, to the Point of Beginning, containing 0.499 acres, more or less, subject to legal highways and other easements of records.

### **Description Area #3**

Beginning at a 3/4" diameter iron pipe found at the intersection of the south Right of Way of Biehl Alley (17.80 feet) and the west Right of Way of Parsons Avenue, formerly Groveport Pike (60 foot), both delineated in said Plat Book 4, Page 380, said point also being the northeast corner of Lot 5 as delineated in Plat Book 4, Page 87;

Thence, South 03°45'37" West, a distance of 170.01 feet, along the west Right of Way of said Parsons Avenue and the east lines of said Lots 1 through 5 and said Lots 95 and 96, to a PK nail set at the intersection of the west Right of Way of said Parsons Avenue and the north Right of Way of Deshler Street (60 foot) as delineated in said Plat Book 3, Page 380, said point also being the southeast corner of Lot 96;

Thence, North 85°42'14" West, a distance of 130.44 feet, along the north Right of Way of said Deshler Street and the south line of said Lot 96, to an iron pin set at the intersection of north Right of Way of said Deshler Street and the east Right of Way of Huber Alley (17 foot) as delineated in Plat Book 3, Page 380, said point also being the southwest corner of said Lot 96;

Thence, North 04°20'48" East, a distance of 170.00 feet, along the east Right of Way of said Huber Alley and the west lines of said Lots 95 through 96 and said Lots 1 through 4, to a bent 3/4" iron pipe found at the east Right of Way of said Huber Alley and the south Right of Way of said Biehl Alley, said point also being the northwest corner of said Lot 5; Thence, South 85°42'14" East, a distance of 128.70 feet, along the south Right of Way of said Biehl Alley and north line of said Lot 5, to the Point of Beginning, containing 0.506 acres, more or less, subject to legal highways and other easements of records.

Description Area #2 is all of Auditor's Tax Parcel Number 010-070240, 010-041911 and 010-010523, Description Area #3 is all of Auditor's Tax Parcel Number 010-036345, 010-048080, 010-033598, 010-040488, 010-0210003 and 010-035917

Iron pins set are 5/8" diameter by 30 inch long rebar with a cap that reads "CW Design Group".

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The east Right of Way of Huber Alley, having a bearing of North 04°20'48" East is designated and monumented as the "basis of bearing" for this description.

This description was based field survey conducted by CW Design Group, LLC under my guidance in August 2014 and to the best of my knowledge depicts the boundary lines.

**To Rezone From:** CPD, Commercial Planned Development, and C-4, Commercial Districts

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

### **Tract Two**

Situated in the State of Ohio, County of Franklin, City of Columbus, being Lots 85 and 86, and Lot 97 of the Wirth-Barth and Huber Subdivision as delineated in Plat Book 3, Page 380 said Lots being conveyed to the Board of Trustees of the Columbus Metropolitan Library by Instrument Number 201311150191823 (Lots 85 through 86), and Instrument Number 201311250195374 (Lot 97), all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

### **Description Area #1**

Beginning at a 3/4" diameter iron pipe found at the intersection of the south Right of Way of East Stewart Street, formerly East Germania Street (60 foot) and northeast corner of Lot 84 conveyed to Paul & Bertha J. Hilsheimer by Volume 3709, Page 484, both are delineated in said Plat Book 4, Page 380;

Thence, South 85°47'17" East, a distance of 69.51 feet, along the south right of Way of said East Stewart Street and the north lines of said Lots 85 and 86 of said Plat Book 4, Page 380 to a 3/4" diameter iron pipe found at the intersection for the west Right of Way of Huber Alley (17 foot) as delineated in said Plat Book 4, Page 380 and the northeast corner of said Lot 86;

Thence, South 04°16'42" West, a distance of 170.00 feet, along the west Right of Way of said Huber Alley and the east line of said Lot 86 to a 3/4" diameter iron pipe found at the intersection of the west Right of Way of said Huber Alley and the north Right of Way of Biehl Alley (17.80 feet) as delineated in said Plat Book 4, Page 380, said point also being the southeast corner of said Lot 86;

Thence, North 85°38'14" West, a distance of 69.35 feet, along the north Right of Way of said Biehl Alley and the south lines of said Lots 85 and 86 to an 3/4" diameter iron pipe found at the intersection of the north Right of Way of said Biehl Alley and the southeast corner of said Lot 84;

Thence, North 04°13'24" East, a distance of 169.82 feet, along the east line of said Lot 84, to the Point of Beginning, containing 0.271 acres, more or less, subject to legal highways and other easements of records.

### **Description Area #4:**

Beginning at an iron pin set at the intersection of south Right of Way of Biehl Alley (17.80 feet) and the west Right of Way of Huber Alley (17.00 foot), said point also being the northeast corner of Lot 97, all delineated in said Plat Book 4, Page 380;

Thence, South 04°16'42" West, a distance of 169.49 feet, along the west Right of Way of said Huber Alley and the east line of said Lot 97, to an iron pin set at the intersection of the west Right of said Huber Alley and the north Right of Way of Deshler Street (60 foot) as delineated in Plat Book 3, Page 380, said point also being the southeast corner of said Lot 97;

Thence, North 85°50'54" West, a distance of 34.71 feet, along the north Right of Way of said Deshler Street and the south line of said Lot 97, to an iron pin set at the southeast corner of Lot 98 as delineated in Plat Book 3, Page 380 and conveyed to Sandra J. Renken and Victoria Moore by Instrument Number 2002123003334512;

Thence, North 04°16'42" East, a distance of 169.62 feet, along the east line of said Lot 98, to an iron pin set at the intersection of east line of said Lot 98 and the south Right of Way of said Biehl Alley; Thence, South 85°38'14" East, a distance of 34.71 feet, along the south Right of Way of said Biehl Alley and north line of said Lot 97, to the Point of Beginning, containing 0.135 acres, more or less, subject to legal highways and other easements of records.

Description Area #1 is all of Auditor's Tax Parcel Number 010-002500 and 010-002501, and Description Area #4 is all of Auditor's Tax Parcel Number 010-035927.

Iron pins set are 5/8" diameter by 30 inch long rebar with a cap that reads "CW Design Group".

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The east Right of Way of Huber Alley, having a bearing of North 04°20'48" East is designated and monumented as the "basis of bearing" for this description.

This description was based field survey conducted by CW Design Group, LLC under my guidance in August 2014 and to the best of my knowledge depicts the boundary lines.

**To Rezone From:** R-2F, 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 plans being titled, "**SITE PLAN**," dated January 30, 2015, and "**PLANTING PLAN**," dated December 23, 2014, **and both signed by Mark S. Larrimer, Professional Engineer**, and text titled, "**CPD TEXT**," dated December 29, 2014, ~~all and signed by Mark S. Larrimer, Professional Engineer~~ **Paula Miller, Chief Financial Officer for the Columbus Metropolitan Library**, and the text reading as follows:

### **CPD TEXT**

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

**PROPERTY ADDRESS: 1085 Parsons Avenue**

**OWNER: Columbus Metropolitan Library**

**APPLICANT: Moody Nolan, Inc.**

**DATE OF TEXT: 12/29/14**

**APPLICATION: Z14-050**

1. **INTRODUCTION:** The properties to be developed have been purchased by the library with the intent of construction of a new Parsons Branch Library to replace the library at its existing location which is inadequate to provide the desired level of service to the community. The library is exempt from the Urban Commercial Overlay (UCO) which would typically be in effect for the Parsons Avenue corridor but the requirements for the UCO have been incorporated into the proposed site plan.

2. **PERMITTED USES:** The permitted uses for the subject site shall be a library and supporting parking lot.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code and incorporate the requirements of the Urban Commercial Overlay (UCO).

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

Building setbacks along Parsons Avenue shall be zero feet, along Deshler Avenue shall be a minimum of eighteen feet, and along Stewart Avenue shall be a minimum of fifty feet. The parking setback along the alley to the west shall be zero, and the parking setback along the residential properties to the west shall be 13 feet for the property north of Biehl Alley and 16 feet for the property south of Biehl Alley.

B. **Building Design and/or Interior-Exterior Treatment Commitments:** N/A

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

1. Landscaped screening will be provided along the west side of the parking to buffer the parking from the adjacent residential lots. The landscaping shall be a minimum of 3 feet high and provide a minimum opacity of 75 percent.

2. Site landscaping shall be in general conformance with the attached planting plan, and individual plant species as listed on the plant material list may be substituted with similar species. The 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 plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

3. A decorative metal or a wood board on board privacy fence with a minimum height of four (4) feet shall be installed on

the inner side of the proposed landscaping along the western property line. Existing fencing may be maintained to satisfy this requirement.

D. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments: N/A

E. Graphics and/or 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, and as further restricted by Section 3372.606 (Graphics) of the Urban Commercial Overlay, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

F. Miscellaneous:

1. Variances.

a) Section 3356.11 C-4 district setback lines: to reduce the building setback along Parsons Avenue from 25 feet to zero.

b) Section 3321.05 Vision Clearance: to reduce the 30 foot vision clearance triangle to 25 foot for the northwest corner of Parsons Avenue and Deshler Avenue.

2. Site Plan

The subject site shall be 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 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 a designee, upon submission of the appropriate data regarding the proposed adjustment.

4. **OTHER CPD REQUIREMENTS:**

A. Natural Environment

The natural environment of the Property is relatively flat and improved with mixed commercial and residential uses.

B. Existing Land Use

The site is developed with mixed commercial and residential uses, all of which will be demolished by the owner.

C. Transportation and Circulation

Access to and from the site will be from Huber Alley and Biehl Alley as shown on the site plan unless otherwise approved by the Department of Public Service.

D. Visual Form of the Environment

To the north, east, and south of the site is mixed commercial and residential development in the C-4, Commercial District. To the north, south and west of the proposed west parking lots are single-unit dwellings in the R-2F, Residential District.

E. View and Visibility

The Property fronts on Parsons Avenue and will be visible from Parsons, Stewart, and Deshler Avenues.

F. Proposed Development

A public library designed in accordance with UCO principles as reflected on the site plan.

G. Behavior Patterns

The proposed development will be integrated as part of the Parsons Avenue Urban Commercial Overlay. Traffic access directly onto Parsons Avenue will not be permitted, except for construction vehicle access as approved by the Department of Public Service.

H. Emissions

Development of the Property shall conform to the City of Columbus requirements as further controlled by the Development Standards of this CPD Text for light levels, sounds and dusts. There will be no objectionable emissions.

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