



## Legislation Details (With Text)

**File #:** 0938-2015      **Version:** 1

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

**File created:** 3/26/2015      **In control:** Zoning Committee

**On agenda:** 4/20/2015      **Final action:** 4/22/2015

**Title:** To rezone 30 HAWKES AVENUE (43222), being 0.09± acres located at the southeast corner of Hawkes Avenue and Capital Street, From: R-2F, Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z15-001).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0938-2015Attachments

| Date      | Ver. | Action By         | Action                | Result |
|-----------|------|-------------------|-----------------------|--------|
| 4/22/2015 | 1    | CITY CLERK        | Attest                |        |
| 4/21/2015 | 1    | ACTING MAYOR      | Signed                |        |
| 4/20/2015 | 1    | COUNCIL PRESIDENT | Signed                |        |
| 4/20/2015 | 1    | Zoning Committee  | Waive the 2nd Reading | Pass   |
| 4/20/2015 | 1    | Zoning Committee  | Approved              | Pass   |

### Rezoning Application # Z15-001

**APPLICANT:** Franklinton Development Association, c/o Jeff Mohrmon; 480 West Town Street; Columbus, OH 43215.

**PROPOSED USE:** Parking lot.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on March 12, 2015.

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District will allow a 12-space private parking lot and a dumpster area for a restaurant which will be located in the building directly north of the site at 939-941 West Broad Street. The proposed parking lot will fulfill a condition imposed by the Board of Zoning Adjustment for a parking variance that was recently granted for the restaurant. The site is located within the planning area of *The West Franklinton Plan (2015)*, which proposes medium-high density residential uses for this location. In general, expansion of commercial developments beyond an alley into primarily residential districts is discouraged, but may be supported in limited circumstances. The proposed parking lot is necessary to allow the renovation and preservation of a historic building, will help facilitate the Plan's recommendation for neighborhood mixed uses on Broad Street, and includes screening and landscaping to minimize impacts on the adjacent neighborhood. The request is consistent with *The West Franklinton Plan* considerations that support the encroachment of parking lots beyond an alley into primarily residential districts.

To rezone **30 HAWKES AVENUE (43222)**, being 0.09± acres located at the southeast corner of Hawkes Avenue and

Capital Street, **From:** R-2F, Residential District, **To:** CPD, Commercial Planned Development District (Rezoning # Z15-001).

**WHEREAS**, application #Z15-001 is on file with the Department of Building and Zoning Services, requesting rezoning of 0.09± acres from R-2F, Residential District, to CPD, Commercial Planned Development District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed parking lot is necessary to allow the renovation and preservation of a historic building, will help facilitate *The West Franklinton Plan's* recommendation for neighborhood mixed uses on Broad Street, and includes screening and landscaping to minimize impacts on the adjacent neighborhood; 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:

**30 HAWKES AVENUE (43222)**, being 0.09± acres located at the southeast corner of Hawkes Avenue and Capital Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lot Number One-Hundred Thirty-Four (134) of the Richard Sinclair's West Side Addition to said City of Columbus, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 403, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-022584

Property Address: 30 Hawkes Avenue, Columbus Ohio

**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 plan being titled, "**AUXILIARY PARKING FOR FRANKLINTON TAPROOM**," signed by Bart W. Overly, Architect, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by Jeffrey T. Mohrman, Franklinton Development Association Assistant Director, both dated April 2, 2015, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

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

**PROPERTY ADDRESS:** 30 Hawkes Ave., Columbus OH 43222

**OWNER:** Franklinton Development Association

**APPLICANT:** Franklinton Development Association

**DATE OF TEXT:** April 2, 2015

**APPLICATION NUMBER:** Z15-001

## **1. INTRODUCTION:**

This subject property consists of approximately 0.09 acres located directly south of Capital St. and directly east of Hawkes Ave. The subject property is zoned R2F and is currently vacant and undeveloped.

Applicant owns 939-941 W. Broad St., the commercial property directly to the north of Capital St. Applicant is renovating that site into a mixed-use building with a restaurant on the first floor and three affordable apartments on the second floor. Applicant has already received a conditional approval from BZA, requiring Applicant provide an additional 12 parking spaces to service that development. The subject property shall be used for that purpose.

## **2. PERMITTED USES:**

The permitted uses in, on or upon the subject property shall be those allowed in P-1 Private Parking District as set forth in Columbus Zoning Code §3371.01.

## **3. DEVELOPMENT STANDARDS:**

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

The density, height and setback commitments will be shown on the Site Plan. The subject property shall include twelve (12) parking spaces, each nine (9) feet wide and eighteen (18) feet long, and one (1) screened private refuse collection area.

The parking setback along Capital St. shall be a minimum of five (5) feet from the Capital St. right-of-way. The parking setback along the east property line shall be zero. The parking setback along Hawkes Ave. shall be a minimum of ten (10) feet from the eastern sidewalk of Hawkes Ave. The parking setback along the south property line shall be a minimum of five (5) feet.

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

Access will be as shown on the Site Plan. No direct access will be permitted to Hawkes Ave; direct access will be from Capital St. only.

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

The buffering, landscaping, and screening commitments will be shown on the Site Plan. Fully opaque, six foot, privacy wood fencing, including a minimum four (4) foot buffer shall be provided along the south property line. Landscape screening at least 3 feet tall at time of planting, within a minimum of a four (4) foot wide buffer, shall be provided along the west property line.

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

No specific commitments.

### **E. Lighting and/or Other Environmental Commitments:**

No additional lighting fixtures will be installed at the property.

### **F. Graphics and/or Signage Commitments:**

Any and all graphics and signage will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will 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 subject property is located at the southeast corner of Hawkes Ave. and Capital St. The development of this subject property into parking will support the to-be-developed mixed-use building at 939-941 W. Broad St, which is also owned by Applicant.

B. Existing Land Use:

The subject property is currently vacant and unimproved. The surrounding area is fully developed and consists of commercial/residential uses to the north, commercial use to the east, and residential uses to the south and west.

C. Proposed Use:

The proposed use of the subject property is as a parking lot serving employees and clients of the to-be-developed mixed-use facility at 939-941 West Broad St.

D. Transportation and Circulation:

Access will be as shown on the Site Plan. No direct access will be permitted to/from Hawkes Ave.

E. Visual Form of the Environment:

The subject property will be developed as a parking lot to support the to-be-developed property at 939-941 W. Broad St., which is also owned by Applicant.

F. View and Visibility:

Consideration has been given to the visibility and safety of motorists and pedestrians during the planning of development of the subject property and the location of access points.

G. Behavior Patterns:

The proposed improvements will service the existing neighboring developments, will allow for and benefit the re-development of 939-941 W. Broad St. into a mixed-use building, and is supported by the West Franklinton Plan.

H. Emissions:

Emissions from the subject property will not substantially affect the environment of the surrounding neighborhoods.

**5. VARIANCES:**

A. Interior Landscaping: Columbus City Code §3312.21(A) contains a requirement that interior landscaping be provided for any lot containing ten (10) parking spaces or more. Due to the size and nature of the subject property, there will not be any interior landscaping provided.

B. Front, Rear and Side Setback Requirements: Columbus City Code §3371.01(e) and §3371.02 requires a minimum setback in reference to building lines in residential districts. The parking setback along Capital St. shall be a minimum of five (5) feet from the Capital St. right-of-way. The parking setback along the east property line shall be zero. The parking setback along Hawkes Ave. shall be a minimum of ten (10) feet from the eastern sidewalk of Hawkes Ave. The parking setback along the south property line shall be a minimum of five (5) feet.

C. Landscaping, Screening and Fencing Requirements: Columbus City Code §3371.01 contains certain landscaping, screening and fencing requirements. The landscaping, screening and fencing requirements for the subject property shall be as set forth on the Site Plan.

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