



## Legislation Details (With Text)

**File #:** 1341-2015      **Version:** 2

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**File created:** 5/12/2015      **In control:** Zoning Committee

**On agenda:** 6/1/2015      **Final action:** 6/3/2015

**Title:** To amend Ordinance #2165-2014, passed October 6, 2014 (Z14-032), for property located at 1516 NORTH HIGH STREET (43201), thereby amending the Commercial Planned Development text in Section 3 as it pertains to setbacks for parking and maneuvering along alleys and residential parking space sizes and to declare an emergency (Z14-032A).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1341-2015Attachments

Date	Ver.	Action By	Action	Result
6/3/2015	2	CITY CLERK	Attest	
6/2/2015	2	MAYOR	Signed	
6/1/2015	2	COUNCIL PRESIDENT	Signed	
6/1/2015	1	Zoning Committee	Amended to Emergency	Pass
6/1/2015	1	Zoning Committee	Approved as Amended	Pass

### Rezoning Amendment Z14-032A

Ordinance #2165-2014, passed October 6, 2014 (Z14-032), rezoned 7.34± acres from the R-4, Residential, AR-O, Apartment Office, and C-4, Commercial Districts to the CPD, Commercial Planned Development District. That legislation established specific development standards for a mixed commercial and residential development comprised of seven subareas with use restrictions and development standards that address setbacks, building height limitations, parking ratios/shared parking, landscaping, building design, and lighting and graphics controls. The applicant proposes a slight modification to the CPD text to clarify that parking and maneuvering is permitted within building setback areas along alley frontages, and to permit the size of residential parking spaces to be reduced to 8.5 feet wide by 18 feet deep as is permitted in residential zoning districts in the University Impact District. Staff believes these changes are negligible. The modification to residential parking space size is supported by the Department of Public Service. This ordinance will amend Ordinance #2165-2014 by repealing Section 3, and replacing it with a revised Section 3 with a revised Commercial Planned Development text. All other use restrictions and development standards established by Ordinance #2165-2014 shall remain in effect and are included in this legislation.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance #2165-2014, passed October 6, 2014 (Z14-032), for property located at **1516 NORTH HIGH STREET (43201)**, thereby amending the Commercial Planned Development text in Section 3 as it pertains to setbacks for parking and maneuvering along alleys and residential parking space sizes **and to declare an emergency (Z14-032A)**.

**WHEREAS**, Ordinance #2165-2014, passed October 6, 2014 (Z14-032), established the CPD, Commercial Planned Development District on property located at **1516 NORTH HIGH STREET (43201)**, being 7.34± acres located on the east side of North High Street between East Ninth and East Eighth Avenues, and on the south side of East Eighth Avenue between Pearl and Section Alleys (excepting therefrom parcels numbered 010-037288 and 010-003633), by rezoning from the R-4, Residential, AR-O, Apartment Office, and C-4, Commercial Districts; and

**WHEREAS**, it is necessary to amend Ordinance #2165-2014 to modify the parking and maneuvering setback commitments along alley frontages, and the residential parking space size requirements; and,

**WHEREAS**, all other aspects of the Commercial Planned Development plan and text contained in Ordinance #2165-2014 are unaffected by this amendment and remain in effect, 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; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the existing Section 3 of Ordinance #2165-2014, passed October 6, 2014 (Z14-032), be hereby repealed and replaced with a new Section 3 reading as follows:

**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, "**SUBAREA PLAN - CAMPUS PARTNERS,**" dated **August 23, 2014**, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" dated **April 10, 2015**, and supporting documentation titled, "**CAMPUS GATEWAY II URBAN FRAMEWORK PLAN,**" all dated August 23, 2014, and all signed by Michael T. Shannon, Attorney for the Applicant, and the text reading as follows:

~~(SEE ATTACHMENT FILE ORD2165-2014\_CPD\_TEXT)~~

#### **COMMERCIAL PLANNED DEVELOPMENT TEXT**

**CURRENT DISTRICT: C-4, Commercial AR-O, Apartment R-4, Residential**

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

**PROPERTY ADDRESS: 1516 North High Street**

**OWNERS: Redstone Realty Co, LLC**

**Campus Partners for Community Urban Redevelopment**

**APPLICANT: Campus Partners for Community Urban Redevelopment c/o Michael T. Shannon, Esq.;**

**CRABBE, BROWN & JAMES, LLP; 500 S. Front Street, Ste. 1200**

**Columbus, Ohio 43215; mshannon@cbjlawyers.com**

**DATE OF TEXT: ~~August 23, 2014~~ April 10, 2015**

**APPLICATION #: Z14-032A**

#### **1. INTRODUCTION:**

The Campus Gateway Phase II is a focused continuation of Campus Partners' work to revitalize the High Street commercial corridor. Located directly south of the recently constructed South Campus Gateway, the proposed project will bridge the gap between The Ohio State University and the Short North. The Site is located within the University Area Commission, University Impact Area, Urban Commercial Overlay, and the Weinland Park Association. The project encompasses approximately 7 acres and is generally bound by High Street to the west, East 9th Avenue to the north, Section Alley to the east, and Euclid Avenue to the south. The Site's existing zoning

is a mix of R-4 Residential, AR-O Apartment Office, and C-4 Regional Scale Commercial.

Applicant proposes to rezone the Site to CPD Commercial Planned Development. The Campus Gateway Phase II will provide commercial space for retail, office and restaurant uses, and a maximum of 500 dwelling units. Parking as required by the CPD Text will be satisfied by both on-Site and by utilization of the neighboring South Campus Gateway parking garage.

The proposed development will acknowledge and integrate the Draft University District Plan recommendations so that the project embodies the spirit of the Campus Gateway area and respects the mix of architectural styles of the greater University Area District Neighborhood as detailed in the Campus Gateway Phase II Urban Framework Plan. The project will also integrate sustainable development principles and features in the area through enhanced streetscape, diverse street-level active uses, and maximum leveraging of transportation infrastructure. Ultimately, the project will mingle campus activities with an urban lifestyle and promote the pedestrian-oriented character of the Campus Gateway and the Short North. This will be accomplished in harmony with the Weinland Park Neighborhood Plan.

The applicant shall require the developer to develop a strategy for the design and implementation of the public infrastructure, including streets, sidewalks, lighting, street trees and potential improvements to Indianola Park.

## **2. PERMITTED USES:**

A. The proposed redevelopment Site shall consist of four subareas. Subarea A is on the east side of North High Street between East 9th Avenue, East 8th Avenue and Pearl Street. Subarea B1 and B2 is on the south side of East 9th Avenue between north Pearl Street and Section Alley. Subarea C1 and C2 is on the north side of East 8th Avenue between North Pearl Street and Section Alley. Subarea D1 and D2 is on the south side of East 8th Avenue between North Pearl Street and Section Alley. Of the 500 residential units proposed, no more than a maximum of 145 units will be 3 to 4 bedrooms with the remaining units being 1 to 2 bedrooms.

B. In Subarea A, commercial, residential, residential supporting, or parking uses shall be permitted on the first floor of buildings, and residential or residential supporting uses shall be permitted on upper floors. In all other subareas, residential, residential supporting, or parking uses, and commercial uses except for retail uses, shall be permitted on the first floor of buildings, and residential or residential supporting uses shall be permitted on upper floors. Residential supporting uses shall include work out facilities, computer rooms, laundry facilities and other amenities for residents. Structured parking shall be permitted in all subareas. The applicant has submitted companion Council Variance application CV14-037 for all subareas to vary CCC§ 3356.03 to allow the development of first floor dwelling units, residential units above first floor dwelling units, Bowling Centers, Performing Arts, Spectator Sport and Related Industries, Theaters, Dance Companies and Dinner Theaters, and to allow the continued use and maintenance of any existing structure should they remain.

C. Those uses in Section 3356.03, C-4 Permitted Uses, of the Columbus City Code shall be permitted in all Subareas except as restricted by 2.B. above. The following uses are excluded from the subject property: Automobile sales (new and used); Billboard (unless approved a part of a graphics plan); Bus or truck terminal; Car lot; Funeral Homes and Services; Crematory; Pawn Brokers; Collection; Agencies; Repossession Services; Hookah Bars.

## **3. DEVELOPMENT STANDARDS:**

Unless otherwise indicated in the written text or the submitted Site plan, the applicable development standards are contained in Chapter 3356, Regional Scale Commercial Development of the Columbus City Code.

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

1. The setback from High Street shall be 4 feet from the proposed Right-of-Way of High Street which shall match the existing South Campus Gateway Right-of-Way. The setback from the east side of Pearl Alley, Section, Alley,

8th Avenue and 9th Avenue shall be 10 feet. The setback from the unnamed alley to the South of East 8th Avenue shall be 30 feet, except within 100 ft. of Pearl Alley and Section alley where the setback shall be 10 ft.

2. Subareas A through D shall maintain a minimum 10 foot rear yard and side yard setbacks.

3. The Site shall establish a 110 foot height district. The maximum building height for Subarea A shall be 72 feet. The maximum building height for Subarea B and C shall be 60 feet with step- down to 45 feet for buildings within 30 feet of Section Alley along the east side of the Subarea B-2. The maximum building height for Subarea D shall be 45 feet. Rooftop mechanical equipment and its associated screening will not be used in the determination of building heights. Specialized or distinctive architectural elements, as approved by the University Area Review Board, shall not be subject to these height limitations.

**B. Access, Loading, Parking, Pedestrian and/or other Traffic related commitments:**

1. Applicant agrees that the Developer of the proposed project shall conduct a Traffic Impact Study to be reviewed and approved by the Department of Public Service, prior to the approval of the final site compliance plan by the City of Columbus.

2. All access points to all subareas shall be subject to the approval of the Department of Public Service.

3. Parking requirements for Subareas A through D shall be calculated and provided in aggregate for the entire site.

4. There shall be no required on-Site parking for individual subareas. Aggregate minimum parking requirements may be satisfied through a combination of on-site parking, and up to 300 parking spaces within the existing South Campus Gateway garage. For the required parking in Subarea A, up to 300 spaces may be counted in the existing South Campus Gateway garage in Subarea E of Z03-004(Ord. #1673-2003).

5. Applicant shall provide 3 parking spaces per 1,000 square feet of commercial use (including retail, office, and restaurant). Residential uses shall provide 1.5 parking spaces per dwelling unit.

6. There shall be no parking required for outdoor dining or entertainment areas.

7. One loading space shall be provided for Subarea A subject to the approval of the Department of Public Service. Because no large scale tenant is expected within the subarea, the development may vary the size and shape of the loading zone if the space required pursuant to the code is deemed unnecessary, subject to the approval of the Department of Public Service.

8. Sidewalks and outdoor dining areas shall be paved with material and pattern consistent with the existing South Campus Gateway High Street sidewalk. The material and pattern shall extend a minimum of 50 feet from High Street along 8th and 9th Avenues. Sidewalks that are not less than 4 feet in width shall be provided along 8th and 9th Avenues as approved by the Department of Public Service.

9. Subarea A shall provide at least 20 covered bicycle storage spaces. Subareas B through D shall provide, in aggregate, bicycle storage spaces pursuant to the Code.

10. The design of any traffic improvement shall be subject to the review and approval of the Department of Public Service. Additional Right-of-Way shall be dedicated which shall match the existing adjustment of South Campus Gateway Phase I.

11. Parking, vehicle stacking, and circulation shall be prohibited within the building setback area **along public street frontages, but not within alley setback areas.**

**12. Residential parking spaces shall be a minimum of 8.5 feet wide by 18 feet deep, with the exception of accessible spaces.**

**C. Buffering, Landscaping, and/or Screening commitments:**

1. Street trees shall be installed along all improved frontages in cooperation with the Urban Forester of the Department of Parks and Recreation.
2. Unless otherwise specified, minimum size of trees at installation shall be 3-inch caliper for deciduous trees, 5 feet in height for evergreen trees and 2.5 inch caliper for ornamental trees.
3. Parking lots along the southern perimeter in Subareas D-1 and D-2 shall be screened with 3 foot high landscaping and/or fencing between the lot and the alley. Landscaping shall also include deciduous trees planted 45 ft. on center and adjusted for the site conditions.

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

1. The following criteria shall be considered for review and approval of buildings by the University Area Review Board:
  - a. All buildings within Subarea A shall be contemporary, using flat planes and taut building wrappers to create simple juxtaposing volumes that provide efficient, flexible plans appropriate to their respective uses. The commercial base for each building will be highly transparent, allowing the energy and light of the stores to spill out and activate the streets. The upper stories will be articulated to reference the best architecture of the adjacent Short North while retaining a contemporary authenticity.
  - b. All buildings within Subareas B through D shall reinforce the streetscape along 8th and 9th Avenues. Buildings are to be scaled to create a pedestrian atmosphere, and shall promote the creative design of a high quality development that fits within the design context of the surrounding neighborhood.
  - c. Each building shall consist of a material palette intended to be high quality and long lasting, comprising of brick of various colors, cast stone, glass (particularly at street-level), exposed metal, EIFS, composite trim and materials of similar quality.
  - d. All building openings, including doors and windows, shall be spaced and sized at regular intervals to promote a pedestrian environment. Building openings within Subarea A shall be oriented vertically to match the character of the existing South Campus Gateway Development.
  - e. The buildings within Subarea A shall have a flat roof. The buildings within Subareas B through D may have flat, gable, shed roof, or combination thereof, and shall be reviewed and approved by the University Area Review Board.
2. No materials, supplies, equipment or products shall be displayed or permitted to remain on any portion of the Site outside the permitted structures, except for outside dining and entertainment areas.
3. The primary and longest façade of buildings in Subareas D-1 and D-2 shall face 8th Avenue. The façades facing Euclid Avenue shall not be blank.

**E. Dumpsters, Lighting, Outdoor Display Areas, and/or Other Environmental Commitments:**

1. Outdoor lighting shall be cut-off fixtures (down lighting) or Acorn lighting as appropriate, unless an alternative design is approved by the University Area Review Board.

2. Light poles in the parking lots shall not exceed 18 feet in height unless an alternative design is approved by the University Area Review Board.

**F. Graphics and Signage Commitments:**

Graphic standards, except as modified by a graphics plans, shall apply as they pertain to a C-4, Commercial District.

**G. Miscellaneous:**

1. The subject site shall be developed in general conformance with the submitted CPD Subarea Plan, provided, however, exact locations of access drives, structures and landscaping have not yet been determined, but shall be subject to any necessary approval of the applicable city agencies and divisions. The Plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any 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.

2. The Development shall comply with the Parkland Dedication Ordinance.

3. The developer shall commit to utilizing the principles in the Campus Gateway II Urban Framework Plan in the submission of building plans to the University Area Review Board.

4. The public realm will include large street trees, articulated sidewalks, spaces for outdoor cafes, and attractive three dimensional awnings and signage to reinforce the District as a destination for shopping, dining, evening entertainment and informal meetings and social gatherings as approved by applicable City of Columbus reviewing agencies.

**5. Variance requested: Applicant requests a variance from CCC §3312.29 Parking space, to allow the dimensions of the residential parking spaces to be 8.5 feet by 18 feet, with the exception of accessible spaces.**

**H. CPD Criteria:**

1. Natural Environment: The Site is located on the east side of a major arterial roadway and is occupied by a variety of buildings.

2. Existing Land Uses: A combination of commercial, residential, and university uses surround the Site.

3. Transportation and Circulation: The existing street system shall provide access to the proposed development as described in Section 3B.

4. Views and Visibility: See Section D.

5. Visual Form of the Environment: See Section D.

6. Proposed Development: Mixed use of commercial, office, entertainment, parking, and residential uses.

7. Emission: No adverse effects shall result from the proposed development.

8. Behavior Patterns: Other than as proposed herein, the proposed development shall make use of the existing pedestrian and vehicular patterns for the area.

**SECTION 2.** ~~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.**