



## Legislation Details (With Text)

**File #:** 1925-2015      **Version:** 2

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

**File created:** 7/7/2015      **In control:** Zoning Committee

**On agenda:** 7/27/2015      **Final action:** 7/30/2015

**Title:** To rezone 3450 INDIANOLA AVENUE (43214), being 2.8± acres located on the east side of Indianola Avenue, 242.5± feet north of Oakland Park Avenue, From: R-3, Residential, C-4, Commercial, and M, Manufacturing Districts, To: CPD, Commercial Planned Development District and to declare an emergency (Rezoning # Z14-038).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1925-2015Attachments, 2. Notice Of Public Hearing - Council Mtg20150727

Date	Ver.	Action By	Action	Result
7/30/2015	2	CITY CLERK	Attest	
7/29/2015	2	MAYOR	Signed	
7/27/2015	2	COUNCIL PRESIDENT	Signed	
7/27/2015	1	Zoning Committee	Approved as Amended	Pass
7/27/2015	1	Zoning Committee	Amended to Emergency	Pass
7/20/2015	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z14-038

**APPLICANT:** Olympic Beach Acquisitions LLC; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Mixed-use development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on May 14, 2015.

**CLINTONVILLE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site was formally developed with a private swimming pool and a mixed-commercial building, and is zoned R-3, Residential, C-4, Commercial, and M, Manufacturing Districts. The majority of the site is located within the Community Commercial Overlay (CCO), with the southern portion being in the Urban Commercial Overlay (UCO). The requested CPD, Commercial Planned Development District will allow the site to be redeveloped with a mixed-use building including 4,750 square feet of restaurant space, 1,800 square feet of patio seating space, and 114 apartment units. The CPD text commits to a site plan and building elevations. The proposal includes variances for a parking space reduction of 34 on-site spaces, parking lot landscaping, C-4 setbacks and development limitations, and CCO window glass requirements. The site is located within the planning area of the *Clintonville Neighborhood Plan* (2009), which recommends mixed-use development with residential densities of 20-30 units per acre. The Plan also recognizes that some developments may merit a higher density, with specific rationale. The site's existing zoning, access to transit, incorporation of plazas, and proposed parking ratio are all factors

that warrant a density higher than 30 units/acre. The proposed building design and architecture, in combination with the predominance of one bedroom units and the rationale listed above (existing zoning, access to transit, incorporation of plazas, and proposed parking ratio) merit support for the proposed density.

To rezone **3450 INDIANOLA AVENUE (43214)**, being 2.8± acres located on the east side of Indianola Avenue, 242.5± feet north of Oakland Park Avenue, From: R-3, Residential, C-4, Commercial, and M, Manufacturing Districts, To: CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z14-038).

**WHEREAS**, application #Z14-038 is on file with the Department of Building and Zoning Services requesting rezoning of 2.8± acres from R-3, Residential, C-4, Commercial, and M, Manufacturing Districts, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Clintonville 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 a mixed-use development consistent with land use recommendations of the *Clintonville Neighborhood Plan*, and the building design in combination with the existing zoning, access to transit, incorporation of plazas, and the provided parking ratio merit support for the proposed density; 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 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:

**3450 INDIANOLA AVENUE (43214)**, being 2.8± acres located on the east side of Indianola Avenue, 242.5± feet north of Oakland Park Avenue, and being more particularly described as follows:

**Tract One**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 1, Township 1 North, Range 18 West, United States Military Lands, and being all of a 2.347 acre tract as conveyed to Olympic Pool Properties II, LLC in Instrument Number 201404300053111, and all of a tract of land as conveyed to Olympic Beach Acquisitions, LLC, in Instrument Number 201404160046130, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the northwest corner of said 2.347 acre tract and being in the easterly right-of-way line of Indianola Ave. (60°);

thence easterly along the north line of said 2.347 acre tract, South 86° 31' 56" East, 250.00 feet to the northeast corner of said 2.347 acre tract;

thence southerly along the east line of said 2.347 acre tract, South 03° 13' 01" West, 470.29 feet to the southeast corner of said 2.347 acre tract;

thence westerly along the south line of said 2.347 acre tract the following three (3) courses:

1. North 88° 12' 17" West, 102.54 feet;
2. Along a curve to the right, with a radius of 39.00 feet, a central angle of 06° 15' 54", an arc length of 4.26 feet, and a chord which bears North 30° 25' 25" West, a distance of 4.26 feet;
3. Along a curve to the right, with a radius of 602.66 feet, a central angle of 05° 19' 31", an arc length of 56.01 feet, and a chord which bears North 27° 33' 30" West a distance of 55.99 feet to the southeast corner of said Olympic Beach Acquisitions, LLC tract;

thence along the south line of said Olympic Beach Acquisitions, LLC tract, North 87° 38' 17" West, 116.49 feet to the southwest corner of said Olympic Beach Acquisitions, LLC tract and being in the easterly right-of-way line of Indianola Ave;

thence northerly along the west line of said Olympic Beach Acquisitions, LLC tract, and the south line of said 2.347 acre tract and the easterly right-of-way line of Indianola Ave. North 03° 13' 01" East, 424.01 feet to the **POINT OF BEGINNING**, containing approximately 2.6 acres and encompasses parcel numbers: 010-261300 and 010-066558.

Subject to all legal rights-of-way and/or easements, if any, of previous record.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on July 31, 2014.

This description is not for recording purpose.

**To Rezone From:** R-3, Residential, C-4, Commercial, and M, Manufacturing Districts

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

### **Tract Two**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 1, Township 1 North, Range 18 West, United States Military Lands, and being part of a 2.939 acre tract as conveyed to Olympic Indoor Tennis, Inc. in Instrument Number 200204080088146, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the northwest corner of said 2.939 acre tract and being in the easterly right-of-way line of Indianola Ave. (60");

thence easterly along the northerly line of said 2.939 acre tract, South 86° 31' 56" East, 60.00 feet;

thence southerly crossing said 2.939 acre tract, South 03° 13' 01" West, 120.26 feet to the south line of said 2.939 acre tract;

thence westerly along the south line of said 2.939 acre tract, North 86° 31' 56" West, 60.00 feet to the southwest corner of said 2.939 acre tract and being in the easterly right of way line of Indianola Avenue;

thence northerly along the west line of said 2.939 acre tract and said easterly right-of-way line, North 03° 13' 01" East, 120.26 feet to the POINT OF BEGINNING, containing approximately 0.2 acres and encompasses part of parcel number: 010-003103.

Subject to all legal rights-of-way and/or easements, if any, of previous record.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on July 31, 2014

This description is not for recording purpose.

**To Rezone From:** R-3, Residential 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 plans being titled, "**CPD PLAN**," and "**BUILDING ELEVATIONS**," and text titled, "**CPD TEXT**," all dated July 8, 2015, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

#### **CPD TEXT**

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

**PROPERTY ADDRESS:** 3450 Indianola Avenue

**OWNER:** Olympic Beach Acquisitions, LLC et al.

**APPLICANT:** Olympic Beach Acquisitions, LLC et al.

**DATE OF TEXT:** 7/8/15

**APPLICATION:** Z14-038

1. **INTRODUCTION:** The site was formerly developed with a mixed-commercial building, and a swimming pool facility and parking. It is located on the east side of Indianola Avenue, across from Piedmont Road. The proposed use would redevelop the site for a mixed use building combining commercial and residential uses while maintaining parking in front of the tennis facility. The applicant shall present the final landscape plan to the Clintonville Area Commission and LOUA for their input prior to application submittal for site compliance review.

2. **PERMITTED USES:** These uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or on the submitted drawings the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

1. Building setback along Indianola Avenue shall be a minimum of 3 feet.
2. Parking setback along Indianola Avenue shall be a minimum of 1 feet.
3. Maximum number of dwelling units shall be 114.

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

1. The applicant shall install traffic indicators at the access driveway for left turns and right turns only if the City's Division of Public Service approves such a request.

2. Applicant shall obtain an irrevocable agreement from tennis facility to the north for at least 20 parking spaces.

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

1. Street trees shall be planted along Indianola Avenue subject to the review and approval of the City's forester.

2. The courtyard areas along Indianola Avenue will contain landscaping including trees.

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

N/A

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments

N/A

F. Graphics

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 District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

2. The existing billboard will be removed as part of the redevelopment of the site.

G. Miscellaneous

1. Variances.

a) Section 3372.704(A) Setback: to reduce the building setback from 25 feet +/- 2 feet to 3 feet along Indianola Avenue due to the additional right of way requested by the City.

b) Section 3372.705 Building Design Standards: to not require clear glass window.

c) Section 3372.707 (A), Landscaping and Screening: to eliminate trees in front of the building. Street trees shall be installed subject to the City's approval.

d) Section 3372.704(D) Setback: to reduce the parking setback from 25 feet to 1 foot along Indianola Avenue for the existing parking spaces along Indianola Avenue which currently have a zero setback due to the additional right of way requested by the City.

e) Section 3312.49 Minimum number of parking spaces required: to reduce the number of parking spaces from 228 to 194.

f) Section 3372.709 Parking and Circulation: to permit existing parking spaces to remain in front of building along Indianola Avenue.

g) Section 3356.05 (F)(2) C-4 district development limitations: to permit adjoining use to occupy less than the entire length of the Indianola Avenue frontage.

h) Section 3312.21 Landscaping and Screening: to permit trees around the perimeter of the parking lot to count as

interior landscaping.

i) Section 3312.29 Parking Space: to permit parking spaces along the north side of the building to be split by a parcel line.

2. Site Plan. The subject site shall be developed 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 of the development and when engineering and architectural drawings are completed. Any slight adjustments of the Site Plan shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Building Elevations. The building shall be developed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect architectural, engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. The design style and the step back look of the fourth floor as shown in the building elevations shall not change. Any slight adjustments of the submitted building elevations shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or 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.~~**  
**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.**