



## Legislation Details (With Text)

**File #:** 1485-2017      **Version:** 1

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

**File created:** 5/30/2017      **In control:** Zoning Committee

**On agenda:** 6/19/2017      **Final action:** 6/20/2017

**Title:** To amend Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), by repealing Section 3 and replacing it with a new Section 3 thereby modifying the CPD Text regarding building height, and replace the CPD Plan and building elevations, for property located at 136 PARSONS AVENUE (43215) (Rezoning Amendment # Z16-017A).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1485-2017\_Attachments

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 6/20/2017 | 1    | CITY CLERK            | Attest                  |        |
| 6/20/2017 | 1    | MAYOR                 | Signed                  |        |
| 6/19/2017 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 6/19/2017 | 1    | Zoning Committee      | Approved                | Pass   |
| 6/12/2017 | 1    | Columbus City Council | Read for the First Time |        |

### Rezoning Amendment Z16-017A

Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), rezoned 1.08± acres from the ARLD, Apartment Residential District to the CPD, Commercial Planned Development District for a mixed-use building containing approximately 2,000 square feet of commercial space and 78 apartment units. That legislation permitted an increased building height of 42 feet with a commitment to building elevation drawings. This legislation will amend Ordinance # 1885-2016 by modifying the CPD Text and Plan to increase the height of a portion of the proposed building from 42 feet to 52 feet, revise the arrangement of uses on the ground floor, and replace the building elevation drawings. The applicant has also filed an amendment (Ordinance # 1486-2017; CV16-017A) to concurrent Council variance Ordinance # 1886-2016 (CV16-017) to change the permitted four ADA-accessible residential units on the ground floor to two ADA-accessible units, leasing office, and a fitness center to be used by building residents or by the public. The modifications were reviewed by the Planning Division of the Department of Development to ensure that the proposal remains consistent with the land use and design-related recommendations of the *Near East Area Plan* (2005) and the *Olde Towne Quarter Economic Development Strategy* (2010), both of which recommend mixed commercial and residential uses for this location. The Near East Area Commission also reviewed the modifications and recommends approval. This amendment does not alter any other requirement established by Ordinance # 1885-2016.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), by repealing Section 3 and replacing it with a new Section 3 thereby modifying the CPD Text regarding building height, and replace the CPD Plan and building elevations, for property located at **136 PARSONS AVENUE (43215)** (Rezoning Amendment # Z16-017A).

**WHEREAS**, Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), rezoned 1.08± acres located at **136 PARSONS AVENUE (43215)** from the ARLD, Apartment Residential District to the CPD, Commercial Planned Development District; and

**WHEREAS**, that rezoning established specific development standards addressing permitted uses, setbacks, access, parking, landscaping, building design, and lighting commitments; and

**WHEREAS**, the CPD Text permitted an increased building height of 42 feet with a commitment to specific building elevation drawings; and

**WHEREAS**, the Applicant proposes to modify the CPD Text to further increase the building height of a portion of the building to 52 feet; and

**WHEREAS**, it is necessary to amend Section 3 of Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), to increase the building height, and to replace the CPD Plan and building elevation drawings; and

**WHEREAS**, all other aspects of Sections 1 and 2 contained in Ordinance # 1885-2016 are unaffected by this amendment and remain in effect, and are repeated below for clarity; and

**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:

**136 PARSONS AVENUE (43215)**, being 1.08± acres located at the southeast corner of Parsons Avenue and Gustavus Lane, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and City of Columbus and bounded and described as follows:

Being Lots Numbers Forty-Nine (49), Fifty (50), Fifty-One (51), Fifty-Two (52), Fifty-Three (53), and Fifty-Four (54) in Benjamin Monett's Bryden Road Subdivision of part of Lot No. Two (2) of James Bruden and et al Subdivision of part of Half Section Twenty Four (24), Township 5, Range 22, Refugee Lands, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 92 and 93, Recorder's Office, Franklin County, Ohio, and being all of Grantor's right, title and interest in and to that certain alley lying East of the East lines of the said Lots Numbers 51, 52, 53, and 54, and West of the west line of said Lot No. 50, and extending from the South line of Gustavus Lane in a Southerly direction to the North line of the first alley South of the Gustavus Lane. The alley described herein and conveyed hereby was vacated by Ordinance No. 776-50 of the City of Columbus, Ohio passed September 5, 1950.

**To Rezone From:** ARLD, Apartment 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 Section 3 of Ordinance # 1885-2016, passed July 25, 2016 (Z16-017), be hereby repealed and replaced with 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 plans being titled, ~~“ZONING PLAN FOR 136 PARSONS AVE.,”~~ **“SITE CONSTRUCTION PLAN FOR 122 PARSONS AVENUE SHEETS Z101 & Z100,”** and elevation drawings titled ~~“ELEVATIONS SHEET NUMBERS A2-1 & A2-2,”~~ **“122 PARSONS AVENUE SHEETS 1-4,”** and text titled, **“COMMERCIAL PLANNED DEVELOPMENT TEXT,”** all dated ~~June 23, 2016~~ **May 22, 2017**, all signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

## **COMMERCIAL PLANNED DEVELOPMENT TEXT**

**PROPOSED DISTRICT:** CPD

**PROPERTY ADDRESS:** 136 Parsons Avenue

**OWNER:** Parsons Parc II LLC

**APPLICANT:** Parsons Parc II LLC

**DATE OF TEXT:** ~~June 20, 2016~~ **May 22, 2017**

**APPLICATION NUMBER:** Z16 - 017A

**INTRODUCTION:** The real property that is the subject of this zoning text consists of 1.08± acres located on the east side of Parsons Avenue in the Olde Towne East neighborhood. The property is vacant and formerly housed a carpet manufacturing and sales business that burned down. The property is currently zoned ~~in the ARLD, multi-family residential district.~~ **The applicant proposes rezoning to the Commercial Planned Development District (CPD), to allow which allows** a mixed-use redevelopment consistent generally with the built environment along Parsons Avenue from Bryden Road on the south to Broad Street on the north.

This redevelopment proposes first floor commercial uses, ~~four (4)~~ **two (2)** handicap accessible first-floor residential dwellings, **a leasing office, and a fitness use to be used by building residents and may be used by the public,** enclosed parking on the ground level behind the first floor commercial and residential uses, and ~~74~~ **76** residential dwellings above the first floor. The first-floor residential dwellings and uses are requested by **an amendment to the previously approved** Council variance, Ordinance ~~1885-2016~~ **1501-2017**, as a companion to this rezoning request.

**2. PERMITTED USES:** Permitted uses shall be those uses specified in Section 3356.03 (C-4, Commercial) of the Columbus City Code, excluding the following:

Billboards  
Cabaret  
Dance hall  
Funeral parlor  
Pawn shop  
Poolroom  
Private club  
Testing or experimental laboratory  
Check cashing and loans

**3. DEVELOPMENT STANDARDS:** The applicable development standards are contained in Chapter 3356 (C-4, Commercial) unless otherwise indicated within this text.

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

The building setback from Parsons Avenue shall be a minimum of five (5) feet, side and rear setbacks may be zero.

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

1. ~~Subject to review and approval by the Department of Public Service, primary~~ **Primary** access to the parking garage

shall be from a double-door on Gustavus Lane along the north. This entrance must be maintained as the primary point of ingress and egress. A limited secondary access door shall be provided from the alley along the east side of the property, which use is subject to the property manager's discretion in the instance of primary entrance blockage, malfunction, emergencies, or the like.

2. Each pair of stacked parking spaces in the parking garage shall be assigned to an individual dwelling unit.

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

1. Street trees shall be installed along the Parsons Avenue frontage in cooperation with the Urban Forester of the Department of Parks and Recreation.

2. 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.

D. Building Design and Exterior Treatment Conditions.

The Subject Site shall be maintained in accordance with the Site Plan submitted herewith and the Building Design shall be substantially similar to the Architectural Elevations submitted herewith. Both may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

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

1. Outdoor lighting shall be cut-off fixtures (down lighting) or wall pack lighting.

2. Trash and recycling containers, dumpsters and service areas shall be contained within the building.

F. Graphic and Signage Commitments.

Graphics and signage, if any, shall comply with the Graphics Code, Article 15, Title 33, of the Columbus City Code as it applies to the C-4, Regional Scale Commercial District, and any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. A variance to C.C. 3309.14 to permit a maximum building height of ~~42~~ **52** feet.

2. A variance to C.C. 3312.25 is necessary to allow stacked parking spaces in the parking garage.

3. A variance to C.C. 3312.29 is necessary to allow stacked parking spaces in the parking garage.

4. A variance to C.C. 3312.49 to reduce the minimum number of required parking spaces by a maximum of 19 parking spaces.

5. A variance to C.C. 3321.05 to allow an encroachment into the vision clearance triangle at the intersections of Parsons Avenue and East Chapel Street and Parsons Avenue and Gustavus Lane.

6. CPD Criteria:

a) NATURAL ENVIRONMENT.

This property is vacant and was formerly a carpet manufacturing and sales facility that burned down. It is located on the

east side of Parsons Avenue, between two alleys - Gustavus Lane to the north and East Chapel Street to the south.

b) EXISTING LAND USE.

The property is vacant, and is zoned ~~ARLD, Apartment Residential~~ **CPD, Commercial Planned** District.

c) TRANSPORTATION AND CIRCULATION.

There will be direct vehicular access to the site via an enclosed parking garage accessed from Gustavus Lane, an alley along the north side of the property. Secondary access may be provided along the eastern alley as otherwise provided herein.

d) VISUAL FORM OF THE ENVIRONMENT.

The existing uses/zoning of the surrounding properties are as follows:

West: This is the site of the now vacant E.T. Paul Tire, auto sales and service zoned in the ARLD, multi-family residential district.

North: To the north is a mix of zoning with CPD being along Parsons Avenue, and R-3 residential to the east.

East: To the east is residential development in the R-3 residential district.

South: To the south is an office building in the ARLD, multi-family residential district.

e) VIEW AND VISIBILITY.

This site is clearly visible along the east side of Parsons Avenue. This is a vacant site; the proposed mixed-use redevelopment is consistent with other area development and the long-term planning goals of the neighborhood.

f) PROPOSED DEVELOPMENT.

The proposed development is a mixed-use development, with a mix of retail uses and residential on the first floor, enclosed parking behind, and residential units above.

g) BEHAVIOR PATTERNS.

As indicated on the submitted Site Plan, residents will access the development from the north into an enclosed parking garage. Secondary access will be provided along the eastern alley as otherwise provided herein. There are also individual garages for residents along the north side of the building. Along the south are parallel parking and handicap parking spaces that will serve the commercial components of the development. This will behave like a mixed-use development on an urban corridor.

h) EMISSIONS.

No adverse emissions will occur as a result of this development.

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