



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 12/3/2018 **Final action:** 12/6/2018

Title: To rezone 341 EAST BARTHMAN AVENUE (43207), being 0.39± acres located at the southwest corner of East Barthman and South Washington Avenues, From: R-3, Residential District, To: CPD, Commercial Planned Development District (Rezoning #Z18-035).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3239-2018.Attachments.pdf, 2. ORD3239-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
12/6/2018	1	CITY CLERK	Attest	
12/5/2018	1	ACTING MAYOR	Signed	
12/3/2018	1	COUNCIL PRESIDENT	Signed	
12/3/2018	1	Zoning Committee	Waive the 2nd Reading	Pass
12/3/2018	1	Zoning Committee	Approved	Pass

Rezoning Application: Z18-035

APPLICANT: ZG Barthman LLC; c/o Sean Mentel; 100 South Fourth Street, Suite 100; Columbus, OH 43215.

PROPOSED USE: Mixed-use development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on October 11, 2018.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.39± acre site consists of two parcels, one developed with a commercial building housing a security business permitted by Council Variance #CV15-057, the other undeveloped, and both zoned in the R-3, Residential District. The requested CPD, Commercial Planned Development District will permit additional commercial uses, second floor apartment units, and a parking lot. The CPD text allows uses permitted in the C-1, Commercial District and security services. The text includes provisions for building setback, dumpster placement, and a commitment to a site plan. Variances to reduce screening and the required number of parking spaces from 34 to 9 are included in this request. The site is located within the planning area of the *South Side Plan* (2014), which recommends "Neighborhood Mixed Use" at this location, allowing for commercial uses with the inclusion of higher-density residential uses. Staff finds that the proposed CPD, Commercial Planned Development District is consistent with the land use recommendations of the *South Side Plan*, and is compatible with the surrounding development. The repurposing of a former industrial building into a mixed-use development is more compatible with adjacent residential uses which warrant support for the requested variances as well.

To rezone **341 EAST BARTHMAN AVENUE (43207)**, being 0.39± acres located at the southwest corner of East Barthman and South Washington Avenues, **From:** R-3, Residential District, **To:** CPD, Commercial Planned Development District (Rezoning #Z18-035).

WHEREAS, by application # Z18-035 is on file with the Building and Zoning Services Department requesting rezoning of 0.39± acres from R-3, Residential District, to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval; and

WHEREAS, the Columbus South Side Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District is consistent with the land use recommendations of the *South Side Plan*, and is compatible with adjacent residential uses which warrant support for the requested variances as well; 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:

341 EAST BARTHMAN AVENUE (43207), being 0.39± acres located at the southwest corner of East Barthman and South Washington Avenues, and being more particularly described as follows:

Being Lots Number One Hundred Three (103), One Hundred Four (104), One Hundred Five (105) and One Hundred Thirty-Eight (138) of 20TH CENTURY ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 496, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-053994 and 010-037698

Known as 341 East Barthman Avenue, Columbus, OH

From: R-3, 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, "**BUILDING RENOVATION - 339-341 E. BARTHMAN AVE.,**" and text titled, "**DEVELOPMENT TEXT**," both signed by Sean Mentel, Attorney for the Applicant, dated November 6, 2018, and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING: R-3, Residential, H-35, Council Variance CV15-057

PROPOSED ZONING: CPD, Commercial Planned Development District

OWNER: ZG Barthman LLC

APPLICANT: ZG Barthman LLC c/o Sean Mentel, Kooperman Mentel Ferguson Yaross

DATE OF TEXT: October 2, 2018

APPLICATION NUMBER: Z18-035

1. INTRODUCTION: The subject property of this rezoning is located at the corner of E. Barthman Avenue and S. Washington Avenue and consists of two lots separated by an unnamed alley being Franklin County Parcel Numbers 010-053994 and 010-037698. The northern +/- 0.28 acre lot is developed with an existing building and the southern +/- 0.11-acre lot is vacant and undeveloped. The subject property is currently zoned R-3, however, warehouse and limited retail uses are permitted by Council Variance CV15-057.

The existing building was dilapidated and deteriorating for some time until the Applicant renovated and improved the eastern section of the building, depicted in white on the submitted site plan, in 2015. The eastern section of the building is currently leased to a commercial tenant and well maintained by Applicant. The western portion of the building remains dilapidated and deteriorating.

The Applicant proposes to rezone the property to allow commercial uses and security services (an existing tenant) as well as dwelling units over the commercial uses. In addition, the applicant will improve the southern lot with 9 parking spaces, including one handicap accessible space, and begin renovating the dilapidated portion of the western building.

2. PERMITTED USES: The only permitted use of parcel 010-053994 will be security services and the uses listed in Columbus City Code Chapter 3351, C1, Neighborhood Commercial District. Parcel 010-037698 will be developed with a parking lot to support the uses on the Site.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text or the site plan, the applicable development standards are contained in Chapter 3351, C-1 Neighborhood Commercial District of the Columbus City Code, Chapter 3312, Off-Street parking and Loading and Chapter 3321, General Site Development Standard.

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

1. The existing setback lines will be as depicted in the submitted site plan and will remain the setback lines, which are a 3' setback line on the northern frontage of the building and a 0' setback line on the eastern, western, and southern frontages of the building.

2. The existing building lot coverage of 92%, as depicted in the submitted site plan, will remain the lot coverage for the building.

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

Parcel 010-037698 will be developed with a parking lot to support the uses on 010-053994. Parking for the permitted on-site uses shall consist of nine (9) spaces as shown on the site plan and will include a twenty five (25) space variance as referenced in Section 3.1.1 of this Development Text. The maximum number of required spaces for all proposed uses on site may not exceed 34 spaces.

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

Due to the existing building completely covering the lot, there will be no screening installed next to the abutting residential property.

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

N/A

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

A dumpster shall be located on the southern lot next to the parking area as depicted in the submitted site plan.

F. Graphics and/or Signage Commitments

All graphics and signage for the subject shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-1, and any variance to those requirements or off-premises graphics will be submitted to the Columbus Graphics Commission for consideration.

G. CPD Criteria

1. Natural Environment. The natural environment of the site is flat.

2. Existing Land Use. The property is developed with an existing building and vacant lot. The existing building consists of a recently renovated eastern portion, currently used by a tenant for retail, office and warehouse uses, and a dilapidated western portion, currently vacant.

3. Circulation. Access to and from the site includes pedestrian access, and access via E. Barthman Avenue, S. Washington Avenue, and an unnamed alley.

4. Visual Form. The area surrounding the site is zoned for Residential use, however, the property to the north permits a multi-unit residential development by Council Variance and the property to the northeast is zoned C-4 and currently used as a family health and wellness center.

5. Visibility. The site is visible from E. Barthman Avenue, S. Washington Avenue, and an unnamed alley.

6. Proposed Development. Commercial uses appropriate for the site/area and residential (above commercial).

7. Behavior Patterns. This area of development will integrate selective commercial uses that encourage pedestrian access. Existing traffic flow shall be maintained.

8. Emissions. This development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H. Miscellaneous Commitments

The subject property shall be developed in accordance with the submitted site plan. The submitted 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 completed. 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 designee, upon submission of the appropriate data regarding the proposed adjustment.

I. Variances Requested

1. Section 3312.49 Minimum Number of Parking Spaces Required.

Applicant proposes developing 9 parking spaces with the maximum number of required spaces for all proposed uses on site not exceeding 34 spaces. Thus, a variance is requested for 25 parking spaces.

2. Section 3321.09 Screening.

Section 3321.09 requires screening of non-residential districts abutting residential districts. A variance is requested on parcel 010-053994 to allow for no screening due to the existing building occupying the entire site.

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