



## Legislation Details (With Text)

**File #:** 2454-2019      **Version:** 2

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

**File created:** 9/17/2019      **In control:** Zoning Committee

**On agenda:** 10/28/2019      **Final action:** 10/31/2019

**Title:** To rezone 966 S. HIGH ST. (43206), being 0.34± acres located on the east side of High Street, 65± feet north of Stewart Avenue, From: C-4, Commercial District, To: CPD, Commercial Planned Development District (Rezoning #Z19-058).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2454-2019\_Amended\_Attachments.pdf, 2. ORD2454-2019\_Attachments, 3. ORD2454-2019\_Labels

Date	Ver.	Action By	Action	Result
10/31/2019	2	CITY CLERK	Attest	
10/30/2019	2	MAYOR	Signed	
10/28/2019	2	COUNCIL PRESIDENT	Signed	
10/28/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
10/28/2019	1	Zoning Committee	Approved as Amended	Pass
10/28/2019	1	Zoning Committee	Amended as submitted to the Clerk	Pass

### Rezoning Application Z19-058

**APPLICANT:** Jefferson Center for Learning and the Arts, c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on September 12, 2019.

**BREWERY DISTRICT COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 0.34± acre site consists of one parcel developed with part of the historic Columbus Maennerchor complex in the C-4, Commercial District. The applicant requests the CPD, Commercial Planned Development District to repurpose the building for C-4 regional scale commercial uses that may specifically include assembly and office uses. The CPD text establishes use restrictions and supplemental development standards that address building setbacks and height and traffic access, and includes a commitment to develop the site in accordance with the submitted site plan. Additionally, the CPD text includes a variance to eliminate parking lot shade trees and reduce the minimum number of parking spaces required from 129 spaces to 11 spaces. This site is within the "Southern Tier" of the *Brewery District Plan* (1992), which does not recommend specific land uses but does promote policies and strategies for future development. The site is also within the boundaries of the South High Street / South Front Street Urban Commercial Overlay. The proposed CPD district preserves the traditional character of this portion of High Street and facilitates the rehabilitation and reuse of a historical building, as recommended by the

Plan. The parking reduction is supportable due to the urban character of the area, availability of on-street parking to serve the proposed uses and the historic usage of the property.

To rezone **966 S. HIGH ST. (43206)**, being 0.34± acres located on the east side of High Street, 65± feet north of Stewart Avenue, **From:** C-4, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning #Z19-058).

**WHEREAS**, application #Z19-058 is on file with the Department of Building and Zoning Services requesting rezoning of 0.34± acres from C-4, Commercial District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Brewery District 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 the rehabilitation and reuse of a historical building as recommended by the *Brewery District Plan*, and an associated parking reduction that is supportable due to availability of on-street parking and urban character of this stretch of High Street; 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:

**966 S. HIGH ST. (43206)**, being 0.34± acres located on the east side of High Street, 65± feet north of Stewart Avenue, and being more particularly described as follows:

**DESCRIPTION OF A 0.341 ACRE TRACT:**

Being part of Lot 4, Lot 5 and Lot 6 in the Otto Dresel, Etal. Subdivision of a part of Deshler and Thurman's Addition to the City of Columbus (Plat Book 1, Page 357) as recorded in Plat Book 3, Page 55, and part of Lot 3 and Lot 4 in Joseph Falkenbach's Subdivision of Lots 7-8 and 10 ½ feet off the south side of Lot 6 in the Otto Dresel, Etal. Subdivision of a part of Deshler and Thurman's Addition to the City of Columbus (Plat Book 1, Page 357) as recorded in Plat Book 3, Page 360, City of Columbus, Franklin County, State of Ohio and being part of Parcel Number 2, Parcel Number 3, Parcel Number 6 and Parcel Number 7 as conveyed to the Board of Education of the Columbus City School District by deed of record in Instrument Number 201101240011486 and being more particularly described as follows;

Commencing at a 5/8 inch diameter iron pin found at the intersection of the easterly line of High Street (100 feet wide) with the northerly line of Stewart Avenue (formerly known as West Germania Street) (60 feet wide), said point also being the southwesterly corner of Lot 1 in Joseph Falkenbach's Subdivision (Plat Book 3, Page 360);

Thence along the easterly line of High Street and the westerly line of said Joseph Falkenbach's Subdivision North 08° 12' 21" West a distance of 66.00 feet to an iron pin set at the southwesterly corner of Lot 3 in said subdivision, at the southwesterly corner of the hereinafter described tract and at the **True Point of Beginning**;

Thence continuing along the easterly line of High Street, the westerly line of Lots 3 and 4 in said Joseph Falkenbach's Subdivision and the westerly line of Lots 6, 5 and 4 in the Otto Dresel et al. Subdivision (Plat Book 3, Page 55) North 08° 12' 21" West a distance of 181.54 feet to a survey nail found at the southwesterly corner of a 0.105 Acre tract conveyed as public right of way to the City of Columbus by Instrument Number 201803160035405;

Thence along the southerly right of way line of said 0.105 acre tract North 81° 06' 12" East a distance of 15.00 feet to a survey nail found;

Thence continuing along the southerly right of way line of said 0.105 acre tract North 86° 02' 22" East a distance of 64.69 feet to a survey nail set;

Thence South 08° 07' 32" East a distance of 103.54 feet to a survey nail set;

Thence North 81° 44' 40" East a distance of 8.01 feet to a survey nail set;

Thence South 08° 15' 20" East a distance of 73.36 feet to a survey nail set in the common line between Lot 2 and Lot 3 in said Joseph Falkenbach's Subdivision;

Thence along the common line between Lot 2 and Lot 3 in said Joseph Falkenbach's Subdivision South 81° 46' 19" West a distance of 87.44 feet to the **True Point of Beginning** and containing 0.341 Acres, more or less, and subject to all legal easements, agreements and rights-of-way of record.

Parcel No: 010-299416

Known as address: 966 S. High St., Columbus, OH 43206

**To Rezone From:** C-4, Commercial 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 site plan being titled, "**IMPROVEMENT PLAN,**" dated **October 22, 2019, signed by Eric Zartman, Attorney for the Applicant,** and text titled, "**DEVELOPMENT TEXT,**" ~~both~~ dated September 13, 2019, signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

**DEVELOPMENT TEXT**

**ADDRESS: 966 South High Street**

**PARCELS: 010-299416**

**PROPERTY SIZE: +/- .341**

**CURRENT DISTRICT: C-4**

**PROPOSED DISTRICT: CPD**

**HEIGHT: H-60**

**OWNER / APPLICANT:**

**Jefferson Center for Learning and the Arts**

**65 Jefferson Avenue**

**Columbus, Ohio 43215**

**ATTORNEY:**

**David Hodge - Underhill & Hodge LLC**

**8000 Walton Parkway, Suite 260**

**New Albany, Ohio 43054**

**DATE: September 13, 2019**

**APPLICATION: Z19-058**

**I. Introduction:** The subject property ("Site") is approximately .341 acres in area and located on the east side of South

High Street, between Frederick Street and Stewart Avenue. The Site consists of parcel 010-299416. The Site was once home to the Columbus Maennerchor and the structure dates back to the 1880's. The purpose of this rezoning, and this effort, is to save the Maennerchor building, which is currently on the most endangered historic buildings list in the region.

The Site is zoned C-4 and is bordered on the north, south, and west (across North High Street) by property zoned C-4, and on the east by property zoned R-2F. The Site is subject to the South High Street / South Front Street Urban Commercial Overlay and is not subject to a Planning Overlay.

The Site is within the boundary of the Brewery District Historic District. The Brewery District Plan does not recommend a specific use for this Site. The Site, however, is located in the Southern Tier of the historic area. It is noted that many of the buildings along the High Street corridor of this Southern Tier were originally built for residential use but have been converted to office use. The Southern Tier Goals are to: (1) Preserve and enhance the area as a residential, low intensity commercial, mixed-use district, and (2) Preserve the residential character of the area. The Southern Tier Policies are to: (1) Promote compatible redevelopment and rehabilitation, and (2) Preserve significant original structures.

The Applicant proposes renovation and expansion of the existing structure in a way which will achieve the Goals and promote the Policies of the Brewery District Plan's Southern Tier. Specifically, the Application proposes a mixed-use property with approximately 4,150 square feet of assembly space, 5,600 square feet of non-assembly accessory space, and 4,000 square feet of office space.

**II. Permitted Uses:** The permitted uses shall be those uses contained in Section 3356.03, C-4, Permitted Uses of the Columbus City Code.

**III. Development Standards:** Except as otherwise listed herein or depicted on the CPD Plan, the development standards shall be those contained in Chapter 3356, C-4, Regional Scale Commercial District and, where applicable, Chapter 3372, Urban Commercial Overlay of the Columbus City Codes shall apply.

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

1. The building setback from High Street shall be zero.
2. Parking shall be located at the side of the principal building.
3. The maximum building height shall be 60 feet.

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

1. Access shall be as shown on the CPD Plan.
2. The development shall provide a minimum of 11 parking spaces.

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

Interior parking lot landscaping shall not be required.

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

Exterior of building is subject to review and approval by the Brewery District Commission.

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

N/A

## **F. Graphic and Signage Commitments:**

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applicable to the C4, Commercial District and Chapter 3372 as applicable to the Urban Commercial Overlay. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

## **G. Miscellaneous Commitments:**

The Site shall be developed in accordance with the submitted CPD Plan titled, "Improvement Plan". Because the property is located within the jurisdiction of the Brewery District Historic Commission, building modification are subject to their review and approval. The Improvement Plan may be slightly adjusted to reflect engineering, topographical, or other site development data developed at the time the development and engineering plans are completed. Any slight adjustment to the Improvement Plan shall be subject to review and approval by the Director of Building and Zoning Services or a designee, upon submission of appropriate data regarding the proposed adjustment.

## **H. Modification of Code Standards:**

1. 3312.49 - Minimum number of parking spaces required, to reduce parking from 129 parking spaces to 11 on-site parking spaces. Eleven (11) parking spaces shall be the code required minimum parking requirement for the sum of all permitted uses, subject to the sum of calculated parking for permitted uses not exceeding 129 parking spaces.

2. 3312.21 - Landscaping and screening. Under this section interior landscaping trees shall be planted on islands or peninsulas containing a minimum soil area of 145 square feet per tree. This development does not provide interior landscaping trees planted on islands or peninsulas.

## **I. CPD Criteria:**

Natural Environment. The Site on the east side of South High Street, between Frederick Street and Stewart Avenue.

Existing Land Use. The property is presently vacant, but historical was the home of the Maennerchor.

Transpiration and Circulation. The Site is accessed from Frederick Street along the north.

Visual Form of the Environment. The property is located along the east side of South High Street, predominantly a commercial corridor. To the east is a Columbus Public School Elementary.

View and Visibility. Consideration shall be given to the visibility and safety of motorists in the development of the area and location of buildings and access points.

Proposed Development. Applicant proposes to save the building and return it to a functioning contributing property in the community with community-oriented uses.

Behavior Patterns. The behavior patterns of this historic neighborhood are well established and there will be nothing with the request that would significantly modify those patterns.

Emission. No adverse effect from emissions shall result from the proposed development.

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