



## Legislation Details (With Text)

**File #:** 2851-2020      **Version:** 2

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

**File created:** 11/29/2020      **In control:** Zoning Committee

**On agenda:** 12/14/2020      **Final action:** 12/17/2020

**Title:** To rezone 1410 CLEVELAND AVE. (43211), being 1.28± acres located at the northeast corner of Cleveland Avenue and East 11th Avenue, From: R-4, Residential and CPD, Commercial Planned Development districts, To: CPD, Commercial Planned Development District (Rezoning #Z20-067).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2851-2020\_AttachmentsAmended, 2. ORD2851-2020\_Attachments, 3. ORD2851-2020\_Labels

Date	Ver.	Action By	Action	Result
12/17/2020	2	CITY CLERK	Attest	
12/16/2020	2	MAYOR	Signed	
12/14/2020	2	COUNCIL PRESIDENT	Signed	
12/14/2020	1	Zoning Committee	Amended as submitted to the Clerk	Pass
12/14/2020	1	Zoning Committee	Approved as Amended	Pass
12/7/2020	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z20-067

**APPLICANT:** Prime AE Group; c/o Shawn Mason; 8415 Pulsar Place, Suite 300; Columbus, OH 43240.

**PROPOSED USE:** Parking lot expansion for mixed-commercial building.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Conditional approval (5-0) on November 12, 2020.

**SOUTH LINDEN AREA COMMISSION RECOMMENDATION:** ~~Incomplete~~ **Approval.**

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a mixed-commercial building in the CPD, Commercial Planned Development District, and an undeveloped parcel in the R-4, Residential District. The requested CPD, Commercial Planned Development District will permit a six-space expansion of the parking lot. The existing CPD district is included in order to remove screening requirements that are along the eastern boundary of the existing parking lot where the expansion is to occur. The CPD district is comprised of two subareas with Subarea A located in the existing CPD district, and Subarea B only being for the expanded parking lot. The text commits to use restrictions, and provisions addressing lot coverage, access, landscaping, and graphics controls. Variances are included to maintain the existing increased building setback lines. The site is located within the planning boundaries of the *South Linden Land Use Plan* (2018), which recommends "Mixed Use 2" for most of the site, and "Medium Density Residential" for the R-4 district portion. The Plan includes adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Deviation from the land use recommendation is supported for the parking lot expansion because sufficient landscaping and screening have been incorporated into the CPD Plan.

To rezone **1410 CLEVELAND AVE. (43211)**, being 1.28± acres located at the northeast corner of Cleveland Avenue and East 11<sup>th</sup> Avenue, **From:** R-4, Residential and CPD, Commercial Planned Development districts, **To:** CPD, Commercial Planned Development District (Rezoning #Z20-067).

**WHEREAS**, application #Z20-067 is on file with the Department of Building and Zoning Services requesting rezoning of 1.28± acres from the R-4, Residential and CPD, Commercial Planned Development districts, to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change, conditioned on a recommendation of approval from the South Linden Area Commission; and

**WHEREAS**, the South Linden Area Commission recommendation is ~~incomplete due to lack of quorum~~ **for approval**; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District which will permit a parking lot expansion for an existing commercial building remains consistent with the *South Linden Land Use Plan* recommendation for "Mixed Use 2," with deviation from the Plan supported for the parking lot expansion based on the landscaping and screening that have been incorporated into the CPD Plan which is consistent with C2P2 Design Guidelines; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1410 CLEVELAND AVE. (43211)**, being 1.28± acres located at the northeast corner of Cleveland Avenue and East 11<sup>th</sup> Avenue, and being more particularly described as follows:

**SUBAREA A:**

Situated in the State of Ohio, County of Franklin, City of Columbus and being 1.233 acres of land known as Lots 5 through II incl., 31 and 32, part of 33, part of 34 and part of McClelland Avenue as same is numbered and delineated upon the plat of Miller's Cleveland Terrace, recorded in Plat Book 13, Page 19, all references are recorded in the Franklin County Recorder's Office, said 1.233 acres being more particularly bounded and described as follows:

Beginning for Reference at an iron pin found in a monument box located at the intersection of the centerline of Cleveland Avenue and the Westerly centerline of Eleventh Avenue;

Thence North 39°14 '02" East along the centerline of Cleveland Avenue a distance of 45.03 feet to a point on the northerly right-of-way line of Eleventh Avenue extended westerly;

Thence South 75°26'30" East along the said northerly right-of-way extended westerly a distance of 33.01 feet to an iron pin found at the intersection of the northerly right-of-way line of Eleventh Avenue (50 feet wide) and the easterly right-of-way line of Cleveland Avenue (55 feet wide) said iron pin being the TRUE POINT OF BEGINNING of the 1.233 acre tract herein intended to be described;

Thence North 39°14'02" East along the easterly line of Cleveland Avenue and the westerly lines of Lots 5 through 11 inclusive, a distance of 272.1 0 feet to an iron pin set;

Thence South 52°22'10" East along the line between Lots II and 12 a distance of 143.92 feet to an iron pin set in the

northerly right-of-way line of McClelland Avenue (40 feet wide);

Thence South 86°54'59" East along a northerly line of McClelland Avenue and a southerly line of Lot 12 a distance of 39.18 feet to an iron pin found;

Thence South 18°52'42" West across McClelland Avenue a distance of 41.57 feet to an iron pin found in the northerly line of Lot 33 and in the southerly line of McClelland Avenue;

Thence South 86°54'59" East along a northerly line of Lots 33 and 34 and the southerly line of McClelland Avenue a distance of 64.11 feet to an iron pin set at the northwesterly corner of Lot 35;

Thence South 04°00'28" West along the line between Lots 34 and 35 a distance of 63.49 feet to an iron pin set;

Thence North 86°52'43" West across Lot 34 and part of Lot 33 a distance of 64.12 feet to an iron pin found;

Thence South 04°00'28" West across part of Lot 33 a distance of 63.44 feet to an iron pin found in the northerly right of way line of Eleventh Avenue;

Thence along the northerly right of way line of Eleventh Avenue the following three (3) Courses:

1) North 86°50'28" West a distance of 98.04 feet to a railroad spike found;

2) South 89°53'42" West a distance of 51.71 feet to an iron pin found;

3) North 75°26'30" West a distance of 158.38 feet to the PLACE OF BEGINNING containing 1.233 acres of land, more or less, and being subject however to all legal highway, easements and restrictions of record.

The above description was written from an actual field survey under the supervision of Robert A. Hock, Ohio P.S. No. 5674 on January 17, 2003.

The bearings used in this description were based on the centerline of Cleveland Avenue being North 39°14'02" East as shown on survey by Paul K. Moore and Associates dated October 12, 2001.

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

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

## **SUBAREA B**

Situated in the State of Ohio, County of Franklin County and in the City of Columbus and being 0.05 acre tract of land being located in all of Parcel No. 010-002792 which is shown as being the North half of Lot Number Thirty-Five (35) of MILLER'S CLEVELAND TERRACE ADDITIONS, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 13, page 19, Recorder's Office, Franklin County, Ohio.

Beginning for reference at a 1" iron pin found in a Monument Box at the centerline intersection of Cleveland Avenue with East Eleventh Avenue, thence North 66°15'36" East a distance of 66.02 feet to an iron pin found at the intersection of the northerly right-of-way of Eleventh Avenue with the easterly right-of-way of said Cleveland Avenue;

Thence North 39°14'02" East along the easterly right-of-way line of said Cleveland Avenue a distance of 272.10 feet;

Thence South 52°22'10" East a distance of 143.92 feet to an angle point in the right-of-way of McClelland Avenue;

Thence South 85°54'59" East a distance of 39.18 feet to an iron pin found;

Thence South 18°52'42" West across and through said McClelland Avenue a distance of 41.57 feet to an iron pin found on the southerly right-of-way of said McClelland Avenue;

Thence South 86°54'59 East along the southerly right-of-way of said McClelland Avenue a distance of 64.11 feet to a point at the northeast corner of said lot thirty-five (35) said point also being the True Point of Beginning for the tract herein described.

Thence South 86°42'23" East along the northerly right-of-way of said McClelland Avenue to a point at the northeast corner of said lot thirty-five (35) a distance of 34.00 feet;

Thence South 03°53'22" West along with easterly line of said lot thirty-five (35) a distance of 65.50 feet to a point;

Thence North 86°48'36" West along the southerly property line of said lot thirty-five (35) a distance of 34.00 feet to a point;

Thence South 04°00'28" West along the westerly property line of said lot thirty-five (35) a distance of 63.49 feet to a True Place of Beginning containing 0.05 acre, more or less and being subject to all legal highways, easements, and restrictions of record.

The above description was prepared by PRIME CM & S, INC. in July of 2020, being based upon record information and a field survey conducted in May of 2020.

**To Rezone From:** R-4, 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 site plan being titled, "**CITY OF COLUMBUS - PARKING LOT EXPANSION - 1410 CLEVELAND AVENUE**," and text titled, "**CPD TEXT**," both dated November 18, 2020, and signed by Shawn A. Mason, Applicant, and the text reading as follows:

#### **CPD TEXT**

**PROPOSED DISTRICT:** CPD

**PROPERTY ADDRESS:** 1410 Cleveland Avenue

**OWNER:** City of Columbus

**APPLICANT:** PRIME AE Group, Inc.

**DATE OF TEXT:** 11/18/2020

**APPLICATION NUMBER:** Z20-067

1. **INTRODUCTION:** The applicant needs to increase the amount of parking that is available to the existing office building. In Z02-056 which covers the office building, owner has acquired additional land to the east of the property that it wants to incorporate as an expansion to this existing parking lot.

The existing lot to the east of 1410 Cleveland Avenue needs to be rezoned from Residential to Commercial to increase the parking area. The development standards have also been updated to reflect current City code and requirements. Subarea A is the existing development site and Subarea B is the new parking area.

2. **PERMITTED USES:**

Subarea A - All those uses permitted under Chapter 3356 (C-4 Commercial District) of the Columbus City Code, but excluding the following uses:

- 1) Automobile Body or Repair Shop
- 2) Bar, except in conjunction with a Hotel or full-service Restaurant.
- 3) Night Club, Cabaret, Private Club, or Poolroom
- 4) Bowling Alley or Video Game Parlor
- 5) Tire Repair Shop
- 6) Used Car Dealership
- 7) Billboards

Subarea B - Parking Lot

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicted in the submitted site plan, or in the written text, the applicable development standards shall be those standards contained in Chapter 3356 C-4 Commercial District of the City of Columbus City Code.

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

1. Setbacks are as shown on the Site Plan.
2. Height District is 60 feet with the Four Corners landmark building to be a maximum height of fifty feet.

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

1. There is one curb cut to Cleveland Avenue and one curb cut E. 11<sup>th</sup> Avenue as shown on the submitted site plan.
2. A designated loading zone shall be adjacent to the south edge of the primary parking lot.
3. Up to 6 parking spaces will be added in Subarea B which will meet City code requirements of a minimum of 9' by 18' in size.

C. Buffering, Landscaping, Refuse Receptacle, and/or Screening Commitments

1. Parking lot screening shall be provided along the perimeter of Subarea B as shown on the submitted site plan. The proposed fencing shall meet the City's requirement for parking lot screening. The fence shall be eight (8) feet in height and consist of a wood board on board fence providing 100% opacity. The fence shall be painted and/or stained to compliment the theme of the development, shall be uniform in design, shape, and size throughout the site, as well as, run the entire length of the east and south property lines.
2. The proposed work requires the removal of several existing trees around the site. The parking lot expansion design proposes planting new trees as shown in the site plan.
3. The relocated dumpster shall be screened by structures to a minimum height of six (6) feet.

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

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

Wiring within the Subject Site shall be underground except where above ground wires are presently permitted by legal easements to an electric or power concern, including the primary service lines from above ground wires.

F. Graphics and Signage Commitments

1. The applicable graphics standards shall be those standards contained in Article 15 of the Columbus City Code as they apply to the C-4 Commercial District and the Urban Commercial Overlay. Requested variances shall be submitted to the Columbus Graphics Commission.
2. The light source for any signage shall be screened from view from any public right-of-way and/or any residential property.

G. Miscellaneous

1. The property shall be developed in accordance with Site Plan titled “City of Columbus - Parking Lot Expansion - 1410 Cleveland Avenue” as it pertains to the setbacks, tree placement, and access points as shown for Subareas A and B; however the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of the development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director’s designee may approve any slight adjustment to the Site Plan upon submission to the appropriate data regarding the proposed adjustment.
2. Variances: Section 3372.604 to maintain greater than 15 foot building setbacks along Cleveland Avenue and East 11<sup>th</sup> Avenue.

4. **CPD REQUIREMENTS:**

- A. Natural Environment: The site is developed with an office building and the additional lot that is to the new parking area is currently grass.
- B. Existing Land Use: Office and residential
- C. Transportation and Circulation: Access if from Cleveland Avenue and E. 11<sup>th</sup> Avenue.
- D. Visual Form of the Environment: Appropriate landscaping and trees will be added the new parking area.
- E. View and Visibility: The applicant considered pedestrian and vehicular movement in the layout of the site.
- F. Proposed Development: C-4, Commercial uses.
- G. Behavior Patterns: The Property will help ~~serve existing population in their health need~~ **alleviate parking issues in the immediate area.**
- H. Emissions: 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.