



## Legislation Details (With Text)

**File #:** 0614-2021      **Version:** 1

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

**File created:** 3/3/2021      **In control:** Zoning Committee

**On agenda:** 7/26/2021      **Final action:** 7/28/2021

**Title:** To rezone 280 E. WHITTIER ST. (43206), being 2.34± acres located at the northeast corner of East Whittier Street and Jaeger Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z20-061).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0614-2021\_Attachments, 2. ORD0614-2021\_AttachmentSupplement, 3. ORD0614-2021\_Labels

Date	Ver.	Action By	Action	Result
7/28/2021	1	CITY CLERK	Attest	
7/27/2021	1	MAYOR	Signed	
7/26/2021	1	Zoning Committee	Approved	Pass
7/26/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Read for the First Time	

### Rezoning Application: Z20-061

**APPLICANT:** Pizzuti GE LLC; c/o Michael Shannon, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Mixed-use commercial and apartment residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (3-2) on February 11, 2021.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 2.34± acre site is developed with a supermarket zoned in the CPD, Commercial Planned Development District. The requested CPD, Commercial Planned Development District proposes redevelopment of the site with a new mixed-use building having 8,250 square feet of retail space and 262 apartment units (112± units per acre) in the 60 foot height district. The CPD text proposes C-4, Commercial District uses with limitations, development standards addressing maximum number of units and setbacks, and site plan and building elevation commitments. Variances to reduce the minimum number of required parking spaces from 426 to 262 spaces, and to reduce the building line from 25 to 0 feet are included in this request. The site is within the planning area of the *South Side Plan* (2014), which recommends community commercial uses at this location, a classification that supports retail, office, hotel, or institutional uses that serve multiple neighborhoods. This site is also subject to the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Planning Division staff views the proposed mix of uses as being appropriate considering the existing commercial and nearby residential uses, as well as the site's location on a transit-supportive corridor. C2P2 provides guidelines for the evaluation of mixed-use developments and parking reductions contingent on building design and context. Staff has reviewed the proposed building elevations and is in

support, noting that the applicant is committing to these in the CPD text. A parking study was required and has been approved by the Division of Parking Services, and a traffic impact study has also been approved for the proposed development by the Division of Traffic Management. The request is consistent with C2P2 Design Guidelines and recent infill redevelopment proposals. The applicant has filed a concurrent Council variance (ORD #0615-2021; CV20-066) to allow residential uses on the ground floor in the proposed CPD district.

To rezone **280 E. WHITTIER ST. (43206)**, being 2.34± acres located at the northeast corner of East Whittier Street and Jaeger Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z20-061).

**WHEREAS**, application #Z20-061 is on file with the Department of Building and Zoning Services requesting rezoning of 2.34 ± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Columbus Southside 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 that is consistent with the recommendations of the *Columbus Citywide Planning Policies* (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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**280 E. WHITTIER ST. (43206)**, being 2.34± acres located at the northeast corner of East Whittier Street and Jaeger Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus. and being part of Lot 5 of the plat of part of the land of the Estate of C.F. Jaeger Plat Book 3, Page 203, and being part of Half Section No. 28, Township 5, Range 22 Refugee Lands, all references are records In the Recorder's Office, Franklin County. Ohio and bounded and described as follows:

Beginning at on drill hole found at the intersection of the north line of Whittier Street (60' wide formerly Schlller Street) and the east line of Jaeger Street (60' wide);

Thence North 04" 04' 44" East, a distance of 464.28 feet along the east line of said Jaeger Street, to a point at the intersection of the east line of said Jaeger Street and the south line of Kossuth Street (50' wide), said point being referenced by a 3/4" iron pipe located North 36' 02' 06" West a distance of 0.54 feet;

Thence South 86" 05' 22" East, a distance of 221.30 feet along the south line of said Kossuth Street, to a MAG NAIL set at the intersection of the south line of said Kossuth Street and the west line of Grant Avenue (10' Wide);

Thence South 04 05' 51" West, a distance of 465.65 feet, along the west line of the sold Grant Avenue, to a MAG NAIL set at the intersection of the west line of said Grant Avenue and the north line of said Whittier Street;

Thence North 85" 44' 06" West, a distance of 221.15 feet along the north line of said Whittier Street, to the True Place of Beginning, containing 2.361 acres, more or less, subject to all legal easements and right of ways of record.

All of the above described tract, 2.34 acres, more or less, are located within Auditor' Parcel No. 010-030105.

The bearing of North 85' 44' 06" West on the northerly existing right of way line of East Whittier Street is referenced to the State Plane Coordinate System, Ohio South Zone NAD 83 (NSRS 2011).

Iron pin set are 5/8" x 30" rebar topped by plastic yellow cap stamped "PS NO. 7799 KORDA/NAMETH."

**To Rezone From:** CPD, Commercial Planned Development 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, "**SCHUMACHER PLACE MIXED-USE CPD SITE PLAN SHEETS 1-2,**" "**SCHUMACHER PLACE MIXED-USE SCHEMATIC DESIGN F1 & B1 FLOOR PLANS,**" and "**SCHUMACHER PLACE MIXED-USE SCHEMATIC EXTERIOR ELEVATIONS,**" all dated March 4, 2021, and signed by Eric Zartman, Attorney for the Applicant, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" dated December 21, 2020, and signed by Michael Shannon, Attorney for the Applicant, and the text reading as follows:

#### **COMMERCIAL PLANNED DEVELOPMENT TEXT**

**Application: Z20-061**

**Address: 280 Whittier Street**

**Parcel(s): 010-030105**

**Property Size: +/- 2.34 Acres**

**Current District: CPD**

**Proposed District: CPD**

**Area Commission: Columbus Southside Area Commission**

**Owner(s)/Applicant(s): Pizzuti GE LLC c/o Jon Riewald**

**Attorney: Michael Shannon, Underhill & Hodge LLC**

**Date: December 21, 2020**

#### **I. Introduction.**

The subject property ("Site") is approximately 2.34 acres and located at the northeast corner of East Whittier Street and Jaeger Street. The Site is currently zoned CPD and operates with a grocery store use. Adjacent properties are zoned R2F.

The Site is situated within the Columbus Southside Area Commission and the Schumacher Place Civic Association. The Site is not situated within a commercial overlay or planning overlay and is not a registered historic site or district. The Site is within the boundary of the South Side Plan which recommends community commercial uses.

The Applicant proposes razing the existing structure and redeveloping the Site with a new development. The plan proposes a mixed-use building with approximately 8,250 square feet of retail use and approximately 262 residential units. The Applicant proposes to rezone the site to a Commercial Planned Development (CPD) to accommodate the new use.

#### **II. Permitted Uses:**

The permitted uses shall be those uses contained in Section 3356.03, C-4, Permitted Uses of the Columbus City Code (excluding the following: Automotive Accessories, Parts and Tire Stores; Automobile and Light Truck Dealers;

Automobile Driving Training Facility; Automotive Sales, Leasing and Rental; Motorcycle, Boat, and Other Motor Vehicle Dealers; Motor Vehicle Accessories and Parts Dealers; Recreational Vehicle Dealers; Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing; and Automotive Maintenance and Repair). Ground floor residential uses shall also be permitted subject to council variance.

### **III. Development Standards:**

Except as otherwise listed herein or depicted on the CPD Plan, the development standards shall be those contained in Chapter 3356 of the Columbus City Code.

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

1. The maximum number of dwelling units shall be 262.
2. The minimum building setback shall be zero feet.

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

1. Access points shall be as shown on the submitted CPD Site Plan, subject to review and approval by the City of Columbus, Public Service Department, Division of Traffic Management.
2. The minimum number of required parking spaces shall be 262.

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

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

The building shall be designed in substantial conformance with the submitted Elevations.

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

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

Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District for C-4 uses. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

#### **G. CPD Criteria:**

1. Natural Environment. The Site is approximately 2.34 acres and located at the northeast corner of East Whittier Street and Jaeger Street. The entire Site is developed and there are no natural features.
2. Existing Land Use. The Site is currently zoned CPD and its existing land use is as a 30,000 square foot grocery store with exterior parking lot.
3. Transpiration and Circulation. The Site is accessed via South Grant Street. The access and internal circuitry shall be as shown on the submitted CPD Site Plan.
4. Visual Form of the Environment. The neighborhood is predominantly residential use with the exception that East Whittier Street serves as a community commercial corridor.
5. View and Visibility. The Site can be viewed from East Whittier Street, Jaeger Street, East Kossuth Street, and South

Grant Avenue.

6. Proposed Development. The proposed development is a mixed-use building with approximately 8,250 square feet of retail use and approximately 262 residential units.

7. Behavior Patterns. The development and behavior pattern along East Whittier Street supports a mixed use development.

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

H. Modification of Code Standards:

1. 3312.49 - Minimum number of parking spaces required. This section is modified to reduce the minimum number of parking spaces required from 426 to 262.

2. 3356.11 - C-4 district setback lines. This section is modified to reduce the minimum building line from 25 feet to zero feet.

I. Miscellaneous:

1. Plans titled “Schumacher Place Mixed-Use” including a development plan titled “CPD Site Plan” showing lot lines, setbacks, and access, a first floor and garage plan titled “F1 & B1 Floor Plan” and elevations titled “Exterior Elevations” are submitted for the development of the Site. The Plans may be adjusted to reflect engineering, topographical or other site data and changes developed at the time of development and engineering plans for all or a portion of the Site affected by said development. Any such adjustment shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.

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