



## Legislation Text

---

**File #:** 0835-2016, **Version:** 1

---

### **Rezoning Application Z15-057**

**APPLICANT:** Dominion High Acquisition LLC; c/o Catherine Cunningham, Atty.; 65 East State Street, Suite 1800; Columbus, Ohio 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on February 11, 2016.

**CLINTONVILLE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently developed with a funeral home zoned in the CPD, Commercial Planned Development District, which is the sole permitted use of this CPD district. The applicant proposes a new CPD, Commercial Planned Development District to allow a mixed-use building with first-floor commercial uses and upper-story dwelling units as permitted in the C-4, Commercial District. The site is located within the planning area of the *Clintonville Neighborhood Plan* (2009), which considers this site to be part of the High Street-Central District, recommending mixed-use development that prioritizes office, retail, and multi-unit residential development in accordance with Urban Commercial Overlay standards. The Plan further recommends that multi-unit residential development range from 20-25 dwelling units per acre in this area. The CPD establishes use restrictions and supplemental development standards and is consistent with the recommendations of the *Clintonville Neighborhood Plan*.

To rezone **4476 NORTH HIGH STREET (43214)**, being 0.5± acres located at the southeast corner of High Street and Dominion Boulevard, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z15-057).

**WHEREAS**, application No. Z15-057 is on file with the Department of Building and Zoning Services requesting rezoning of 0.5± 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 Clintonville 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, which will allow a mixed -use development, is consistent with the established zoning and development patterns of the area, and the land use recommendations of the *Clintonville Neighborhood Plan*; 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:

**4476 NORTH HIGH STREET (43214)**, being 0.5± acres located at the southeast corner of High Street and Dominion Boulevard, and being more particularly described as follows:

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

Being so much of a certain tract of land conveyed by Mary W. Shields and Charles R. Shields, her husband to Benjamin Franklin Patterson and Emma Patterson, by deed dated October 31, 1924, and recorded in Volume 790, page 642 of the deed records of Franklin County, Ohio, as is described as follows:

Beginning at the Northwest corner of said tract; thence east on the North line of said Shields' tract 171.9 feet; thence south on a line parallel with North High Street, 128 feet to a point; thence West on the south line of said Shields' tract 171.9 feet to a point; thence North on a line parallel with North High Street, 128 feet to the place of beginning.

Said premises being a part of Reserve "C" of Rosemary East, an addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18 page 3, Recorder's Office, Franklin County, Ohio, and being known as 4476 North High Street, Columbus, Ohio.

**To Rezone From:** CPD, Commercial Planned Development 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, "**SITE COMPLIANCE PLAN**," dated February 22, 2016 and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," dated March 17, 2016, both signed by Catherine A. Cunningham, Attorney for the Applicant, and the text reading as follows:

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

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 4476 N. High Street

OWNER: Dominion High Acquisition, LLC

APPLICANT: Dominion High Acquisition, LLC c/o Catherine A. Cunningham, Esq.

DATE OF TEXT: 3/17/16

APPLICATION NUMBER: Z15 - 057

1. **INTRODUCTION:** The subject property is a single tract of land of 0.5± acres located at the southeast corner of North High Street and East Dominion Blvd. There is a 2 story brick building that was originally built as a private residence located on the property. Over time its residential use was changed to an office building, a nursing home, and then a funeral home. It is currently zoned CPD with a single permitted use of a funeral home. The property is located in the Urban Commercial Overlay (UCO). The applicant proposes to redevelop the site with a mixed use building with commercial uses on the first floor with dwelling units on the upper floors. The proposed building and site plan are consistent with the uses, development, scale and design recommended in the Clintonville Neighborhood Plan and the Urban Commercial Overlay District and are compatible with the neighborhood and the redevelopment that is occurring on North High Street in Clintonville.

2. **PERMITTED USES:** All uses permitted in Chapter 3361 of the Planned or Regional Commercial District of the Columbus City Code shall be permitted on the site except for Chapter 3357 C-5, Highway Oriented Commercial Development uses. Any uses shown on the site plan or building elevations are examples of anticipated uses and not a limitation on the uses permitted by the Columbus City Code and this CPD Text.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in the CPD Text or Zoning Site Plan, the applicable development standards are contained in Chapter 3361 of the Columbus City Code in addition to the Urban Commercial Overlay District contained in Chapter 3372.601 *et seq.* and as shown on the attached Zoning Site Plan.

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

1. The building setback shall be a minimum of zero (0) feet along High Street and a maximum of ten (10) feet along E. Dominion Blvd.
2. No yards shall be required.
3. No parking and pavement setback shall be required along the south lot line.
4. Parking and pavement setback along the rear lot line shall be a minimum of four (4) feet.

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

1. N/A

**C. Buffering, Landscaping, Open Space, Screening and Parkland Dedication Commitments.**

1. There is established plant material screening along the rear property line that abuts the side property line of a residentially zoned property. That screening will be maintained to the extent possible and where necessary shall be supplemented with additional plant materials to maintain 75% opacity to a total height of no less than three feet above parking lot grade.
2. No perimeter parking lot landscaping or screening shall be required along the south lot line.

**D. Building Design and Exterior Treatment Commitments.**

1. N/A

**E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.**

1. N/A

**F. Graphics and/or Signage Commitments.**

1. Any signage and graphics shall conform to the City of Columbus Graphics Code, Article 15, Title 33 as it applies to the CPD District. Any variance of the sign requirements will be submitted to the City of Columbus Graphics Commission for consideration.

**G. Miscellaneous:**

1. Site Plan. The Subject Site shall be developed in accordance with the submitted site plan except that the parking lot is a conceptual design configured for anticipated parking needs and may be modified or reconfigured in conformance with the requirements of the Columbus City Code and this CPD text. The plan including the proposed lots and property lines may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or when engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building & Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Building Elevations. The building shall be developed in a style and scale similar to the submitted building elevations. The building elevations may be adjusted to reflect architectural, engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any significant adjustment shall be in compliance with the Building Design Standards of the UCO. Any adjustment to the submitted building elevations shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

**4. COMMERCIAL PLANNED DEVELOPMENT CRITERIA:**

*A. Natural Environment:* The property is located on the southeast corner of the intersection of North High Street and E. Dominion Blvd. It is currently developed with a brick structure that was originally a single family residence that has been converted to a funeral home use. The property fronts N. High Street and is surrounded on three sides with properties with commercial zoning classifications. The rear property line abuts a residentially zoned single family home.

*B. Existing Land Use:* The property is currently zoned CPD with a single permitted use as a funeral home.

*C. Activities:* The proposed development will provide a mixed use building combining commercial and residential uses which will provide for new active commercial uses and businesses along the N. High Street Corridor in the Urban Commercial Overlay while expanding the housing options in as recommend by the UCO and the Clintonville Neighborhood Plan.

*D. Behavior Patterns:* Existing development in the area has established vehicular and pedestrian patterns in the area. The proposed mixed use building will promote a pedestrian friendly environment and walkable neighborhood.

*E. Transportation and Circulation:* The site fronts High Street and will have vehicular access from E. Dominion Blvd. Public transportation is also available. COTA provides bus service along High Street.

*F. Form of the Environment:* The site is subject to the Urban Commercial Overlay which contains building design standards. The size, scale, height, bulk and design of the proposed building is in keeping with the UCO standards, the new and transitioning buildings in the UCO and buildings in the surrounding area.

*G.Views and Visibility:* The site currently has and will continue to have access from E. Dominion Blvd. and the placement of the building on the property provides adequate site vision distance for motorists, bicyclists and pedestrians. The building will be located at the High Street right of way distant from the residential property adjacent to the rear of the lot.

*H.Proposed Development:* A mixed commercial/residential use building with dwelling units located above commercial uses.

*I. Emissions:* No significant emissions or levels of light, sounds, smells or dust atypical of residential care facilities will be generated from the use of this site. Emissions will not affect the environment or alter the use and enjoyment of the surrounding properties.

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