

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 12, 2016**

- 10. APPLICATION: Z15-065**
Location: **2860 CLEVELAND AVENUE (43224)**, being 0.17± acres located at the northeast corner of Cleveland Avenue and East Lakeview Avenue (010-073077; North Linden Area Commission).
Existing Zoning: R-4, Residential District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Limited neighborhood commercial development.
Applicant(s): Latif Jaf; c/o Brian S. Artz, Atty.; 560 East Town Street; Columbus, OH 43215.
Property Owner(s): Latif and Halima Jaf; 2303 Northtowne Place; Columbus, OH 43229.
Planner: Shannon Pine, 614-645-2208, spine@columbus.gov

BACKGROUND:

- The site is undeveloped and zoned in the R-4, Residential District. The applicant originally filed this request as a Council variance in February 2015 (CV15-001) to allow automobile sales, but both staff and the North Linden Area Commission recommended disapproval. The applicant converted the request to a CPD, Commercial Planned Development District to permit limited C-1, Commercial District uses.
- The site is surrounded by dwellings to the north, east, and west in the R-4, Residential District. South of the site across Lakeview Avenue is a funeral home in the C-4, Commercial District.
- The site is within the boundaries of the *North Linden Neighborhood Plan Amendment (2014)*, which recommends “Neighborhood Mixed Use” for this location. Limited retail, office, and multi-unit residential uses are supported within this designation when designed in accordance with the Plan’s development review guidelines. The guidelines encourage Urban Commercial Overlay (UCO) development standards and screening between commercial and residential uses.
- The CPD text commits to a site plan and Urban Commercial Overlay (UCO) development standards. The text permits only five C-1 district uses, contains provisions for landscaping and screening, and includes variances for reduced setbacks to develop in accordance with UCO standards, and a parking-space reduction to permit nine parking spaces.
- The site is located within the boundaries of the North Linden Area Commission whose recommendation is for disapproval of the requested CPD district.

- The *Columbus Thoroughfare Plan* identifies Cleveland Avenue as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

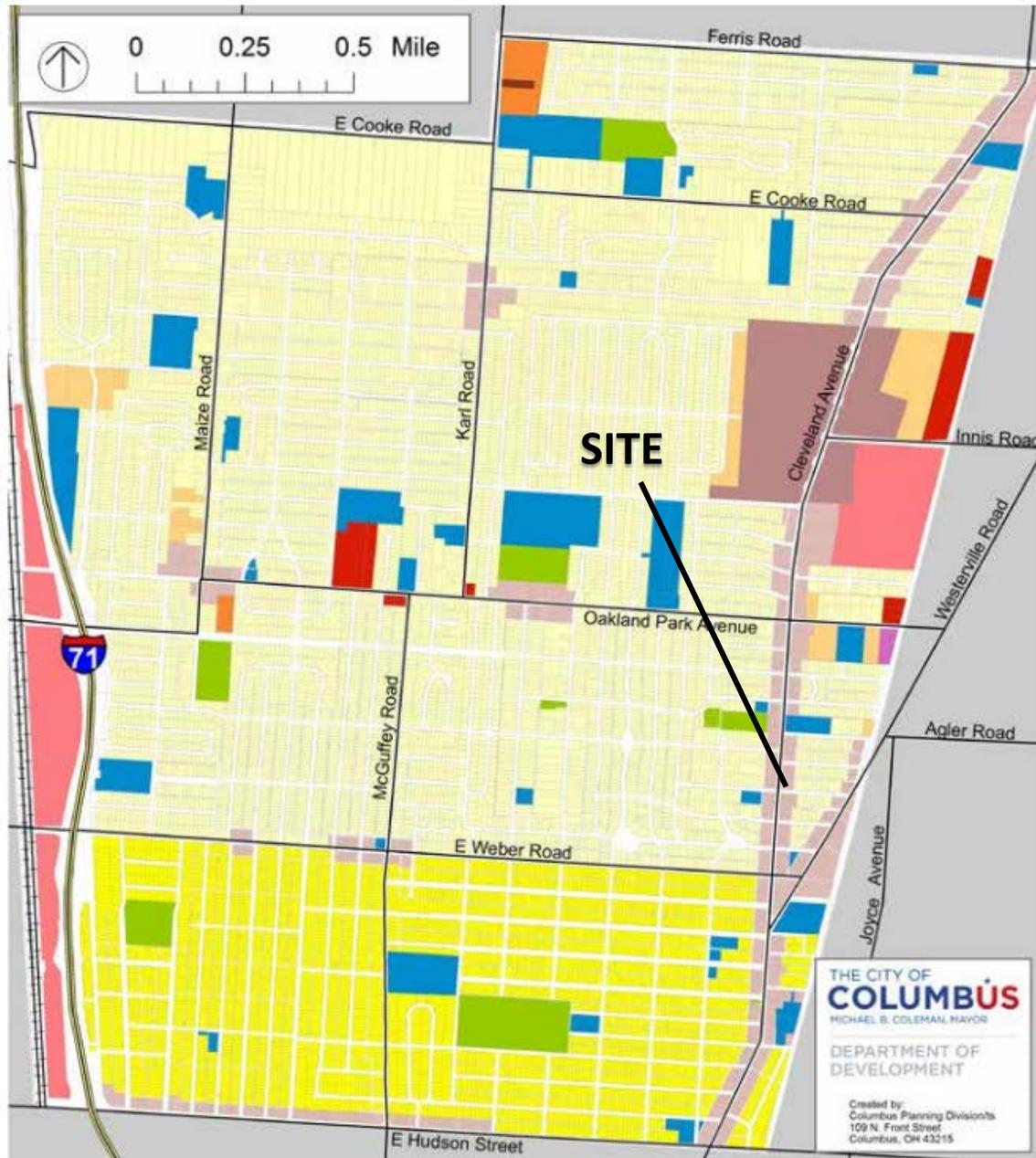
CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow the site to be developed with a limited neighborhood-scale commercial use. The proposal would result in a development that is compliant with Urban Commercial Overlay requirements as recommended by the *North Linden Neighborhood Plan Amendment* guidelines.



Z15-065
 2860 Cleveland Avenue
 R-4 to CD8
 Approximately 0.17 acres

FIGURE 11: FUTURE LAND USE PLAN



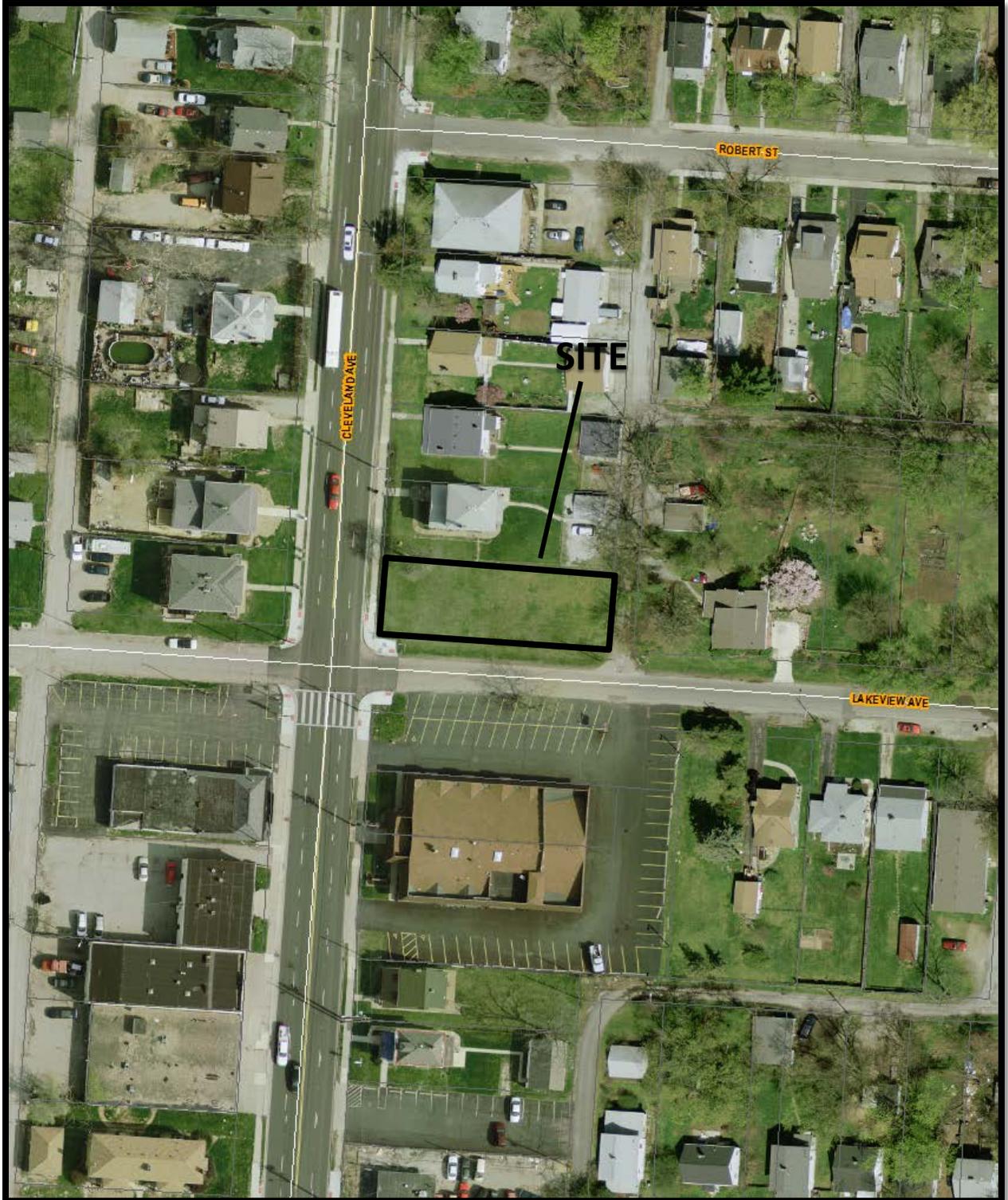
Legend: Land Uses

Residential	Commercial and Office	Mixed Use	Other
High Density	Employment Center	Community	Institutional
Medium-High Density Mixed	Community Commercial	Neighborhood	Parks/Recreation
Medium Density Mixed	Office		Light Industrial
Low-Medium Density			

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 R-4 to CD8
 Approximately 0.17 acres

Table 3: Land Use Classifications

Subcategory	Map Color	Typical Density/Intensity	Description and Guidelines
High Density Residential		16–45 dwelling units per acre	This classification is intended for multi-story multifamily housing in specific areas where high density is considered appropriate, such as the primary corridors of older neighborhoods. Each development application must be reviewed on a case by case basis, be judged on its own merits, and must consider the specific site and the site's context (surrounding uses and development pattern). Proposals that include the highest end of the density range should include structured parking, be located at primary intersections and particularly scrutinized in regard to their contribution to street level activity, relationship to adjacent neighborhoods, building materials, and architecture.
Medium–High Density Mixed Residential		10–16 dwelling units per acre	A variety of dwelling types, including doubles, townhouses and multifamily are included in this category. It exists in both older neighborhoods and suburban areas. New development patterns should reinforce the existing pattern and type of residential in the neighborhood. Somewhat higher densities may be considered for areas that are immediately adjacent to a neighborhood's primary corridor(s). Proposals for multifamily development in these areas must demonstrate that they will not adversely impact the existing development pattern of the area.
Medium Density Mixed Residential		6–10 dwelling units per acre	This classification of residential development is common in older neighborhoods and can include single-family, doubles, and townhouses. In suburban areas, this category is characterized by townhouse and condominium development as well as smaller lot single-family. New development should reinforce the existing pattern and type of residential in the neighborhood. Somewhat higher densities and multi-story buildings with more than four units per building may be considered for areas that are immediately adjacent to a neighborhood's primary corridor(s). Proposals for multifamily development in these areas must demonstrate that they will not adversely impact the existing development pattern of the area.
Low–Medium Density Residential		4–6 dwelling units per acre	This classification is characterized by predominantly single-family development, with limited amounts (generally 10% or less) of two- to four-unit buildings interspersed - often at intersections or along larger streets. In suburban areas, this category may also include lower density townhouse and condominium development.
Employment Center		10,000–15,000 square feet per acre	This classification is intended for business and professional offices, technology park clusters, research and development, light industrial operations, and visitor service establishments, with retail only as a secondary use.
Community Commercial		12,500 square feet per acre	The Community Commercial classification supports retail, office, or institutional uses that serve multiple neighborhoods, but generally do not attract residents from outside the area. An example includes neighborhood shopping centers. Gas stations built to Community Commercial Overlay design standards may be supported. Community commercial uses should be located along arterials and at key intersections.
Office		15,000 square feet per acre	Office uses should be located at major intersections, sites with freeway visibility, in mixed use buildings, or as a transition between residential and non-residential development. Office uses are also supported within Mixed Use and Commercial designations as secondary uses.
Community Mixed Use		12,500 square feet per acre; 10–16 dwelling units per acre	This classification is the same as the Community Commercial classification but also includes residential units located either above and/or next to the commercial, office, or institutional uses. Residential densities should fall within the range of 10 to 16 dwelling units per acre. Community mixed uses should be located along arterials at key intersections and at interstate highway intersections.
Neighborhood Mixed Use		20,000 square feet per acre; 16–28 dwelling units/acre	This classification is the same as the Neighborhood Commercial classification but also includes residential units located either above and/or next to the commercial, office, or institutional uses. Residential densities should fall within the range of 16 to 28 dwelling units per acre. Neighborhood mixed uses should be located at key intersections and nodes along minor arterials and collectors that intersect with arterials, as appropriate.
Institutional		NA	Institutional uses include schools, government property, and houses of worship. These uses should be located on major arterials, in nodes of commercial activity, and within neighborhoods but only along arterials or collectors provided sites are sufficiently large to accommodate on-site parking.
Parks and Recreation		NA	Parks should be integrated into residential neighborhoods and/or located adjacent to preserved open spaces. Parks are either publicly- or privately-owned recreational facilities and include golf courses.
Light Industrial		12,500 square feet per acre	Light industrial uses should be located in older industrial areas, within industrial parks, and in limited locations on major arterials but not within close proximity of residential uses. Typical uses include light assembly, fabrication, and related uses.



Z15-065
2860 Cleveland Avenue
R-4 to CD8
Approximately 0.17 acres

CPD TEXT

PROPOSED DISTRICTS: CPD, Commercial Planned Development

PROPERTY ADDRESS: 2860 Cleveland Avenue (43224)

OWNER: Latif and Halima Jaf

APPLICANT: Latif and Halima Jaf; c/o Brian S. Artz, Atty., 560 E. Town Street, Columbus, Ohio 43215

DATE OF TEXT: 5/3/16

APPLICATION: Z15-065

1. **INTRODUCTION:** The proposed commercial zoning would match the development pattern in the area. Although this site is presently zoned R-4, Residential District, the *North Linden Neighborhood Plan* recommends “Neighborhood Mixed Use” for this location, and provides for this site to be some type of neighborhood commercial use.

2. **PERMITTED USES:** The permitted uses for the subject site shall be the following C-1 uses as set forth in Chapter 3351 of C-1, Neighborhood Commercial District: Cafes, Coffee Shops and Restaurants (2,000 square feet or less), Ice Cream & Yogurt Stores, and General Office.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text the applicable development standards shall comply with the C-1, Commercial District (Chapter 3351) and the Urban Commercial Overlay (UCO) (Chapter 3372) to match the commercial development pattern to the south, although this block of Cleveland Avenue where the subject site is located is not within the UCO.

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

Building setbacks along Cleveland Avenue and Lakeview shall be a maximum of 10 feet. The parking setback along Lakeview Avenue and the alley to the east shall be a minimum of 5 feet. Building and parking setback from the north property line shall be a minimum of 10 feet. Parking and circulation shall comply with Section 3372.609.

B. **Access, Loading, Parking and/or Traffic Related Commitments:** Access to the site shall be from Lakeview Avenue or the rear alley, as approved by the Traffic Management Division of the Public Service Department.

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

1. Sections 3312.21(B)(3) and 3312.2(D)(1): screening shall be provided in a landscaped area of ten (10) feet in width on the north and shall consist of a fence (except a chain link fence), landscaped earth mound of 3:1 (horizontal:vertical) slope, wall planting or combination thereof installed, repaired, replaced and maintained to a total height of no less than five (5) feet above the parking lot grade and to a year-round capacity of not less than 75 percent.

2. The trees shown on the site plan are conceptual, but a minimum of 7 deciduous or evergreen trees shall be planted within the north setback area. A minimum of 1 ornamental or deciduous tree shall be planted along the Cleveland Avenue frontage, and a minimum of 3 ornamental or deciduous trees shall be planted along

the Lakeview frontage. Trees may be in the right-of-way (if desired by the City Forester) or within the setback areas. Street tree species shall be determined by the City Forester.

D. Building Design and/or Interior-Exterior Treatment Commitments: Building design shall comply with Section 3372.605, Building design standards.

E. Graphics

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-1 District and Section 3372.606. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

F. Miscellaneous

1. Variances.

a) Section 3312.21(A) Interior Parking Lot Landscaping: to not provide trees within the parking lot as required noting that there will be a row of trees within the north setback area.

b) Section 3312.27(4) Parking Setback Line: to reduce the parking setback along Lakeview (10 to 0 feet).

c) Section 3312.49(C) Minimum number of parking spaces required: to reduce the number of parking spaces to 9 spaces regardless of use selected, which includes one ADA compliant parking space.

2. Site Plan

The subject site shall be in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment. The proposed use noted on the site plan may be replaced with any of the permitted uses noted above.

3. CPD Criteria.

a) Natural Environment, The site is currently not developed.

b) Activities. The proposed development will provide commercial options for the surrounding commercial and residential neighborhoods.

c) Behavior Patterns. Existing development in the area have established vehicular and pedestrian patterns for the area.

d) Circulation. The site will have access to Lakeview Road via the alley east of the site.

e) Form of the Environment. The proposed development will be compatible to the existing commercial development in the area.

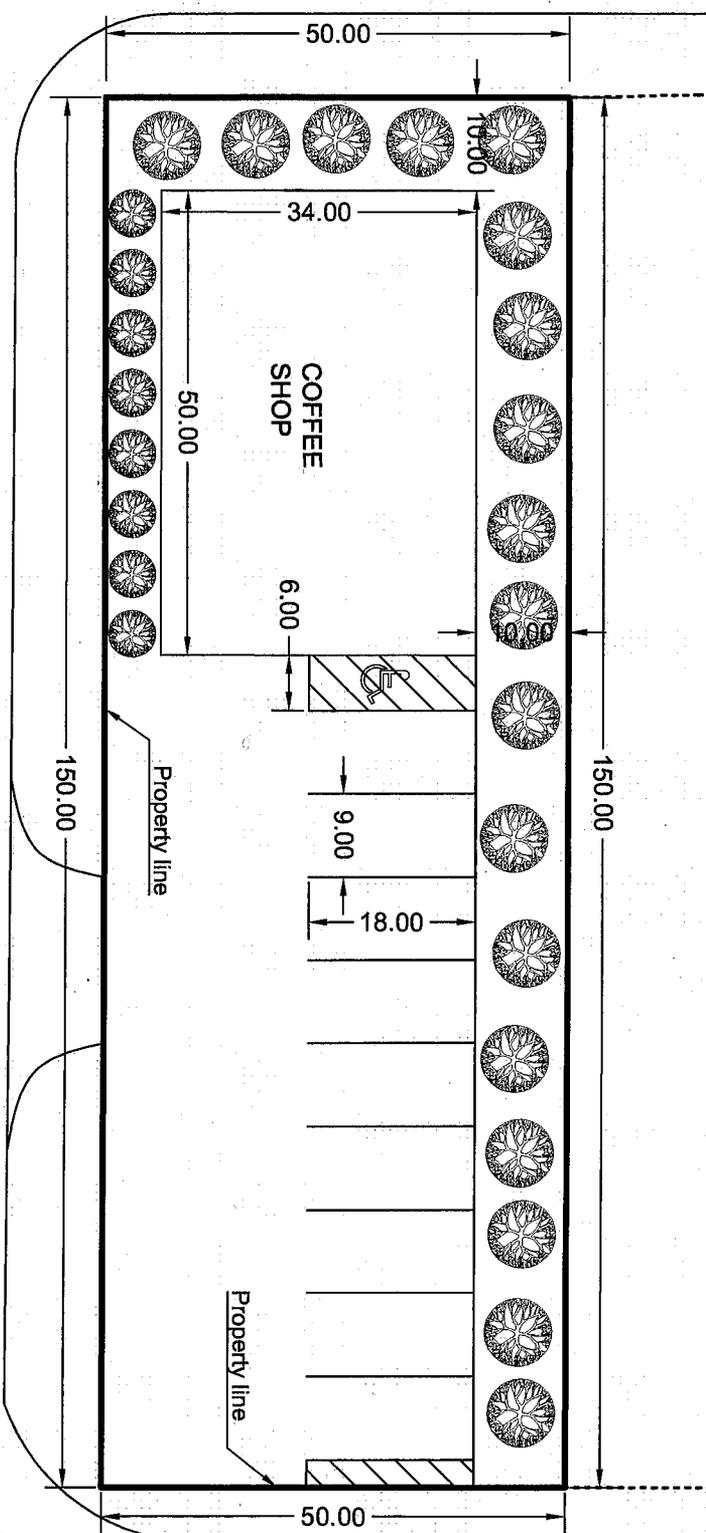
f) Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives does hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code, except as permitted by this development text and drawings referenced herein.

SIGNATURE: _____

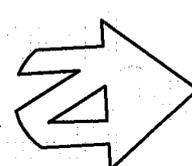
DATE: _____

Cleveland Ave



E Lakeview Ave

Alley



2860 Cleveland Ave
 Columbus, OH 43224
 scale 1"=20'

North Linden Area Commission

c/o 5030 Westerville Rd.

Columbus, Ohio 43231

614-882-0800

February 23, 2016

City of Columbus
Building and Zoning Services
757 Carolyn Avenue
Columbus, OH 43224

VIA EMAIL

Re: Rezoning Application

To Whom It May Concern:

On February 18, 2016, the North Linden Area Commission, with a quorum present, voted not to approve the following rezoning application:

2860 Cleveland Avenue (App. No. 215-065)
Change zoning from Residential R4 to Commercial C1



Walter G. Reiner
Planning and Development-Zoning Chairman

cc: Pam J. Dawley, City of Columbus (via email)
Jennifer A. Adair, Chair, North Linden Area Commission (via email)
North Linden Area Commission (via email)
Brian S. Artz, Attorney for Owner (via email)
Latif Jaf, Owner (via email)

Pine, Shannon L.

From: Jennifer Adair <jenniferaadair@yahoo.com>
Sent: Tuesday, April 12, 2016 9:00 PM
To: Pine, Shannon L.
Cc: waltreiner@reinerrealty.com; Graham, Richard E.; bartz@adwllp.com; Walt Reiner; Rayna Morgan
Subject: Re: Z15-065, 2860 Cleveland Avenue

Shannon-- we decided to write an additional letter instead of having the applicant come back for the April meeting. We feel a rehash of the same conversation will not be productive. Walt will be sending it to your attention.

Additionally, a resident posted a notice for the April meeting on Facebook today with this as an agenda item-- I just want to make sure it is not going forward and can inform them. The commission is planning on attending, as well as residents, when the Commission is ready to vote.

Jennifer Anne Adair, Esq.
jenniferaadair@yahoo.com

On Apr 7, 2016, at 11:21 AM, Pine, Shannon L. <SPine@Columbus.gov> wrote:

Hi Jennifer,

It is up to your AC on whether or not you would like the applicant to formally meet with you to present the CPD. If you decide a meeting is not necessary, we certainly want the AC to provide a recommendation on the revised proposal.

Sincerely,
Shannon

From: Jennifer Adair [<mailto:jenniferaadair@yahoo.com>]
Sent: Thursday, April 07, 2016 10:07 AM
To: Pine, Shannon L.
Cc: waltreiner@reinerrealty.com; Graham, Richard E.; bartz@adwllp.com; Walt Reiner
Subject: Re: Z15-065, 2860 Cleveland Avenue

Thanks Shannon. Will he be required to come back to the commission due to this change? If not, are we able to submit anything additional to Development about these new proposed uses?

Jennifer Anne Adair, Esq.
jenniferaadair@yahoo.com

On Apr 6, 2016, at 6:27 PM, Pine, Shannon L. <SPine@Columbus.gov> wrote:

Walt and Jennifer,

I wanted to let you know that Z15-065 will be tabled at the 4/14/16 Development Commission meeting. The applicant was planning to proceed with an L-C-1, Limited Commercial District for the uses listed below, but with recent discussion with Planning Division Staff on desired site design, the proposal will be revised to a CPD, Commercial Planned Development District.

The proposed uses are the following C-1 uses: Cafes, Coffee Shops and Restaurants (2,000 square feet or less), Ice cream & Yogurt Stores, and General Office. Planning Division is asking for commitments in the CPD Text for the development to comply with the Urban Commercial Overlay (UCO) to match the commercial development pattern to the south. Since this block of Cleveland Avenue is not within the UCO, setback variances will be included in the CPD to allow the building to sit closer to Cleveland and Lakeview Avenues with the parking behind the building and accessed by Lakeview or the rear alley.

I will forward the revised application materials once they are received from the applicant. I anticipate that this zoning request will be scheduled on the 5/12/16 DC meeting agenda.

Feel free to contact me if you have any questions.

Sincerely,

Shannon Pine

Planning Manager

<image001.png>

Zoning/Council Activities Section

757 Carolyn Avenue
Columbus, OH 43224

Direct: 614.645.2208

Public Hearings: 614.645.4522

Fax: 614.645.2463

E-mail: spine@columbus.gov

www.columbus.gov