

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
FEBRUARY 9, 2016**

- 2. APPLICATION: Z16-076**
Location: **1086 NORTH FOURTH STREET (43201)**, being 2.04± acres located at the southeast corner of North Fourth Street and East Fourth Avenue (010-009127; Italian Village Commission).
Existing Zoning: M-2, Manufacturing District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Mixed-commercial development.
Applicant(s): 1086 North Fourth St. LS, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 423 East Town Street, 2nd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 423 East Town Street, 2nd Floor; Columbus, OH 43215.
Property Owner(s): The applicant.
Planner: Shannon Pine; 614-645-2208; spine@columbus.gov

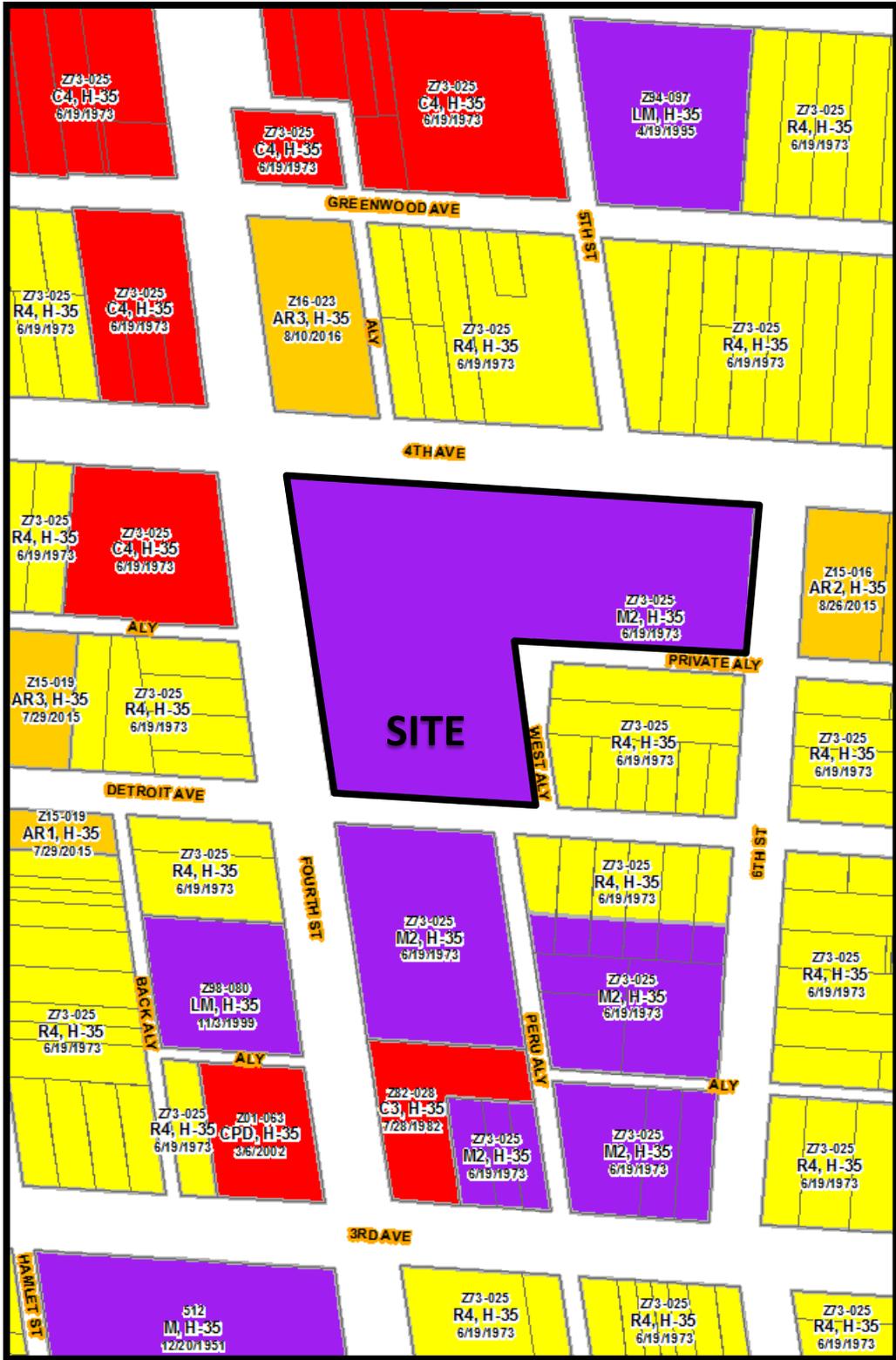
BACKGROUND:

- The 2.04± acre site is developed with the former Budd Dairy bottling plant, is zoned in the M-2, Manufacturing District, and is within the Italian Village Urban Commercial Overlay (UCO). The proposed CPD, Commercial Planned Development District will allow the conversion of the building into mixed-commercial tenant spaces.
- To the north across East Fourth Avenue are undeveloped land in the AR-3, Apartment Residential District, and single-unit dwellings in the R-4, Residential District. To the east are a vacant church in the AR-2, Apartment Residential District, and single- and two-unit dwellings in the R-4, Residential District. To the south across Detroit Avenue are an industrial development in the M-2, Manufacturing District, and a single-unit dwelling in the R-4, Residential District. To the west across North Fourth Street are a micro-brewery in the C-4, Commercial District, and single-unit dwellings in the R-4, Residential District.
- The site falls within the boundaries of the *Italian Village East Redevelopment Plan* (2014), which encourages a mix of commercial, residential, and office land uses along the North Fourth and East Fifth corridors, and specifically recommends commercial uses for this location.
- The site is located within the boundaries of the Italian Village Commission, whose recommendation is for approval of the requested CPD district.
- The CPD text proposes C-3 and limited C-4 uses, contains graphics provisions, and includes variances for reduced parking space size, vision clearance triangles, and UCO setback and building design standard requirements. A parking space reduction of up to 68 required parking spaces is also incorporated. The CPD plan depicts access locations, parking lot and landscaping improvements, and provides parking calculations.

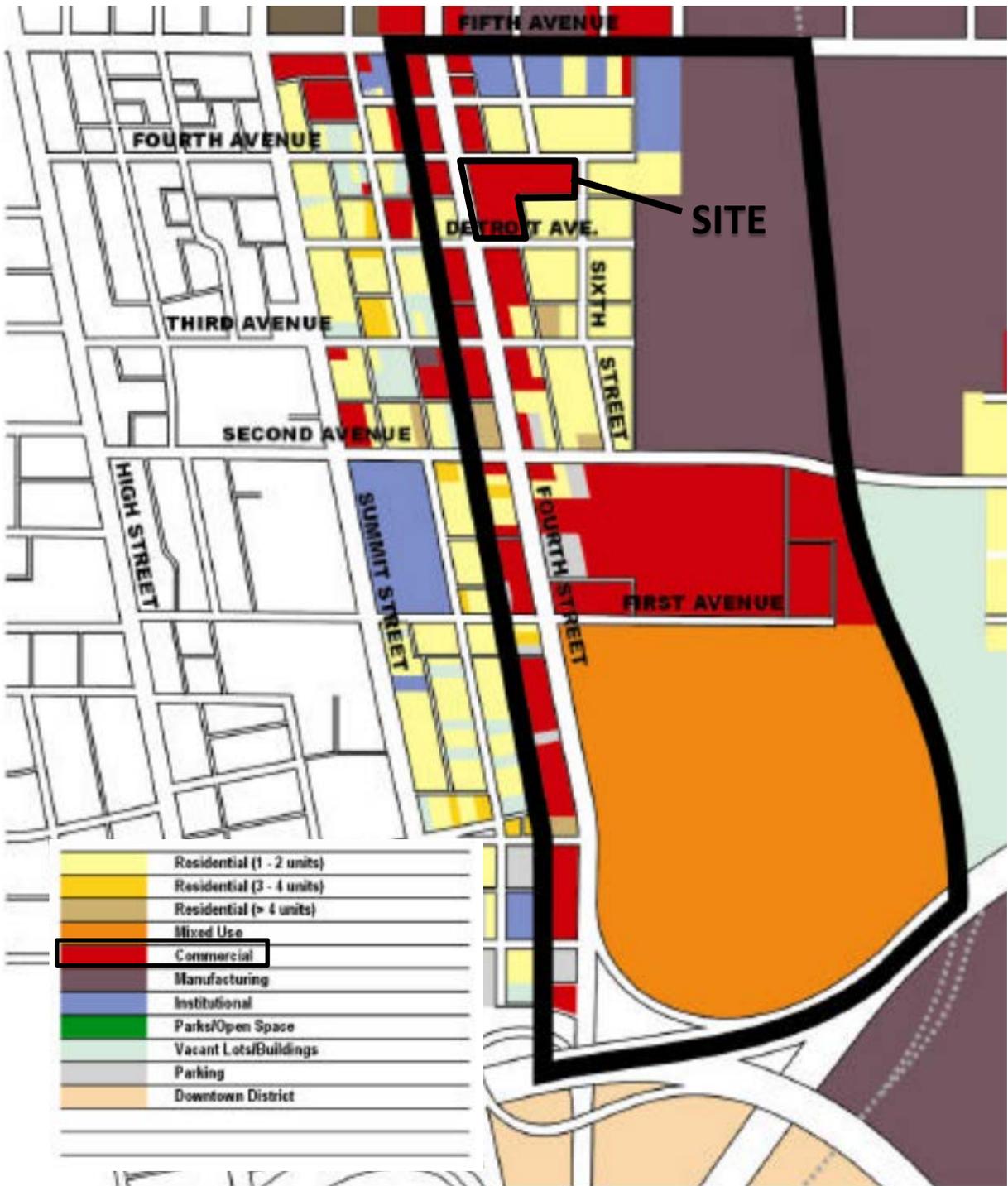
- The *Columbus Thoroughfare Plan* identifies North Fourth Street as a 3-1 arterial requiring a minimum of 40 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested CPD, Commercial Planned Development District would allow commercial development within an existing historical industrial complex. The proposed commercial uses are consistent with the land use recommendations of the *Italian Village East Redevelopment Plan*. The reduced development standards are supportable because they account for existing conditions and allow for improved site design, traffic circulation, and reuse of the property as a commercial urban-infill site.



Z16-076
 1086 North Fourth Street
 Approximately 2.04 acres
 M-2 to CPD



Z16-076
 1086 North Fourth Street
 Approximately 2.04 acres
 M-2 to CPD



Z16-076
1086 North Fourth Street
Approximately 2.04 acres
M-2 to CPD

DEVELOPMENT TEXT

EXISTING DISTRICT: M-2, Manufacturing
PROPOSED DISTRICT: CPD, Commercial Planned Development
PROPERTY ADDRESS: 1086 N. Fourth Street, Columbus, OH 43201
APPLICANT: 1086 North Fourth St LS, LLC c/o Dave Perry,
David Perry Company, Inc., 423 E. Town
Street, Second Floor, Columbus, OH 43215
and Donald Plank, Plank Law Firm, 423 E.
Town Street, Second Floor, Columbus, OH
43215

OWNER: 1086 North Fourth St LS, LLC c/o Dave Perry,
David Perry Company, Inc., 423 E. Town
Street, FL 2, Columbus, OH 43215 and Donald
Plank, Plank Law Firm, 423 E. Town Street, FL
2, Columbus, OH 43215

DATE OF TEXT: January 24, 2017
APPLICATION NUMBER: Z16-076

INTRODUCTION:

The subject property is 2.04 +/- acres located on the east side of North Fourth Street, between Detroit Avenue (28') and E. 4th Avenue (60'). The property is zoned M-2, Manufacturing and is developed with the Budd Dairy buildings. Applicant proposes to rezone the property to the CPD, Commercial Planned Development District to permit commercial reuse of the buildings/site with a change of use of the existing buildings. The plan titled "Zoning Site Plan, Budd Dairy, 1086 N. Fourth Street", hereafter "Site Plan", dated _____, 2017, and referenced in Section 2.H. of this text, depicts the proposed site development.

1.PERMITTED USES: All uses of Section 3355.03, C-3, Permitted Uses, and the following uses of Section 3356.03, C-4 Permitted Uses: appliance stores; automotive sales, leasing and rental, subject to no outside inventory, sales, display or car detailing; bars, cabarets and nightclubs; caterers; electronics stores; floor covering stores; furniture and home furnishings stores; general merchandise stores; home centers; lawn and garden equipment and supply stores; reupholster and furniture repair; sporting goods and outfitters; hotels; paint and wallpaper store; theaters, dance companies and dinner theater; subject to no use is permitted outside sales, or display in merchandise or inventory.

2.DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards of the C-3, Commercial District, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards of the Columbus City Code shall apply.

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

1.The North Fourth Street, East Fourth Street and North Sixth Street building setback lines are the setbacks of the existing buildings, being 30', 0' and 0', as depicted on the Site Plan.

2. The North Fourth Street and East Fourth Street parking setback lines are five (5) feet (minimum), as required by the Italian Village Urban Commercial Overlay (UCO).

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

The Site Plan depicts either 108 or 114 parking spaces as code required parking based on Alternate 1 and Alternate 2 site plan options. Alternate 1 and Alternate 2 propose to keep or remove, respectively, an existing 2,518 square foot area of the building that connects the front and rear buildings. The parking space layout and number of spaces provided is different with Alternate 1 and Alternate 2, as depicted on the Site Plan. If future changes of use require more than 108 or 114 parking spaces, as applicable to Alternate 1 and 2, the Board of Zoning Adjustment (BZA) may hear an application for a variance to reduce code required parking for the change of use.

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

See site plan and subject to approval of Italian Village Commission with final Certificate of Appropriateness.

D. Building design and/or Interior-Exterior treatment commitments.

N/A

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

See site plan and subject to approval of Italian Village Commission with final Certificate of Appropriateness.

F.Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-3, Commercial District. Any ground sign shall be monument – style. Any variance to the applicable sign requirements of the C-3, Commercial District shall be submitted to the Columbus Graphics Commission.

G. Code Modifications.

1.33312.21(A)(2), Landscaping and Screening, to reduce the area of three (3) parking lot islands from 145 square feet to 88, 107 and 120 square feet and to reduce the minimum soil radius per parking lot tree for certain parking lot islands

from four (4) feet to a minimum of 2.5 feet.

2.3312.29, Parking Space, to reduce the width of parking spaces from 9 feet to 8.5 feet.

3.3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking from 182 spaces to 108 spaces for Site Plan Alternate 1 and from 169 spaces to 114 spaces for Site Plan Alternate 2.

4.3321.05(B)(1), Vision Clearance, to reduce the 10'x10' clear vision triangle at N Sixth Street and the unnamed alley to 0'x0' for the existing building and to reduce the 10'x10' clear vision triangle at the E. 4th Avenue site driveway to 6' x 6' for Site Plan Alternate 1 and 7'x7' for Site Plan Alternate 2.

5.3372.604(A)(B), Setback Requirements, to increase the permitted maximum building setback from ten (10) feet to thirty (30) feet on N. Fourth Street, to conform the setback of the existing building fronting on N. Fourth Street, and to permit the parking lot, as depicted on the Site Plan (Alternate 1 and 2), to be located in advance of the principal building on N. Fourth Street and in front of the N. Fourth Street building on the E. 4th Avenue frontage, and to permit more than 50% of the provided parking to be located on the north and south sides of the N. Fourth Street building.

6. 3372.605(A)(B)(D), Building Design Standards, to permit the north elevation (E 4th Street) of the E. 4th Street building to not have a primary entrance door (existing condition); to permit the existing widths of the principal buildings on N. Fourth Street and E. 4th Avenue of 20% and 40% of the width of the lot rather than 60%; to permit less than 60 percent glass on the E. 4th Avenue primary (20%, existing) and secondary (35%, existing) building frontages of the E. 4th Avenue building.

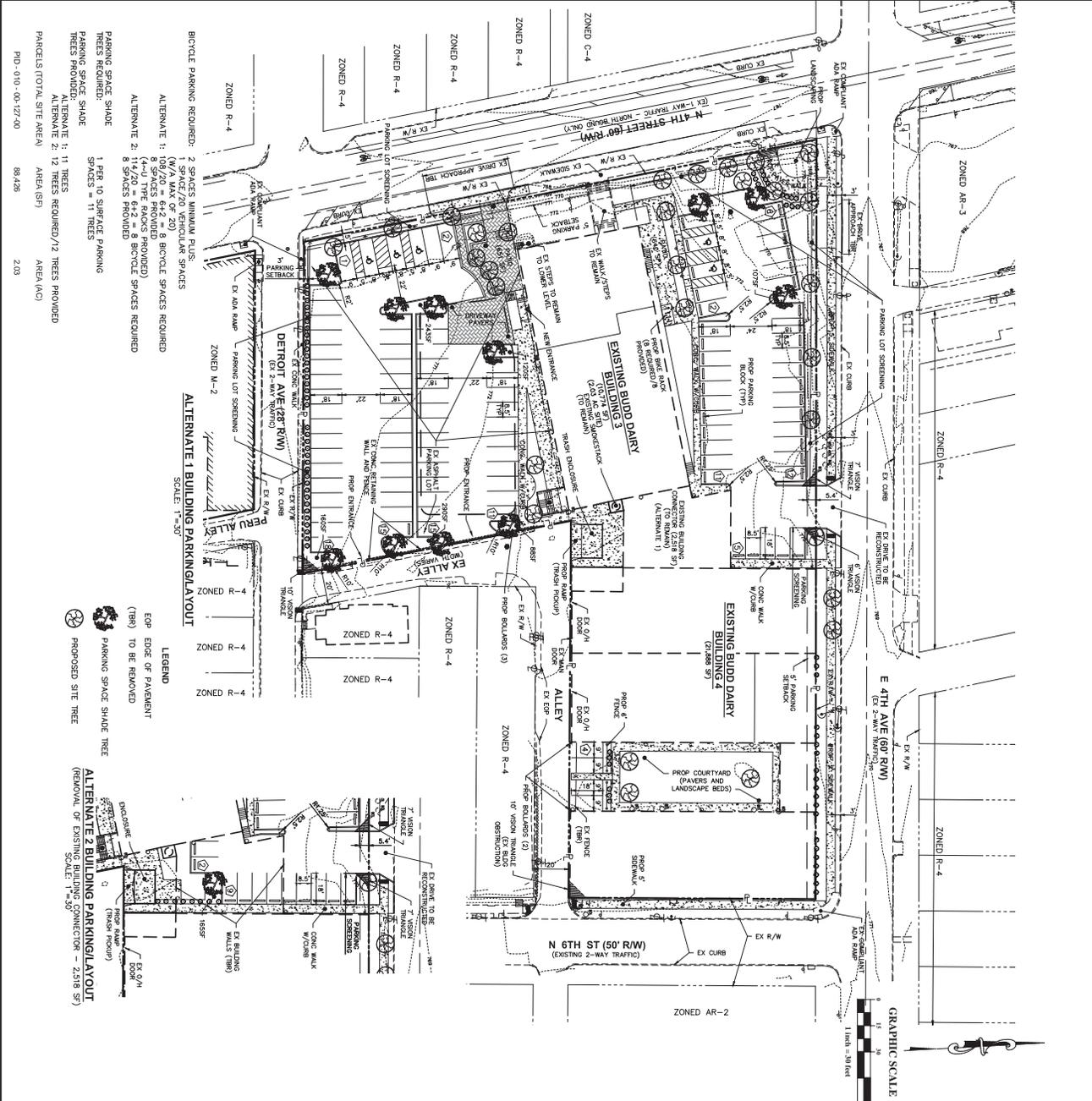
H.Miscellaneous.

1. The plan titled "Zoning Site Plan, Budd Dairy, 1086 N. Fourth Street", hereafter "Site Plan", dated _____, 2016, and signed by David B. Perry, agent and Donald Plank, attorney, depicts the site development. The site plan may be slightly adjusted to reflect engineering, architectural, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do 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 Codes, other than as itemized or depicted on the registered site plan.

Signature: _____ Date: _____
1086 North Fourth St LS, LLC, by David B. Perry, Agent

Signature: _____ Date: _____
1086 North Fourth St LS, LLC, by Donald Plank, Attorney



BIKE PARKING REQUIRED: 2 SPACES MINIMUM PLUS:
 ALTERNATE 1: 108/20 = 5.4 = 8 BICYCLE SPACES REQUIRED
 ALTERNATE 2: 114/20 = 5.7 = 8 BICYCLE SPACES REQUIRED

PARKING SPACE SHADE TREES PROVIDED:
 ALTERNATE 1: 11 TREES
 ALTERNATE 2: 12 TREES REQUIRED/12 TREES PROVIDED

PARCELS (TOTAL SITE AREA) AREAS (SF) AREAS (AC)
 PD-010-00-27-20 88,438 2.03



PARKING CALCULATIONS

Proposed Use (I)Z(II)B	Area(I)	Parking Ratio/Spaces	Italian Village Urban Commercial Overlay Parking Reduction	Code Required Parking
Restaurant	9,990 SF	1 space/75 SF, 134 spaces	25% reduction	102 spaces
Patio (II)	1,291 SF	1 space/150 SF, 9 spaces	25% reduction	7 spaces
Office (general)	12,843 SF	1 space/400 SF, 29 spaces	25% reduction	22 spaces
Rear Building	23,031 SF	1 space/450 SF, 51 spaces	25% reduction	39 spaces
Office (general)	1,209 SF	1 space/75 SF, 17 spaces	25% reduction	13 spaces (5)
Building Connection (5)	1,209 SF	1 space/400 SF, 3 spaces	25% reduction	3 spaces (5)
TOTAL BUILDING AREA with building connections(I)	48,303 SF			169 spaces
TOTAL BUILDING AREA without building connections(II)	45,865 SF			169 spaces
TOTAL REQUIRED PARKING without building connections(5)				108 spaces (6)
TOTAL REQUIRED PARKING with building connections(5)				114 spaces (6)

(1) Office and restaurant parking shown for example. Any mix of commercial use, including retail uses, is permitted subject to the above parking requirements.
 (2) Rear parking not calculated since required parking is less than restaurant parking.
 (3) There is a substantial amount of common area in both buildings, including common hallways, stairwells, mechanical equipment rooms and other unoccupied space. Parking at adjacent office and restaurant rates has been attributed to these areas, but unoccupied areas is approximately 18% less than gross SF.
 (4) Existing building connection (2, 218 SF). Building connection may or may not be retained. See Alternate Plan 1 and 2 for building connection area. Parking attributed to one-half the space (1,209 SF) as restaurant and one-half the space (1,209 SF) as office.
 (5) Total parking includes 6 ADA spaces.



SITE DATA TABLE

ADDRESS: 1086 N. FOURTH STREET
 PID: 010-009127
 EXISTING ZONING: M-2
 PROPOSED ZONING: CPD (COMMERCIAL PLANNED DEVELOPMENT DISTRICT)
 ITALIAN VILLAGE URBAN COMMERCIAL OVERLAY
 PROPOSED USE: RESTAURANT/OFFICE
 TOTAL SITE AREA: 2,038 ACRES
 NO. BUILDINGS: 2
 HEIGHT/DISTRICT: H-35

PARKING CALCULATIONS

Proposed Use (1)(2)(3)	Area(3)	Parking Ratio/Spaces	Italian Village Urban Commercial Overlay Parking Reduction	Code Required Parking
Front Building Restaurant Patio (4)) Office (general)	9,990 SF 1,291 SF 12,843 SF	1 space/75 SF; 134 spaces 1 space/150 SF, 9 spaces 1 space/450 SF, 29 spaces	25% reduction 25% reduction 25% reduction	101 spaces 7 spaces 22 spaces
Rear Building Office (general)	23,031 SF	1 space/450 SF, 52 spaces	25% reduction	39 spaces
Building Connection (5) Restaurant Office (general)	1,259 SF 1,259 SF	1 space/75 SF; 17 spaces 1 space/450 SF, 3 spaces	25% reduction 25% reduction	13 spaces (5) 3 spaces (5)
TOTAL BUILDING AREA with building connection(5) without building connection(5)	48,382 SF 45,864 SF			
TOTAL REQUIRED PARKING with building connection(5) without building connection(5)				182 spaces 169 spaces
TOTAL PROVIDED PARKING with building connection(5) without building connection(5)				114 spaces (6) 108 spaces (6)

- (1) Office and restaurant parking shown for example. Any mix of commercial use, including retail uses, is permitted subject to the applicable minimum number of parking spaces provided with and without the Building Connection.
- (2) Retail parking not calculated since required parking is less than restaurant parking.
- (3) There is a substantial amount of common area in both buildings, including common hallways, stairwells, mechanical equipment rooms and other unoccupied space. Parking at applicable office and restaurant rates has been attributed to these areas, but usable/occupiable area is approximately 18% less than gross SF.
- (4) Patio area that may also be used for outside seasonal seating for restaurant(s).
- (5) Existing building connection (2,518 SF). Building connection may or may not be retained. See Alternate Plan 1 and 2 for building connection area. Parking attributed to one-half the space (1,259 SF) as restaurant and one-half the space (1,259 SF) as office.
- (6) Total parking includes 6 ADA spaces.

HISTORIC DISTRICT COMMISSION RECOMMENDATION

ITALIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 1086 N. Fourth St.

APPLICANT'S NAME: 1086 N. Fourth Street LS, LLC c/o Dave Perry, Agent (Applicant)

APPLICATION NO.: 17-1-8

COMMISSION HEARING DATE: 1-17-17

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Variance or Zoning Change Request

- | | |
|--|--|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Special Permit |
| <input checked="" type="checkbox"/> Parking Variance | <input checked="" type="checkbox"/> Setbacks |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split | |

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of variance application #17-1-8, 1086 N. Fourth St., as submitted:

Variance Recommendation Request

- 3312.21 (A)(2), Landscaping and Screening, to reduce the area and radius of a parking lot island from 145 square feet to a minimum of 80 square feet (80 SF, 103 SF, 115 SF and 140 SF) and to reduce the minimum of radius for certain islands to one (1)Foot.
- 3312.29, Parking Space, to reduce the width of a parking space from 9feet to 8.5 feet.
- 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking from 169 spaces to 104 spaces.
- 3321.05(8)(1), Vision Clearance, to reduce the 1 O'x1 O' clear vision triangle at N Sixth Street and the unnamed alley to O'xO' for the existing building and to reduce the 1 O'x1 O' clear vision triangle at the E. 4th Avenue site driveway to 7'x7'.
- 3372.604(A)(B), Setback Requirements, to increase the permitted maximum building setback from ten (10) feet to thirty (30) feet on N. Fourth Street, to conform the setback of the existing building fronting on N. Fourth Street, and to permit the parking lot, as depicted on the Site Plan, to be located in advance of the principal building on N. Fourth Street and in front of the N. Fourth Street building on the E. 4th Avenue frontage, and to permit more than 50% of the provided parking to be located on the north and south sides of the N. Fourth Street building.
- 3372.605(A)(B)(D), Building Design Standards, to permit the north elevation (E 4thStreet) of the E. 4th Street building to not have a primary entrance door (existing condition); to permit the existing widths of the principal buildings on N. Fourth Street and E. 4th Avenue to 20% and 40% of the width of the lot rather than 60%; to permit less than 60 percent glass on the E. 4th Avenue primary (28%, existing) and secondary (42%, existing) building frontages of the E. 4th Avenue building.

MOTION: Cooke/Maas (5-0-1) RECOMMEND APPROVAL. [Sudy Abstained]

RECOMMENDATION:

RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



Randy F. Black
Historic Preservation Officer

