

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MARCH 13, 2014**

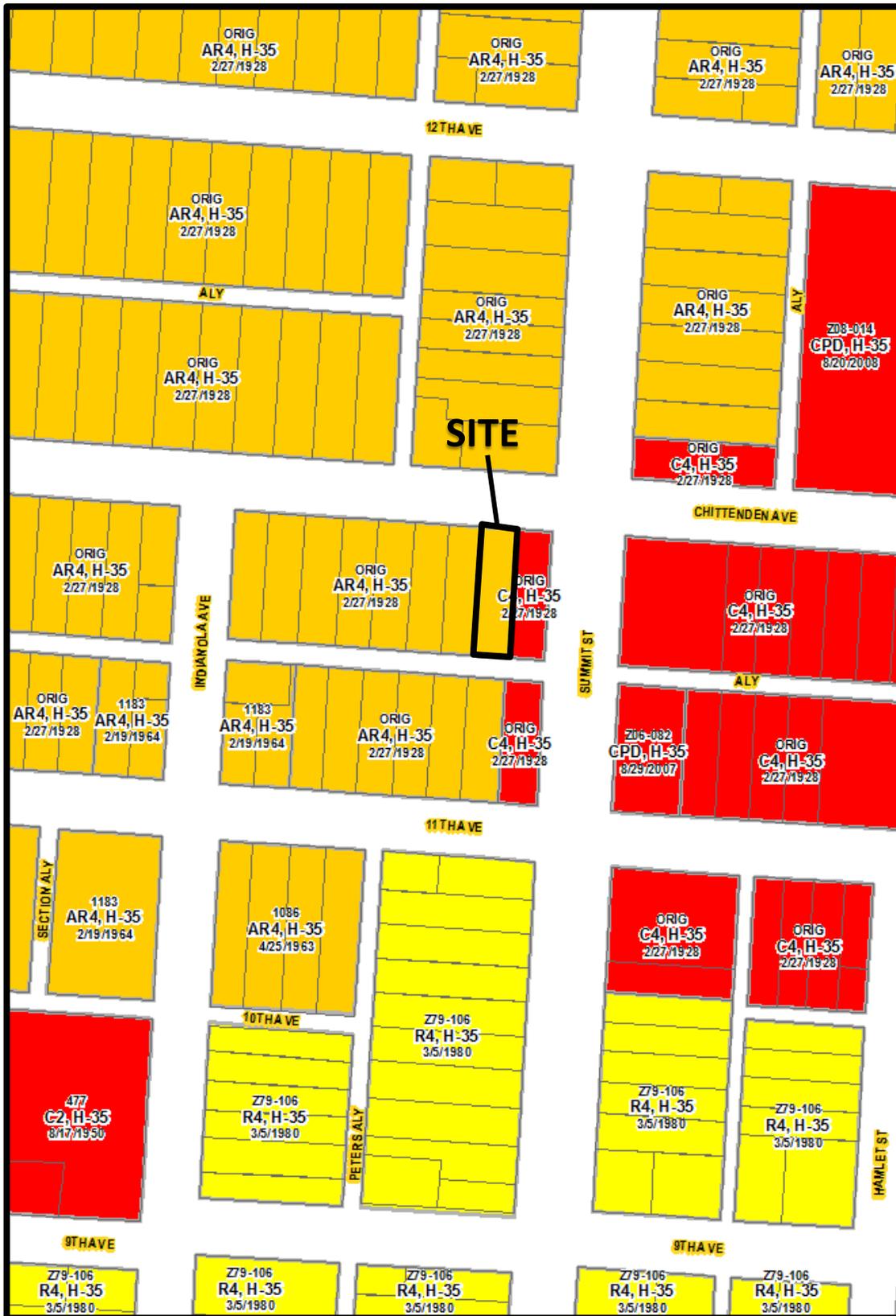
- 4. APPLICATION: Z14-002 (14335-00000-00004)**
Location: **195 CHITTENDEN AVENUE (43201)**, being 0.11± acres located on the south side of Chittenden Avenue, 50± feet west of Summit Street (010-011208; University Area Commission/University Area Review Board).
Existing Zoning: AR-4, Apartment Residential District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Eating and drinking establishment.
Applicant(s): Northwest Property Management; c/o David Hodge, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.
Property Owner(s): International Friendship Inc.; 195 Chittenden Avenue; Columbus, OH 43201.
Planner: Tori Proehl, 645-2749, vjproehl@columbus.gov

BACKGROUND:

- The 0.11± acre site is developed with a two-story building and currently zoned in the AR-4, Apartment Residential District. The applicant requests rezoning to the CPD, Commercial Planned Development District to allow a restaurant use in the lower level of the building. A parking reduction is also part of this request.
- Surrounding the site is commercial development to the east in the C-4, Commercial District. To the north, west and south are single and multi-family homes in the AR-4, Apartment Residential District.
- The site is located within the planning area of the *University Neighborhoods Revitalization Plan* (1996), which recommends Moderate Intensity Residential for this location.
- The site is located within the boundaries of both the University Area Commission and the University Area Review Board. The University Area Review Board made a recommendation of approval for this application, and the University Area Commission's recommendation is for disapproval, since the applicant does not agree to one of the conditions.
- The CPD plan includes the 5,184 square foot building, with a maximum of 2,592 square feet for business (restaurant) use. The CPD text includes development standards for permitted and prohibited uses. It also includes variances to the minimum number of parking spaces required, maneuvering and landscaping and screening.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow commercial development, and the applicant intends to develop the first floor of the building with restaurant use, while preserving the four apartments on the second floor. With the proposed development standards, the request is consistent with the zoning and development patterns of the area.



Z14-002

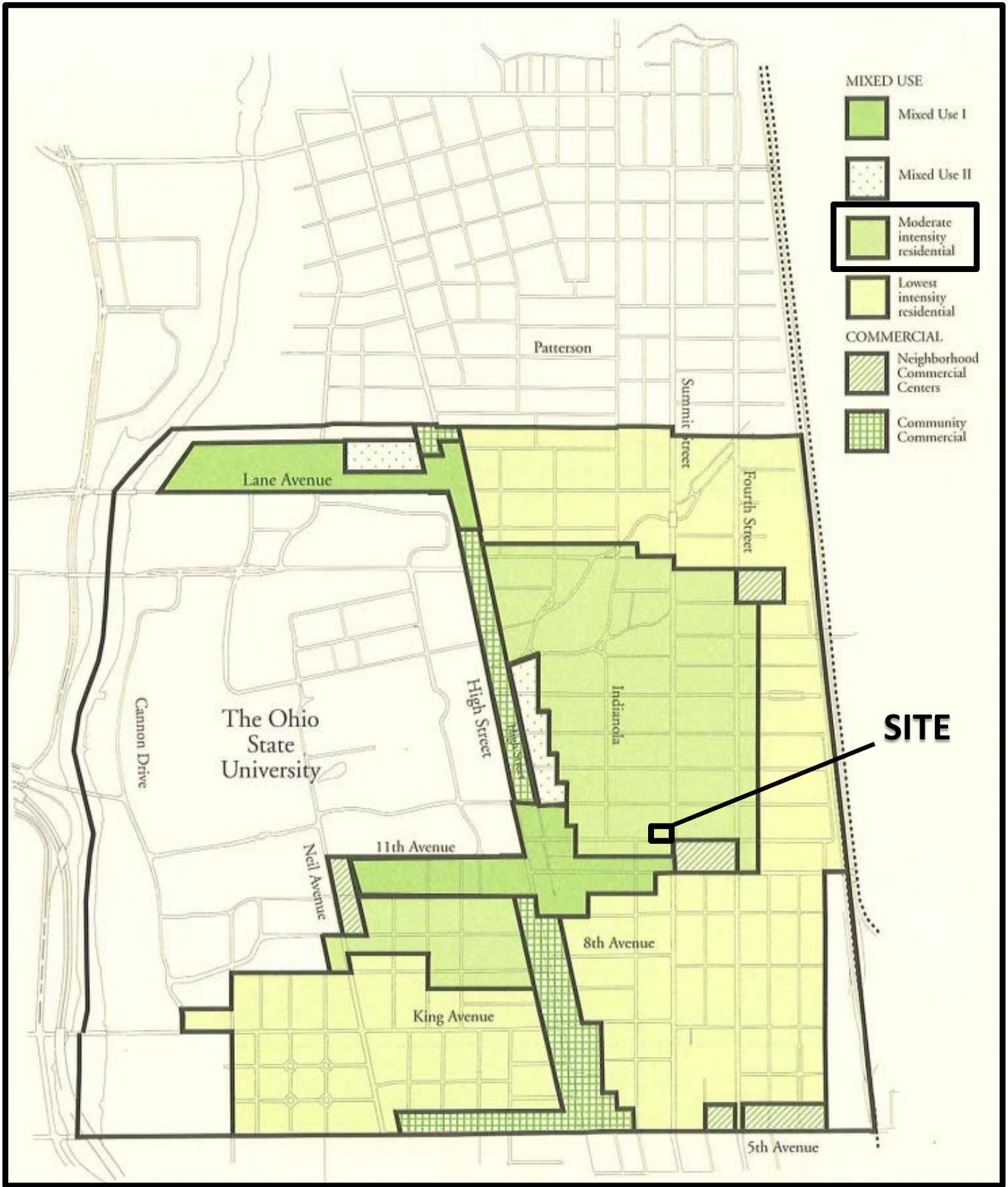
195 Chittenden Avenue

Approximately 0.11 acres

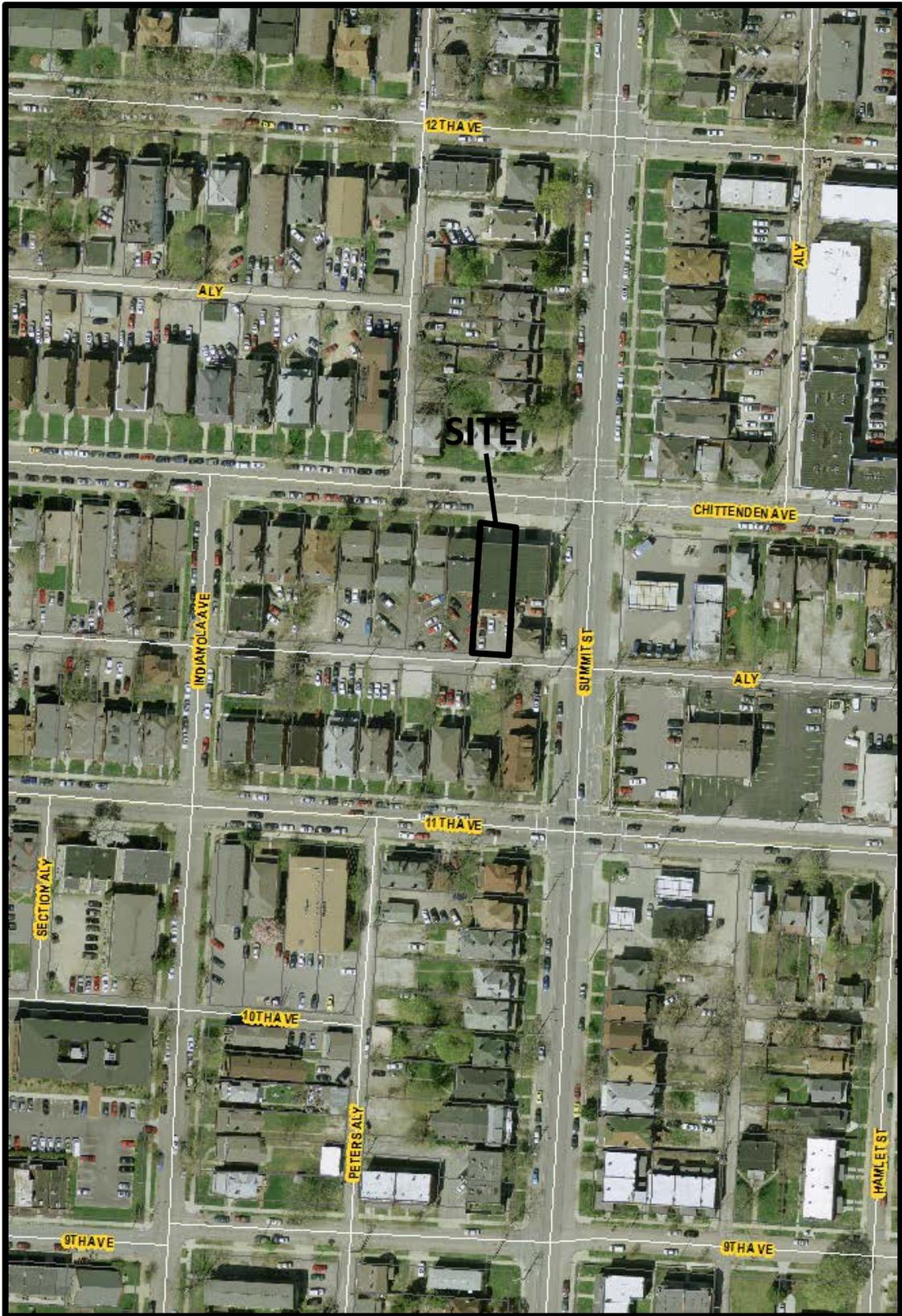
Request: Rezoning from AR-4, Apartment

Residential District to CPD, Commercial

Planned Development District



University Neighborhoods Revitalization Plan



Z14-002

195 Chittenden Avenue

Approximately 0.11 acres

Request: Rezoning from AR-4, Apartment

Residential District to CPD, Commercial

Planned Development District

4-5

TEXT

PROPOSED DISTRICTS: CPD, Commercial Planned Development

PROPERTY ADDRESS: 195 Chittenden Avenue

OWNER: International Friendships Inc.

APPLICANT: Northwest Property Management

DATE OF TEXT: 2/6/14

APPLICATION: Z14 - 002

1. **INTRODUCTION:** The site is developed with a two story building with parking in the rear. The first floor of the building, 2,592 square feet, has been commercially used over the years but is currently vacant. The applicant wants to do a mixed use development within the existing building, incorporating the existing four (4) apartments on the second floor, and providing a restaurant on the first floor with a patio.

2. **PERMITTED USES:** Those uses permitted under Chapter 3356 C-4, Commercial of the Columbus City Code, except the following:

Appliance Stores
Automotive Accessories, Parts and Tire Stores
Automobile and Light Truck Dealers
Automotive Sales, Leasing and Rental
Bars, Cabarets and Nightclubs
Blood and Organ Banks
Check Cashing and Loans
Community Food Pantry
Missions/Temporary Shelters
Motorcycle, Boat, and Other Motor Vehicle Dealers
Outdoor Power Equipment Sales
Pawn Brokers
Recreational Vehicle Dealers
Supermarkets
Truck, Utility Trailer, and RV Sales, Rental and Leasing
Vending Machine Operators
Warehouse Clubs and Super Centers

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or on the site plan, the applicable development standards are those contained in Chapter 3356 C-4 Commercial of the Columbus City Code.

- A. Density, Height, Lot and/or Setback Requirements: N/A

- B. Access, Loading, Parking and/or Traffic Related Commitments: N/A

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

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

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

F. Graphics and Signage Commitments

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-4 Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. CPD Criteria.

- a. Existing Land Use. The area is a mixture of commercial and residential uses.
- b. Transportation and Circulation Facilities. The site is west of Summit Street and fronts on Chittenden Avenue. Access to the parking spaces is from an alley south of the building.
- c. Visual Form of the Environment. The proposed development is a reuse of the existing building.
- d. View and Visibility. The proposed development is a reuse of the existing building.
- e. Proposed Development. Mixture of commercial and residential.
- f. Behavior Patterns. Existing development in the area has established vehicular and pedestrian patterns for the area.
- g. Emissions. This site will not have a negative effect on levels of light, sound, smell and dust.

2. Variances.

Section 3312.49 Minimum number of parking spaces required - To reduce the required parking from 35 to 6 parking spaces. The 6 on-site parking spaces shall be reserved for use by residents.

Section 3312.25 Maneuvering – To permit stacked parking behind the building, legitimizing an existing condition.

Section 3312.21 Landscaping and Screening – To eliminate perimeter screening for the parking lot, legitimizing an existing condition.

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.

northwestpropertymgt.txt
2/6/2014

University Area Review Board

50 West Gay Street, Fourth Floor
 Columbus, Ohio 43215-9031
 (614) 645-6096 (614) 645-1483 fax

| | RECOMENDATION |
|------------------|---|
| property address | 193-195 Chittenden Avenue Z14-002 (14335-00000-00004) |
| hearing date | 01/16/2014 |
| applicant | David Hodge (Smith & Hale LLC) |
| issue date | 02/07/2014 |

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.

The University Area Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Development Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3372.580.

Variance or Zoning Change Request

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

TYPE(S) OF ACTION(S) REQUESTED:

Motion to support the requested variances on the condition:

- That a list of proper and improper uses be formulated and forwarded to staff for review and approval.

Motion was approved unanimously

RECOMMENDATION:

- SUPPORT REQUESTED VARIANCE OR ZONING CHANGE DO NOT SUPPORT REQUESTED VARIANCE OR ZONING CHANGE NO ACTION TAKEN

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

Daniel Ferdelman
 University Area Review Board, Staff



City of Columbus
Mayor Michael B. Coleman

University Area Commission

Northwood High Building
2231 North High Street
Columbus, Ohio 43201
(614) 441-8174
www.universityareacommission.org

Serving the University Community for over 30 Years

Doreen Uhas-Sauer
President
Susan Keeny
1st Vice President
David Hegley
2nd Vice President
Sharon Young
Corr. Secretary
Terra Goodnight
Recording Secretary
Seth Golding
Treasurer

TO: Victoria Proehl
757 Carolyn Ave.
Columbus, OH 43224
Ph: 614-645-6350
vjproehl@columbus.gov

February 19, 2014

RE: Council Variance – rezoning for 193-195 Chittenden Avenue

Dear Ms. Proehl:

This letter is to inform you that at the February 19, 2014 meeting, the University Area Commission voted to approve the request to rezone the property located at 193-195 Chittenden Avenue from and **AR-4** to a **CPD with conditions**. (At the Zoning Committee meeting on Feb. 3, 2014, this rezoning request had received a tie vote). The submitted "Revised CPD Text dated 2/6/2014" follows the requirements found in *Chapter 3356 C-4*, and includes a list of exceptions to the Permitted Uses (such as appliance stores, bars, cabarets, nightclubs, & supermarkets), plus the following 3 variances:

Section 3312.21– Landscaping and Screening: "Perimeter parking lot screening required. Any portion of a parking lot located within 80 feet of residentially zoned property shall be screened, as hereinafter set forth, on the perimeter affecting same." Applicant proposes to eliminate any perimeter screening of the parking lot, legitimizing the existing condition.

Section 3312.25– Maneuvering: "Every parking and loading space shall have sufficient access and maneuvering area. The maneuvering area for a parking space may occur anywhere on a lot except in the area between the street right-of-way line and the parking setback line. Exceptions: The maneuvering area may include an aisle, circulation area, or improved alley. In single-family or two-family residential districts or in town house developments, the maneuvering area may include a driveway, street, or parking space. The Director of Public Service may waive the requirement for maneuvering area only for a parking lot which has and continues to have an operator on duty during all hours of operation." Applicant proposes to have stacked parking behind the building, abutting the alley, legitimizing the existing condition.

Section 3312.49 – Minimum number of parking spaces required: "Table 1. Parking requirements for residential uses: 4 or more dwelling units = 1.5 spaces per unit; Table 2. Parking Requirements for Retail and Other Commercial Uses: 1 space per 75 sq. ft. for restaurants less than 5,000 sq. ft. and 50% of ratio required for primary structure for Patios/outdoor dining areas." Calculations show that the apartments plus new restaurant requires 39 parking spaces. There are 6 existing spaces, and the City requires that these 6 parking spaces are to be designated for residential use only. Calculations per **Chapter 3312.03(D)** (includes some parking reductions) show that **35** total parking spaces are required. Request, therefore, is for parking reduction from **35** to **6** parking spaces.

The Commission expressed concerns over the lack of parking, the increased occupancy, noise generated from the proposed outdoor patio, and the lack of green space/plantings. The following conditions were unanimously agreed upon to become a part of the proposed CPD:

- **No outdoor amplification or electronics (eg: wide screen TV's) in the outdoor patio**
- **No sidewall enclosures around outdoor patio**
- **Provide landscaping to incorporate a continuous, permanent green planting strip around the outdoor patio and at least one tree.**

The vote to approve the above requested rezoning request with conditions was **14** in favor, **1** opposed, and **0** abstentions. The request for council variance with conditions was approved.

Respectfully Submitted,
Susan LM Keeny
Susan Keeny
UAC Zoning Committee Chair