



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (September 11, 2013 Meeting)

Docket No. / Project Title: RZ-13-05 (Fraternal Order of Eagles)
Staff: Emilie Pinkston

Applicant: Fraternal Order of Eagles
Property Size: 25,700 Square Feet
Current Zoning: CN (Commercial: Neighborhood Center)
Proposed Zoning: CD (Commercial: Downtown Center)
Location: 930 Washington Street, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of relocating the Fraternal Order of Eagles to the subject property. Private clubs are a conditional use in the CD (Commercial: Downtown Center) zoning district; therefore, a successful rezoning will provide the Eagles with an opportunity to request conditional use approval from the Columbus Board of Zoning Appeals to locate on the property.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is the CD (Commercial: Downtown Center) zoning district appropriate at this location, and more generally, north of 9th Street?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council

Plan Commission Options:

In reviewing a request for *rezoning* the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding *rezoning* applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The subject property is located within the Downtown Columbus character area, as identified by the Land Use Element of the Comprehensive Plan and is identified as mixed use by the Future Land Use Map. The Comprehensive Plan encourages the use of existing buildings and infrastructure wherever possible in order to reduce urban sprawl on undeveloped land. Locating businesses within vacant or underutilized buildings utilizes existing infrastructure, saves resources, and preserves undeveloped land. The Comprehensive Plan further encourages uses in and near the

downtown that add vitality during weekend and evening hours. Rezoning the subject property to CD would allow for a greater variety of uses that would encourage activity during these times.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The subject property was developed in the late 1940s; it contains a commercial structure with a 0-foot building setback along the Washington Street frontage and a parking area within the 9th Street frontage. The 0-foot building setback along Washington Street is consistent with other structures in the CD zoning district.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The subject property is located within walking distance of several other downtown facilities, including the Cummins Office Building, the Moose Lodge, the Jackson Place development, and many downtown shops and restaurants. The property was developed for commercial use and is immediately adjacent to the CD zoning district on the south.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: Rezoning the subject property to CD (Commercial: Downtown Center) should not be expected to negatively impact property values throughout the jurisdiction. As part of the Site Development Plan District, significant modifications to the structure and/or property would continue to be under review of the Columbus Plan Commission.

Responsible growth and development.

Preliminary Staff Comments: The proposed rezoning will facilitate the occupancy of a vacant facility with available infrastructure. The property is immediately adjacent to CD zoning and represents logical expansion of the CD zoning district. Because the property is located within walking distance of most facilities in the downtown area and is located along Washington Street, the primary thoroughfare through the downtown area, the subject property would complement other uses in the CD zoning district and would function as part of the downtown area. Furthermore, while somewhat limited, on-street parking, an amenity of the downtown area, is available near the subject property.

Current Property Information:	
Land Use:	Vacant
Site Features:	9,000 square foot (approximately) vacant building and parking area
Flood Hazards:	No flood hazards exist on the subject property.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances exist on the subject property.
Vehicle Access:	The property is accessed from Washington Street (Urban, Commercial, Collector Street) and 9 th Street (Urban, Commercial, Local Street).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CN (Commercial: Neighborhood Center)	Vacant Residential Structure
South:	CD (Commercial: Downtown Center)	Office Use

East:	CN (Commercial: Neighborhood Center)	Commercial Uses
West:	CN (Commercial: Neighborhood Center)	AT&T Communications Office

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: CN	Proposed Zoning: CD
Zoning District Intent:	<p>This district is intended to provide convenience goods, services, and amenities within close proximity to residential areas. This district is also intended to enable the development of small-scale, mixed-use neighborhood centers. The commercial centers are generally to be located at major intersections, should be pedestrian oriented, and should provide ample buffering from adjacent residential uses. Further, this district should be protected from non-neighborhood serving land uses and businesses.</p>	<p>This district is intended to serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is intended to serve as a focal point, and to be the most intensely developed area in the community. This district is further intended to support the continued use of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.</p>

Permitted Uses:	<ul style="list-style-type: none"> • Bed and Breakfast Facility • Secondary Dwellings (on upper floors of other use) • Clinic • Day-Care Center (Adult or Child) • Police, Fire, or Rescue Station • Nature Preserve / Conservation Area • Park / Playground • Office Uses • Personal Service Uses • Recreation Uses (Small Scale) • Restaurant • Retail Uses (Small Scale) 	<ul style="list-style-type: none"> • Bed and Breakfast Facility • Secondary Dwellings (on upper floors of other use) • Clinic • Day-Care Center (Adult or Child) • Funeral Home • Government Office • Library • Museum • Parking Lot / Garage (as a primary use) • Police, Fire, or Rescue Station • Post Office • Trade of Business School • Nature Preserve / Conservation Area • Park / Playground • Conference Center
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		<ul style="list-style-type: none"> • Data Processing / Call Center • Farmer's Market • Health Spa • Hotel / Motel • Instructional Center • Liquor Store • Office Uses • Personal Service Uses • Recreation Uses (Small Scale) • Recreation Uses (Medium Scale) • Restaurant • Retail Uses (Small Scale) • Retail Uses (Medium Scale)
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	Minimum Lot Area: 5,000 sq. ft. Maximum Lot Coverage: 75%	Minimum Lot Area: 3,000 sq. ft. Maximum Lot Coverage: 100%
Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	Side Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet Rear Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet Front Yard Setback: Collector Street: 10 feet* Local Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structure	Side Yard Setback: 0 feet Rear Yard Setback: 0 feet Front Yard Setback: Collector Street: 0 foot build-to* Local Street: 0 foot build-to* *The build-to line is a line parallel to the front property line indicating the distance from the front property line at which the primary structure must be built. This line is neither a minimum nor a maximum; it is a requirement.

Height Restrictions:	<p>Primary Structure: 35 feet</p> <p>Accessory Structure: 25 feet</p>	<p>Primary Structure: 125 feet, except for the following – (1) Washington Street Frontage: 60 feet, for the one-half block on each side of Washington Street between 2nd and 8th Streets and (2) Residential Context: 50 feet, within one-half block of any single-family residential zoning district.</p> <p>Accessory Structure: 35 feet</p>
Floor Area Requirements:	None	None
Signs:	<p>Wall Signs: 3 walls are permitted for each public street frontage. The maximum total area for all wall signs cannot exceed 15% of the area of the front walls, or 200 square feet, whichever is less.</p> <p>Freestanding Signs: 1 freestanding sign is permitted for each public street frontage. The maximum allowed area for each sign is 50 square feet, and the maximum allowed height is 6 feet.</p>	<p>Wall Signs: 1 wall sign is permitted for each public street frontage. The maximum total area for all wall signs cannot exceed 8% of the area of the front walls, or 200 square feet, whichever is less.</p> <p>Freestanding Signs: Freestanding signs are only permitted in the CD zoning district on a lot that (a) exceeds 2 acres in area and (b) includes a primary structure that has a minimum front setback of 20 feet.*</p> <p>Where freestanding signs are permitted, 1 sign is permitted per public street frontage. The maximum allowed area for each sign is 50 square feet, and the maximum allowed height is 6 feet.</p> <p>*The subject property, due to its size, would not be permitted a freestanding sign.</p>

Interdepartmental Review:	
City Engineering:	No comments received.
City Utilities:	No comments received.
Parks Department:	No comments received.

MPO:	No comments received.
Fire Department:	No issues with this request.

History of this Location:

The relevant history of this property includes the following: The building on the subject property was constructed in 1948 and is the former site of the Wonder Bread Thrift Shop and the Hostess Cakes and Interstate Brands Bakery.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as mixed use.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
2. **POLICY E-1-1:** Maintain the downtown as the heart of the city, retaining its function as the government, institutional, and financial center of the community.
3. **POLICY E-1-2:** Encourage retail, entertainment, restaurant, and similar uses which add to the vitality of the downtown, with emphasis on after-hours and weekend activities.

This property is located in the Downtown Columbus character area. The following Planning Principle(s) apply to this application:

1. New development or redevelopment should enhance the positive qualities of downtown. A healthy land-use mix should be retained, including a variety of retail, office, financial, professional, and institutional uses. Suburban-type uses such as big-box retail stores should not be permitted.
2. Retail and restaurant uses should be encouraged in the downtown but not to the exclusion of existing office, professional, financial, and institutional uses.
3. As uses change or expand, the city should ensure that smooth traffic flow will be maintained and that convenient parking is available.
4. Locate off-street parking behind structures rather than in front of or beside them.
5. Retain the urban character by locating buildings close to the street.

The subject property is located within the Neighborhood Service Center, a Core Downtown District established by the Downtown Columbus Strategic Development Plan. The following Downtown Columbus Strategic Development Plan goals apply to this application:

- Cluster retail around the intersection of Washington and 11th Street
- Develop vacant lots with multi-family housing adjacent to retail center
- The mix of uses in the Neighborhood Service Center should be split between housing and daily goods and services

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The Fraternal Order of Eagles (FOE) is proposing to relocate to the subject property. The FOE is an international, non-profit organization whose members unite for fellowship and philanthropic activities. Common activities at the Eagles Lodge include bingo, card tournaments, music performances, and other social gatherings. The Zoning Ordinance classifies the FOE as a private club, a “facility or property owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose and for which membership is required for participation.” Private clubs are not outright permitted in the CD (Commercial: Downtown Center) zoning district; they are permitted by conditional use only.
2. If the subject property is successfully rezoned to CD, the FOE will next have to request conditional use approval from the City of Columbus Board of Zoning Appeals (BZA). During the conditional use

review, the BZA will consider whether any site improvements, such as landscaping and parking, should be required as a condition of the FOE's approval.

3. The CD zoning district is classified as a Site Development Plan district. Any significant site feature modifications, as defined by the Zoning Ordinance, would require Plan Commission approval. Minor modifications, such as changes that do not alter vehicle ingress/egress and do not increase floor area by more than 15%, may be approved administratively. The CD and P (Public/Semi-Public Facilities) zoning districts are the only Site Development Plan zoning districts.
4. Per Zoning Ordinance Section 7.1(Part 1)(A)(1)(a), properties located within the CD zoning district are not required to provide on-site parking. However, for private clubs in zoning districts other than the CD zoning district, the Zoning Ordinance requires the on-site provision of 1 parking space for every 4 seats. The FOE expects to provide 182 seats within the renovated facility; therefore, 46 parking spaces would be required in any other zoning district. Currently, the subject property has approximately 36 on-site parking spaces.
5. The subject property is not currently constructed to the standards of the CD zoning district. However, if the property is successfully rezoned, any subsequent improvements to the property would be required to meet the standards of the CD zoning district. The following are examples of the current development's inconsistencies with the CD zoning district:
 - o Zoning Ordinance Section 7.2(Part 4)(B)(3)(c) prohibits the installation of a parking area in the front yard. Parking is currently provided within the 9th Street front yard.
 - o Zoning Ordinance Section 8.1(C)(1) states that parking lot frontage landscaping is required whenever parking areas are provided and abut a public street frontage. This landscaping requirement consists of large or medium deciduous trees and shrubs. The current landscaping does not meet this requirement.
6. On-street parking, while limited, is available near the subject property, along Washington and Jackson Streets. On-street parking is not available along 9th Street. Freestanding parking areas near the subject property are privately owned and parking within these lots is restricted. Approximately 75 on-street parking spaces are provided with 1.5 blocks of the subject property.
7. The subject property is located within walking distance of several other downtown facilities. The Cummins Corporate Office Building, the Jackson Place development, the Moose Lodge, the 4th Street entertainment area, and several shops and restaurants are all located within five blocks of the subject property.
8. The subject property is located along the Commerce Corridor, Washington Street, identified by the Columbus Arts District Strategic Plan. The Commerce Corridor is identified by a number of restaurants and commercial businesses.
9. Another option that the FOE might consider is the CDS (Commercial: Downtown Support) zoning district. Similar to the CD zoning district, private clubs are a conditional use in the CDS zoning district. The intent of this district is to serve as a transitional area between the urban downtown and the suburban commercial areas at the edges of downtown. This district provides that transition by allowing uses that would be appropriate in either setting and the flexibility for new development to be either suburban or urban in character, with the intent being a market-driven conversion of the district to a pedestrian-oriented urban setting that facilitates the gradual expansion of the downtown area. Uses within the CDS zoning district are partially exempt from the requirements that on-site parking be provided; all properties within this district may provide only 50% of the parking spaces otherwise required by the Ordinance.

**Columbus – Bartholomew County Planning Department
Rezoning Application (Zoning Map Amendment)**



Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County Joint District

Docket No.: R2-13-05

Rezoning Application:

Current Zoning: CN **Requested Zoning:** CD

Applicant Information:

Name Fraternal Order of Eagles 741 by Charles Zapfe, Officer

Address 217 1/2 Washington Street Columbus IN 47201
(number) (street) (city) (state) (zip)

Phone No.: (812) 376-7075 Fax No.: _____ E-mail Address: eagleslodge741@sbcglobal.net

Property Owner Information (the "owner" does not include tenants or contract buyers):

Name: Hilger Fox Hiler LLP

Address 2545 Foxpointe Dr.,-Ste. A Columbus IN 47203
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: Charles Zapfe

Address 217 1/2 Washington Street Columbus IN 47201
(number) (street) (city) (state) (zip)

Phone No.: (812) 371-8259 Fax No.: _____ E-mail Address: coazchzap2003@yahoo.com

How would you prefer to receive information (please check one): Email Phone Fax Mail

Property Information:

Property Size: 0.59 acres or _____ square feet

Address 930 Washington Street Columbus IN 47201
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

A legal description is attached (a legal description is required for the processing of all rezoning requests).

Rezoning Criteria:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria to which both the Plan Commission and legislative body (City Council, County Commissioners, Joint District Council) must "pay reasonable regard" when considering a rezoning request. Those criteria are listed below. Explain how this request addresses each criterion.

The Comprehensive Plan.

The applicable Comprehensive Plan Goals and Policies: A-2-1: Strive to eliminate blighted areas: A-2-12: Encourage maintenance of buildings and grounds: E-1-1: Maintain the downtown as the heart of the city. E-1-2: Encourage retail, entertainment, restaurants and similar uses which add to the vitality of the downtown, with emphasis on after hours and weekend activities. The Downtown Comprehensive Plan shows this property as a neighborhood service center with the Uptown Urban District to the South, Urban Residential District to the West and the Downtown Expansion District to the North.

The current conditions and the character of current structures and uses in each district (existing & proposed).

The property is currently vacant. The property has been primarily used as a retail outlet and is currently vacant since at least Dolly Madison filed Bankruptcy in early 2012, when it was used as a bakery thrift store. The proposed use is a private club for the Fraternal Order of Eagles to use as a meeting hall for its members, family and friends. The uses for the property will be a location for holding meetings, gathering for socialization, recreation and entertainment.

The most desirable use for which the land in each district is adapted.

The CN zoning district in this area, pursuant to the Downtown Comprehensive Plan, is a Neighborhood Service Center to serve surrounding neighborhoods with goods, services and amenities. With the growth and expansion of Uptown Urban District (CD) the most desirable use for the area where this property is located would seem to be an expansion of the CD district to connect it with the Downtown Expansion District to the North and the Urban Residential District to the West making a more cohesive and integrated downtown.

The conservation of property values throughout the jurisdiction.

The applicant is the Fraternal Order of Eagles 741 and has been a good downtown neighbor for many years, owning the property at 217 1/2 Washington St. where the Chapter has held its meetings and activities. The chapter desires to continue as part of the Columbus downtown community and desires to relocate the chapter to the subject property. The chapter will be investing substantially in the property to make it suitable for hosting their members, family and friends. The applicant believes that their activities will substantially enhance the value and appearance of the property.

Responsible growth and development.

The Downtown Comprehensive Plan encourages the continued growth of the downtown, both to the North and to the South, as a way to maintain the downtown as the heart of the city. The rezoning of this property from CN to CD is consistent with these goals and does no injury to other properties that remain in the area. The addition of the lodge members, their families and friends to this area of downtown will enable customers and patrons to support the business establishments on the Northern end of downtown and provide opportunities for the additional arts, entertainment and commercial venues.

Rezoning Purpose:

Explain the reason(s) why the applicant has proposed this zoning change.

The Fraternal Order of Eagles is an international non-profit organization that unites fraternally in the spirit of liberty, truth, justice and equality to make human life more desirable by lessening its ills, and by promoting peace, prosperity, gladness and hope. The local Chapter 741 is currently in the building at 217 1/2 Washington St., with its meetings on the second floor. The chapter believes that it can better serve its current and future members by being located on the ground floor, making the meeting spaces more accessible for its physically challenged members and the current site would allow handicap parking spaces on site.

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



(Applicant's Signature)

8-12-13

(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.



(Owner's Signature)

8-12-13

(Date)

(Owner's Signature)

(Date)

Bartholomew County, IN Property Assessment Detail Report Parcel Number : 03-95-24-310-000.100-005

Parcel Information

Parcel Number: 03-95-24-310-000.100-005

Alt Parcel Number: 19-95-24.31-100

Property Address: 930 WASHINGTON ST COLUMBUS, IN 47202

Neighborhood: Major Business District

Property Class: Commercial Garage

Legal Description: A parcel of land beginning at the NW corner of 9th and Washington Streets; thence 312' along the N line of said 9th Street' thence N along the E line of Jackson Street 165.5' to an alley; thence E 312' along the S line of said alley to the W line of said

Owner Name: Hilger Fox Hilger, LLP

Owner Address: 2545 Foxpointe Dr - Ste A
COLUMBUS, IN 47203

Taxing District

Township: COLUMBUS TOWNSHIP

Corporation: Bartholomew Consolidated School Corporation

Land Description

Land Type	Acreage	Dimensions
PRIMARY	0.5900	

Transfer Of Ownership

Date	Name	Deed Book	Deed Page
08-04-1989	HILGER LAND TRUST ETAL		
10-30-1989	HILGER LAND TRUST		
05-29-2012	Hilger Land Trust Etal	2012	5764

Valuation Record

Assessment Date	Reason for Change	Land	Improvements	Total Valuation
03-01-2012	09- General	179900	86700	266600

Valuation Record

Assessment Date	Reason for Change	Land	Improvements	Total Valuation
	Revaluation			
03-01-2011	51- Annual Reassessment	179900	107300	287200
03-01-2010	51- Annual Reassessment	179900	113400	293300
03-01-2009	51- Annual Reassessment	179900	113400	293300
03-01-2008	51- Annual Reassessment	154200	113400	267600
03-01-2008	51- Annual Reassessment	154200	113400	267600
03-01-2007	51- Annual Reassessment	154200	98800	253000
03-01-2006	51- Annual Reassessment	154200	96900	251100
03-01-2002	09- General Revaluation	102800	123100	225900
03-01-2001	AV-100pct AV Initialized	64300	84900	149200
03-01-2001	AV-100pct AV Initialized	64300	84900	149200
03-01-2001	AV-100pct AV Initialized	64300	84900	149200
03-01-1995	09- General Revaluation	21430	28300	49730

Public Utilities

Water: N

Sewer: N

Gas:

Electricity: N

All: N

Exterior Features

Exterior Feature	Size/Area
Open Frame Porch	

Special Features

Description	Size/Area
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Summary Of Improvements

Buildings	Grade	Condition	Construction Year	Effective Year	Area
GENRET	D	Fair	1948	1972	
PAVING	C	Average	1948	1948	

Commercial and Industrial Buildings

GENRET

Wall Types

Floor	Wall Type 0	Wall Type 1	Wall Type 2	Wall Type 3	Wall Type 4
1	0	0	426	0	0

Floor Uses

Floor	Description	Area In Use	Area Not In Use	Area AC	Area Heat	Area Sprinkled
1	General Retail	1070	2080	3150	3150	0
1	Light Utility Storage	4051	2080	0	6131	0

Plumbing

CommFixtures:	4
CommHalfBaths:	2
WaterCoolerRefrig:	1

PAVING

Wall Types

Floor	Wall Type 0	Wall Type 1	Wall Type 2	Wall Type 3	Wall Type 4
1	0	0	426	0	0

Floor Uses

Floor	Description	Area In Use	Area Not In Use	Area AC	Area Heat	Area Sprinkled
1	General Retail	1070	2080	3150	3150	0
1	Light Utility Storage	4051	2080	0	6131	0

Plumbing

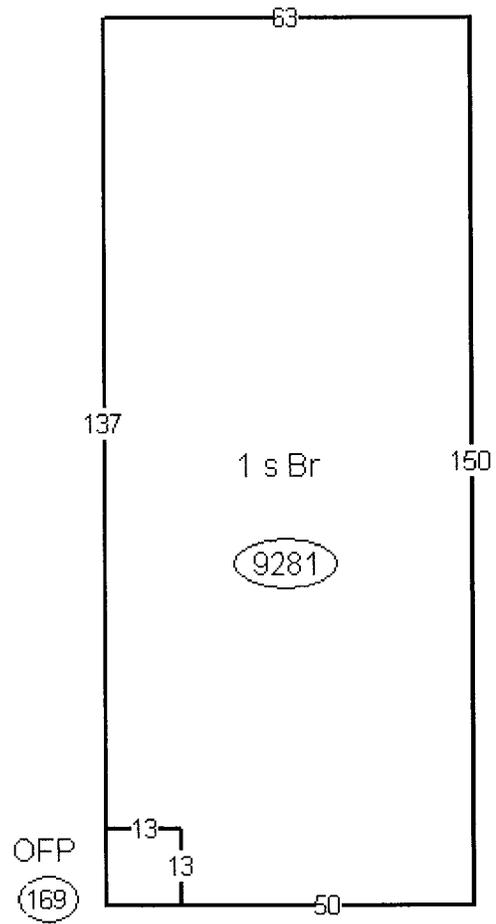
CommFixtures:	4
CommHalfBaths:	2

Plumbing

WaterCoolerRefrig:

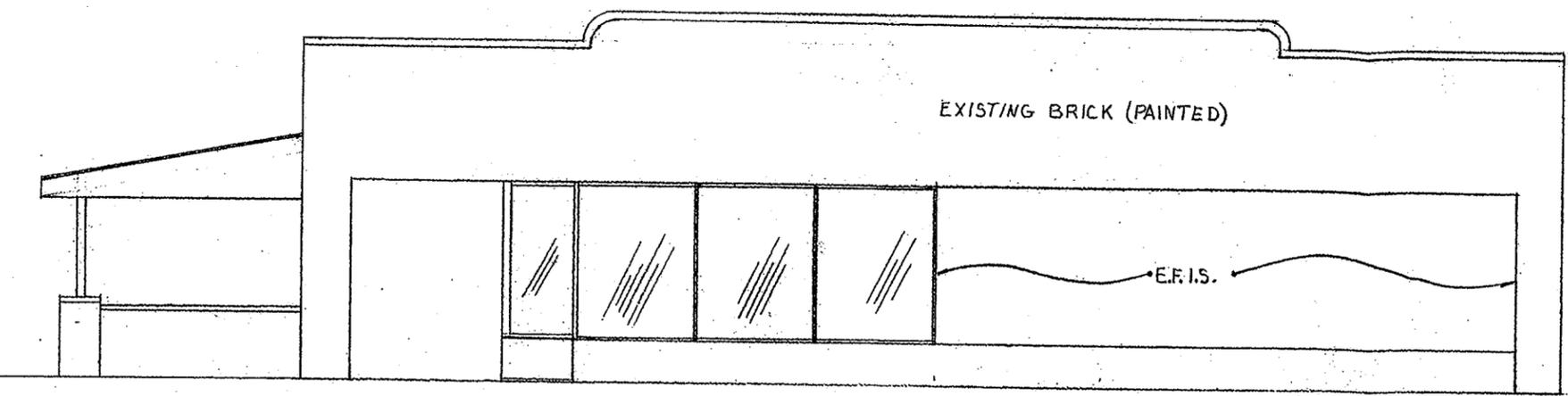
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Photos and Sketches

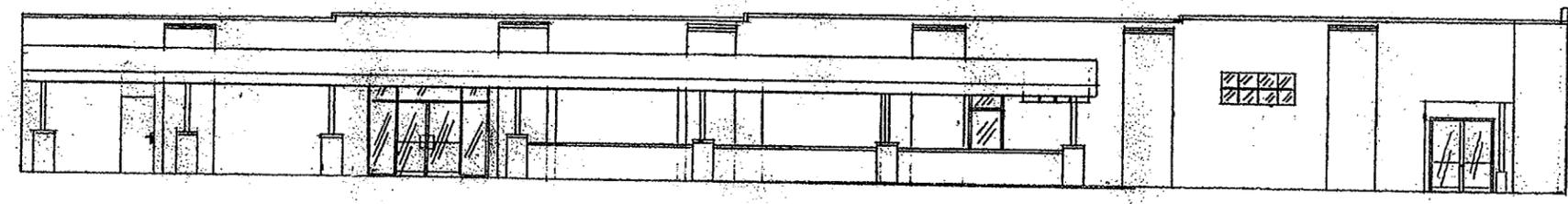


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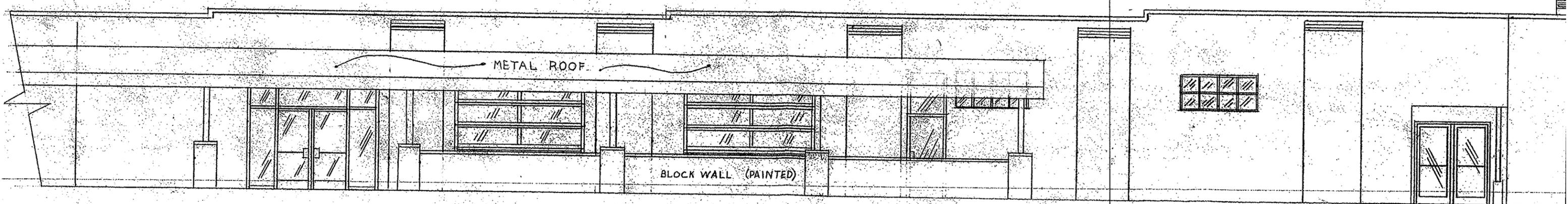




EAST ELEV. SCALE 1/4" = 1'-0"



SOUTH ELEV. SCALE 1/8" = 1'-0"



SOUTH ELEV. PATIO AREA SCALE 1/4" = 1'-0"

BUILDING

CANOPY

LOT SIZE 28 SPACES

HC

