



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (July 9, 2014 Meeting)

Docket No. / Project Title: RZ-14-09 (CPI Holdings)
Staff: Emilie Pinkston

Applicant: CPI Holdings
Property Size: 1.04 Acres
Current Zoning: CO (Commercial: Professional Office)
Proposed Zoning: CN (Commercial: Neighborhood)
Location: 3126 17th Street, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of relocating the Columbus Pawn Shop, a small-scale retail use, to the subject property and utilizing the second floor of the existing structure as a secondary dwelling.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Is the CN (Commercial: Neighborhood) zoning district, which allows small-scale retail, restaurants, and small-scale recreation uses, among others, appropriate at this location?
2. Should the number of access drives on the subject property be reduced in order to minimize turning conflicts and improve safety?
3. Does the existing landscaping provide adequate buffering between the subject property and the surrounding neighborhood?
4. Should the uses permitted in the CN (Commercial: Neighborhood) zoning district be narrowed in order to improve compatibility with the surrounding neighborhood?
5. Should allowed signage be limited in order to preserve the character of the surrounding neighborhood?

Preliminary Staff Recommendation:

Unfavorable recommendation to the City Council. If the Plan Commission votes to send a favorable recommendation to the City Council, the following conditions of approval should be included:

1. Prior to occupancy, the access drive along 17th Street, one access drive along Lee Street, and one access drive along Short Lee Street shall be removed. The City Engineer shall be consulted to coordinate any changes in on-site circulation resulting from the removal of the drives.
2. The subject property shall be limited to 1 freestanding sign and 1 wall sign. The signs shall be permitted only along the 17th Street frontage.
3. Prior to occupancy, the property shall be provided with Parking Lot Public Street Frontage landscaping meeting the requirements of the Columbus Zoning Ordinance.

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 recommend that conditions or commitments be attached to the rezoning request. 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 Columbus Central Neighborhoods character area, as identified by the Land Use Element of the Comprehensive Plan and is identified as residential by the Future Land Use Map. The Comprehensive Plan urges that the character of neighborhoods be preserved. It also acknowledges that neighborhoods can be enhanced by convenient shopping areas provided that the type and size of the shopping area is consistent with the surrounding neighborhood. While this rezoning request would facilitate the use of a vacant property, as encouraged by the Comprehensive Plan, the traffic generated from uses permitted by the CN (Commercial: Neighborhood) zoning district is not consistent with the layout and character of the surrounding neighborhood.

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

Preliminary Staff Comments: The subject property was developed in the early 1950s. It contains a former church structure with an associated parking area and landscaping. The development of this site is consistent with that of a commercial development, given the large parking area and structure. However, the property is embedded within a single-family residential neighborhood.

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

Preliminary Staff Comments: The subject property is approximately 450 feet west of National Road, which serves as a major commercial corridor within the City of Columbus. The site is also bordered by 17th Street, which is a highly-traveled street identified as a Collector by the City of Columbus Thoroughfare Plan. The subject property is in close proximity to a busy commercial area, but it is also embedded within an established neighborhood. Introducing the uses permitted by the CN zoning district into this neighborhood would likely disrupt the character of the neighborhood.

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

Preliminary Staff Comments: Rezoning the subject property to CN (Commercial: Neighborhood) should not be expected to negatively impact property values, generally, throughout the jurisdiction of the City of Columbus. However, the rezoning may have an impact on the property values of the single-family residential properties immediately adjacent to the subject property due to the increased traffic volume, noise and other characteristics associated with uses in the CN zoning district.

Responsible growth and development.

Preliminary Staff Comments: The proposed rezoning would facilitate the occupancy of a vacant facility with existing infrastructure. The property is in close proximity to a busy commercial corridor and borders a highly-traveled Collector street. However, the site is located within an existing neighborhood, as opposed to being located at a significant intersection or immediately adjacent to the commercial corridor along National Road. The uses permitted in the CN zoning district may disrupt the character and quality of the established neighborhood.

Current Property Information:	
Land Use:	Vacant
Site Features:	Vacant structure with associated parking area and landscaping

Flood Hazards:	No flood hazards are present on the subject property.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances are present on the subject property.
Vehicle Access:	The subject property gains access from 17 th Street (Collector, Suburban, Residential Street), Lee Street (Local, Suburban, Residential Street), and Short Lee Street (Local, Suburban, Residential Street).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS4 (Single-Family Residential 4)	Single-family Residential
South:	RS4 (Single-Family Residential 4)	Single-family Residential
East:	RS4 (Single-Family Residential 4)	Single-family Residential
West:	RS4 (Single-Family Residential 4)	Single-family Residential

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: CO	Proposed Zoning: CN
Zoning District Intent:	This district is intended to establish appropriate locations for professional office centers. Such centers may include both professional offices and complementary retail uses and support facilities. This district may be used to transition from residential to other, more intense, business or industrial zoning districts.	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.

Permitted Uses:	<ul style="list-style-type: none"> • Communications Service Exchange • Clinic • Day Care Center (Adult or Child) • Parking Lot / Garage (as a 	<ul style="list-style-type: none"> • Bed and Breakfast Facility • Secondary Dwelling (on upper floor of other use) • Clinic • Day Care Center (Adult or Child)
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	<p>primary use)</p> <ul style="list-style-type: none"> • Police, Fire, or Rescue Station • Nature Preserve / Conservation Area • Park / Playground • Data Processing / Call Center • Office Uses 	<ul style="list-style-type: none"> • 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)
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	<p>Minimum Lot Area: 10,000 square feet</p> <p>Maximum Lot Coverage: 65%</p>	<p>Minimum Lot Area: 5,000 square feet</p> <p>Maximum Lot Area: 5 acres (217,800 square feet)</p> <p>Maximum Lot Coverage: 75%</p>
<p>Setbacks Required:</p> <p>Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.</p>	<p>Side Yard Setback: 10 feet</p> <p>Rear Yard Setback: 10 feet</p> <p>Front Yard Setback: 10 feet*</p> <p>*25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures</p>	<p>Side Yard Setback: 5 feet</p> <p>Rear Yard Setback: 5 feet</p> <p>Front Yard Setback: 10 feet*</p> <p>*25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures</p>
Height Restrictions:	<p>Primary Structure: 40 feet</p> <p>Accessory Structure: 25 feet</p>	<p>Primary Structure: 35 feet</p> <p>Accessory Structure: 25 feet</p>
Floor Area Requirements:	N/A	<p>Minimum Living Area Per Dwelling (Secondary): 500 square feet</p>

Signs:	<p>Wall Signs: 3 wall signs 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 250 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 75 square feet, and the maximum allowed height is 8 feet.</p>	<p>Wall Signs: 3 wall signs 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>
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Interdepartmental Review:	
City Engineering:	[The City Engineer recommends] that this site have only two access drives, one on Short Lee Street and the other on Lee Street.
City Utilities:	No comments received.
Fire Department:	The Columbus Fire Department does not have any issues with this request.
MPO:	No comments received.

History of this Location:

The relevant history of this property includes the following: The subject property was most recently occupied by the Bible Church of Columbus but has been vacant for some time.

Comprehensive Plan Consideration(s):

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

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

1. **POLICY A-2-9:** Preserve and enhance the character of neighborhoods.
2. **POLICY A-2-18:** Maintain and enhance neighborhood-scale business areas, with special attention to the unique character of each area. *Neighborhoods can be enhanced by convenient shopping areas, provided that these area of a type, size and design consistent with their surroundings.*
3. **POLICY A-4-6:** Encourage wise use of infrastructure dollars.
4. **POLICY D-3-1:** Encourage projects which improve and revitalize neighborhoods.
5. **GOAL E-3:** Encourage a business-friendly climate which will foster growth in the commercial sector, while protecting the character of neighborhoods.
6. **POLICY F-1-1:** Reduce points of traffic conflict on public streets through driveway and intersection separation requirements.
7. **POLICY J-10-1:** Create a positive [business] climate characterized by flexibility.
8. **POLICY J-10-3:** Promote the growth of local companies.

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

1. Infill development that complements existing neighborhoods should be encouraged.

2. The city should develop a strategy for encouraging reuse or replacement of empty buildings.
3. General commercial uses such as shopping centers and large retail establishments should be confined to locations on arterial streets and should be only in suburban business centers.
4. Neighborhood commercial uses should be allowed only in neighborhood business centers; spot commercial should not be permitted.
5. Neighborhood commercial uses should be of a scale and design compatible with the residential areas.

Planning Consideration(s):

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

1. The applicant is proposing to rezone the subject property from CO (Commercial: Professional Office) to CN (Commercial: Neighborhood) for the purposes of allowing small-scale retail uses and a secondary dwelling on the upper floor of the building. The applicant intends to relocate the Columbus Pawn Shop, a small-scale retail use, to the subject property and utilize the upper floor for a 1200 square foot one-unit apartment. According to the applicant, the Columbus Pawn Shop offers loans, retail sales, and postal services.
2. Relative to the CO zoning district, the CN zoning district permits more commercial uses, including personal service uses, small-scale recreational uses, restaurants, and small-scale retail uses. Definitions and examples of these business, according to Section 14 of the City of Columbus-Bartholomew County Zoning Ordinance, are listed below:
 - o Personal service uses are establishments or places of business primarily engaged in the provision of frequent and recurrent services of a personal nature, such as a beauty or barber shop, shoe repair shop, or tanning salon.
 - o Small-scale recreational uses are recreational uses that tend to serve a local area and include establishments such as billiard rooms, arcades, nightclubs, brewpubs, and bars.
 - o Small-scale retail uses tend to serve a local area and include establishments such as video stores, delicatessens, bakeries, gift shops, and ice cream shops.
3. The building on the subject property was constructed in 1952. The site is fully developed with a parking area and associated landscaping. It was most recently occupied by the Bible Church of Columbus but has been vacant for some time. The property currently has 5 access drives: one on 17th Street, two on Lee Street, and two on Short Lee Street. The landscaping on site consists of mature evergreen trees and shrubs.
4. Contextually, the subject property is surrounded on all sides by single-family residences. The triangular site is bounded by Lee Street and Short Lee Street, both local streets, and 17th Street, a collector street. According to the City of Columbus Thoroughfare Plan, collector streets serve to connect local streets with arterial streets and/or secondary traffic generators such as schools, small shopping centers, churches, parks and hospitals. The subject property is approximately 450 feet west of the 17th Street and National Road intersection. This section of National Road serves as a major commercial corridor within the City of Columbus, providing a variety of retail, restaurant, and personal service options.
5. Section 10 of the Zoning Ordinance permits freestanding and wall signs in the CN zoning district. Properties in this district may have up to 3 wall signs per public street frontage. The maximum total area for all wall signs cannot exceed 15% of the area of all wall signs or 200 square feet, whichever is less. Properties in this district may also have up to one freestanding sign per public street frontage. The maximum allowed area is 50 square feet, and the maximum allowed height is 6 feet. Per Section 9.4 of the Zoning Ordinance, signs may be internally or externally illuminated.
6. If the subject property is successfully rezoned, the applicant would be required to submit a Zoning Compliance Certificate Application to the Planning Department for review. During this administrative review, Planning Department staff would ensure that adequate on-site parking is available and on-site signage complies with the Zoning Ordinance. The Zoning Compliance Certificate serves as the official change of use document.

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



Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County Joint District
Docket No.: RZ-14-09

Rezoning Application:

Current Zoning: CO Requested Zoning: CN

Applicant Information:

Name CPI Holdings, LLC
Address 1637 N. National Rd. Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: 350-1867 Fax No.: _____ E-mail Address: columbuspawninc@hotmail.com

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

Name: Woods & Grooms Inc.
Address _____
(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: Jeffrey S. Washburn
Address 321 Washington St. Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: 372-1553 Fax No.: 372-1567 E-mail Address: jeffwashburn@sbswlaw.com

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

Property Information:

Property Size: 1.04 acres or _____ square feet
Address 3126 17th St. 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):

x 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.

See Attached

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

See Attached

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

See Attached

The conservation of property values throughout the jurisdiction.

See Attached

Responsible growth and development.

See Attached

Rezoning Purpose:

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

See Attached

Applicant's Signature:

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



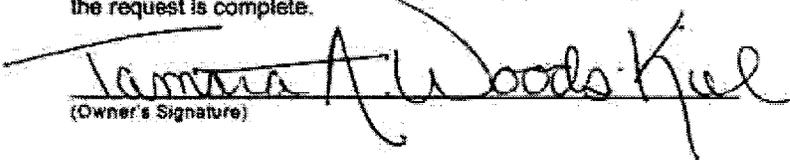
(Applicant's Signature)
CPI Holdings, LLC By: Scott Brown



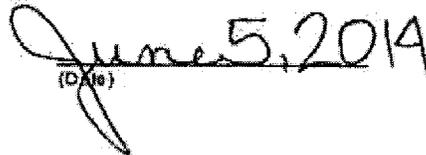
(Date)

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)



(Date)

(Owner's Signature)

(Date)

Information for Rezoning Application
CPI Holdings, LLC

Rezoning Criteria:

The Comprehensive Plan.

The applicant would like to use the ground floor of the property, the former Woods & Grooms office, as a small scale retail use and rent the upper floor apartment as a secondary dwelling. The retail services offered will include loans, sales of goods, and postal services. Rezoning the property to Commercial Neighborhood will allow the small scale retail use and the upper floor dwelling as permitted uses.

This proposal is consistent with the Comprehensive Plan. Neighborhood commercial uses should be of a scale and design compatible with the residential areas. The proposed small scale retail use would provide postal services, which will allow neighborhood residents to purchase stamps, mail letters, or ship a package. The retail use will also provide loans and sale of goods. The re-use of empty buildings is also encouraged. This property has been vacant for several years.

The proposal is also consistent with the Goals and Policies element of the Comprehensive Plan. Policy A-2-18 encourages maintaining and enhancing neighborhood-scale business areas. Policy E-1-9 encourages businesses that are consistent in scale and character with the residential neighborhood and which do not detract from the enjoyment of residential properties. Small scale retail, including postal services, is an appropriate neighborhood use. Policy D-2-2 encourages various housing types. The rezoning would add a residential use for the property that is not otherwise available.

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

The property is currently zoned Commercial-Professional Office (“CO”). The proposed district is Commercial-Neighborhood (“CN”). The property is triangular in shape and is surrounded on all three sides by properties zoned Residential-Single Family 4. Many of the surrounding residential properties are rental units.

The property itself is in good condition. In addition to the ground floor commercial space, the property includes an approximately 1,200 square foot upper floor apartment with a separate access entrance. The property includes adequate parking and entrances to support the proposed uses.

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

The property was originally built as a church and was later converted to a professional office. In addition to the ground floor commercial area, the property includes the separate upper floor space. This upper floor space has its own entrance and bathroom and can be utilized as a two-bedroom

apartment. Allowing the upper floor to be used as a rental apartment will allow the full property to be utilized in a way that is consistent with the nearby neighborhood.

The conservation of property values throughout the jurisdiction.

The uses allowed by the CO and CN districts are very similar. The small shift in zoning district will not allow significantly different uses that would otherwise be restricted. The primary subset of permitted uses in a CN district that are not permitted uses in a CO district are small scale retail and upper floor residential. The small scale retail is a conditional use in CO and the upper floor residential apartment would require a variance in CO. A residential use should have little impact in a residential area, and the retail use would remain small scale. For these reasons, the property values in the area should not be negatively impacted.

Responsible growth and development.

The property is located on 17th Street and is approximately 500 feet from US 31. The property is bordered on its three sides by residential uses. A small scale commercial use is appropriate given the property's historical use and location. Residential uses are appropriate given the overall residential neighborhood.

Rezoning Purpose:

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

This property is currently zoned Commercial-Professional Office. The property includes a ground floor commercial area and approximately 1,200 square feet of upper floor space. The upper floor space has a separate entrance from the ground floor commercial space. The uses allowed in a CO and CN district are very similar, but CN is a better fit for this property and for our proposed uses.. CN allows a small scale retail use as a permitted use, where CO would allow a small scale retail use as a conditional use. CN allows an upper floor residential apartment as a permitted use, however CO would require a variance to allow an upper floor residential apartment.