City of Columbus – Bartholomew County
Planning Department

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STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(November 13, 2013 Meeting)

Docket No. / Project Title:	RZ-13-06 (Orinoco Properties 17th Street)
Staff:	Allie Keen
Applicant:	John D. Councellor
Property Size:	1.6 Acres
Current Zoning:	I2 (Industrial: General)
Proposed Zoning:	CC (Commercial: Community)
Location:	1720 17th Street, in the City of Columbus

Background Summary:
The applicant has indicated that the proposed rezoning is for the purpose of converting an existing industrial building into a commercial center. The CC (Commercial: Community) zoning district will enable a range of commercial uses to occupy the tenant spaces.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application: Will the proposed commercial zoning district be appropriate within the neighborhood context of the surrounding area?

Preliminary Staff Recommendation:
Favorable Recommendation to City Council with the following condition: The following permitted CC (Commercial: Community) uses shall be prohibited:

a. Auto-Oriented Uses (Large Scale)
b. Auto Rental (includes truck, RV, etc.)
c. Equipment Rental
d. Retail Uses (Large Scale)

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 Comprehensive Plan identifies the future landuse of this property as residential; however the property is currently zoned industrial which would not permit residential uses. Additionally, the subject property is adjacent to residential properties and the Comprehensive Plan

encourages industrial uses to not be located within dense residential areas. The proposed commercial zoning would be more compatible for the surrounding uses.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: The subject property has two existing structures on the property. There are commercial uses currently occupying some of the tenant spaces. Also, there are properties to the south and east of the subject site that are commercially zoned, which is what is being proposed.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The subject property is located within a mixed-use area with adjacent residential properties to the north, south, and east. The current industrial zoning is not the most desirable for this location because of these surrounding residential homes. Additionally, there are commercial uses located south of the subject property and along Central Avenue which is only 1.5 blocks from the site, therefore commercial development would be more consistent with the immediate area rather than the current industrial classification.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: Properties located along 17th Street are primarily zoned industrial and commercial. However, this area is mixed use with residential, commercial, and industrial uses, with adjacent properties to the north, east, and south being residential homes. A change to commercial zoning would be a positive change for the adjacent residential properties.

Responsible growth and development.
Preliminary Staff Comments: The subject property is located well within the city limits of Columbus and in an area that already has some commercial development. The commercial zoning will help to better utilize an existing building that is not necessarily the most viable for industrial use.

Current Property Information:	
Land Use:	Commercial
Site Features:	Two industrial buildings and parking.
Flood Hazards:	No flood hazards exist at this location.
Special Circumstances: **(Airport Hazard Area, Wellfield Protection Area, etc.)**	No special circumstances exist at this location.
Vehicle Access:	The property gains access from 17th Street (Collector, Residential, Urban) and an alley that connects 17th Street and 19th Street (Local, Residential, Urban).

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	RE (Residential: Established)	Single and Multi-Family Residential
South:	CN (Commercial: Neighborhood) I2 (Industrial: General)	Restaurant (The Sandwich Shop) Single and Multi-Family Residential

East:	I2 (Industrial: General) RS4 (Residential: Single-Family 4)	Single-Family Residential Single-Family Residential
West:	I2 (Industrial: General)	Auto-Repair (R & R Recovery) Self-Storage Facility

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: I2	**Proposed Zoning: CC**
Zoning District Intent:	To provide locations for general production, assembly, warehousing, research and development facilities, and similar landuses. This district is intended to accommodate most modern industrial production facilities and should be considered as appropriate for most general industrial development and uses.	To establish appropriate locations for a variety of businesses providing a variety of goods and services to (1) community-wide consumers and (2) those who travel through or visit the area. This zoning district is <u>not</u> intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.

Permitted Uses:	**Agriculture Uses:** • Farm (general) **Commercial/Utilities Uses:** • Communication service exchange • Sewage treatment facility • Utility substation • Water Tower **Public/Semi-Public Facilities:** • Government facility (non-office) • Parking lot/garage (as primary use) • Police, fire, or rescue station **Park Uses:** • Nature preserve/conservation area **Commercial Uses:**	**Communications/Utilities Uses:** • Communication service exchange • Water tower **Public/Semi-Public Uses:** • Clinic • Community Center • Day-care center (adult or child) • Funeral Home • Government office • Police, fire, or rescue station • Post office • Trade of business school • Worship facility **Park Uses:** • Nature preserve/conservation

	• Auto-Oriented uses (medium scale) • Builder's supply store • Conference Center • Data processing/call center **Industrial Uses:** • Contractor's office/workshop • Dry cleaners (commercial) • Food and Beverage production • General industrial production • Light industrial assembly & distribution • Light industrial processing & distribution • Mini-warehouse self-storage facility • Research & development facility • Truck freight terminal • Warehouse & distribution facility	area • Park/playground **Commercial Uses:** • Auto-Oriented uses (small-scale) • Auto-Oriented uses (medium-scale) • Auto-Oriented uses (large-scale) • Auto rental (includes truck, RV, etc.) • Builder's supply store • Equipment rental • 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) • Retail uses (large-scale)
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	**Minimum Lot Area:** 1 acre (43,560 square feet) **Minimum Lot Width:** 100 feet **Minimum Lot Frontage:** 50 Feet **Minimum Lot Coverage:** 75%	**Minimum Lot Area:** 10,000 square feet **Maximum Lot Area:** 10 acres **Minimum Lot Width:** 50 feet **Minimum Lot Frontage:** 50 feet **Maximum Lot Coverage:** 65%

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: 20 feet Accessory Structure: 20 feet **Rear Yard Setback:** Primary Structure: 20 feet Accessory Structure: 20 feet **Front Yard Setback:** Arterial Street: 50 feet Collector Street: 35 feet Local Street: 25 feet	**Side Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Rear Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Front Yard Setback:** Arterial Street: 10 feet* 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 structures.
Height Restrictions:	**Primary Structure:** 50 feet **Accessory Structure:** 40 feet	**Primary Structure:** 40 feet **Accessory Structure:** 25 feet
Signs:	**Wall Signs:** 2 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 75 square feet and a maximum height of 10 feet.	**Walls Signs:** 3 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 100 square feet and a maximum height of 20 feet.

Interdepartmental Review:	
City Engineering:	No comments received at this time.
City Utilities:	No comments received at this time.
Code Enforcement:	No comments received at this time.

City Fire Department:	No issues with the rezoning.

History of this Location:

The relevant history of this property includes the following: On June 23, 1998, the Columbus Board of Zoning Appeals approved a conditional use request (C/CU-98-5) to allow three commercial businesses to locate on the subject property. There was a fire in the building on the subject property which caused damage. The three non-conforming commercial businesses (Affordable Furniture, Margo Lampshades, and a children's used-clothing store) had previously occupied tenant spaces within this building before the fire. After the fire occurred and the businesses wanted to re-occupy the space, the property was required to come into compliance, which was to receive conditional use approval from the Board of Zoning Appeals because the property was zoned industrially and the proposed commercial businesses were not permitted. The three commercial businesses are no longer located on the subject property.

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.
3. **GOAL E-1:** Maintain and enhance the attractiveness and vitality of the city's neighborhood business areas.
4. **POLICY E-1-10:** Encourage businesses which can utilize on-street parking or parking behind buildings.
5. **POLICY E-1-11:** Encourage use of buffers to separate residential uses from business uses.
6. **GOAL E-3:** Encourage a business-friendly climate which will foster growth in the commercial sector, while protecting the character of neighborhoods.
7. **POLICY J-2-4:** Prevent location of new industrial development in dense residential areas.

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

1. 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.
2. Neighborhood commercial uses should be allowed only in neighborhood business centers; spot commercial should not be permitted.
3. 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. In the past, the subject property was located in an area that was primarily used for industrial purposes due to the presence of a rail line, which ran along the west property line of this site. Currently, that rail line no longer exists and the surrounding area has been transitioning to more residential and commercial uses.
2. The applicant is proposing to rezone the subject property from the I2 (Industrial: General) zoning district to the CC (Commercial: Community) zoning district, with the intent to create a viable commercial center on this property. The subject property currently has 24 tenant spaces with a majority of those spaces only being used for storage purposes. Currently, there is a firearms sales store, an auto/mechanical repair shop, a personal art studio, and a distribution space for the Indy Star newspaper located on this property. Additionally, there is an apartment located on the second floor of the building, which is occupied by the property manager.

3. The subject property is located approximately 1.5 blocks from the intersection of 17th Street and Central Avenue. The surrounding area has a mix of uses including commercial, industrial and single and multi-family residential. However, the zoning in the immediate area is predominately I2 (Industrial: General). The commercial properties within the immediate area are primarily comprised of smaller scale commercial uses such as local restaurants, retail shops, and personal services which would typically serve the local area.
4. The subject property has previously been occupied by commercial businesses that were not permitted within the industrial zoning district and currently, there is a retail tenant located on this property. The current uses that would not be permitted in the proposed CC (Commercial: Community) zoning district, such as the newspaper distribution space and the residential apartment would be able to continue to operate as is with the rezoning. If these uses were to expand it may require them to apply for special approval from the Columbus Board of Zoning Appeals.
5. The current uses on the subject property would be required a total of 15 parking spaces. Currently, there are 42 striped parking spaces on the site. Per Section 7.1(Table 7.2) of the Zoning Ordinance, if all of the remaining tenant spaces were occupied by general retail uses permitted in the CC zoning district and the current tenants remain, a total of 71 parking spaces would be required, based on 1 space per 250 square feet of UFA (usable floor area). This would require additional parking spaces to be striped on site for new uses occupying the site.
6. There are adjacent single-family residences to the east of the subject site. A majority of these residential properties are zoned I2 (Industrial: General), but there are 4 properties that are zoned RS4 (Residential: Single-Family 4). Currently, the adjacent residential properties are separated by an alley and the subject property is located to the rear of these residences. Additionally, many of the residential properties have fences. The alley and existing fences provide some separation from the residences and the proposed commercial lot. If the subject property were currently zoned agriculture or residential and was being rezoned to commercial the Zoning Ordinance would require the installation of a Type A Buffer between the residentially zoned properties and the proposed CC (Commercial: Community) zoning district. While the buffer would not be required automatically because of this rezoning, the Plan Commission could require it as a condition of approval. Per Section 8.2(D) of the Zoning Ordinance, a Type A Buffer shall include a minimum width of 25 feet and shall be a dense buffer that consists of a fence or wall with landscaping. The portion of the subject property that would be required to provide a buffer yard is currently utilized for parking and is paved. The subject property is also an odd shape and when the 25 foot setback is applied a majority of this portion of the property could no longer be utilized.
7. The proposed rezoning could provide a better opportunity for infill development on the subject property. Infill development is beneficial to the community because it makes use of vacant or underutilized lots within the center city, strengthens the real estate market and property values in the area, and utilizes existing infrastructure. The commercial zoning classification provides more compatible uses with the surrounding area and would be able to utilize and reuse the existing structures on site.

RECEIVED
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BY: ABK

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

Planning Department Use Only:

Jurisdiction: ☒ Columbus ☐ Bartholomew County ☐ Joint District

Docket No.: RZ-13-06

Rezoning Application:

Current Zoning: I-2 **Requested Zoning:** CC

Applicant Information:

Name: JOHN D. COUNCELLER

Address: P.O. BOX 7 COLUMBUS IN 47202
(number) (street) (city) (state) (zip)

Phone No.: 812-350-7295 Fax No.: 812-372-2620 E-mail Address: John@fmpt.US

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

Name: ORINOCO PROPERTIES INC

Address: P.O. BOX 7 COLUMBUS IN 47202
(number) (street) (city) (state) (zip)

Phone No.: 350-7295 Fax No.: 372-2620 E-mail Address: JOHN@fmpt.US

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

Name: JOHN COUNCELLER

Address: P.O. BOX 7 COLUMBUS IN 47202
(number) (street) (city) (state) (zip)

Phone No.: 350-7295 Fax No.: 372-2620 E-mail Address: JOHN@fmpt.US

How would you prefer to receive information (please check one): ✓ E-mail ✓ Phone ___ Fax ___ Mail

Property Information:

Property Size: 1.60 acres *or* _____ square feet

Address: 1720 17th 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, etc):

_____

☒ 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 NEW USE WILL HELP WITH INFILL WHICH IS ~~DURRENT~~ A CURRENT CITY GOAL

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

CURRENT BUILDINGS ARE 80-120 yrs OLD BRICK BUILDINGS: CURRENT USED AS STORAGE; SHOP SPACE, OFFICES & DISTRIBUTION.

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

COMMUNITY BUSINESS

The conservation of property values throughout the jurisdiction.

WILL NOT BE DETRIMENTAL TO OTHER PROPERTY

Responsible growth and development.

THE AREA HAS BEEN DEINDUSTRIALIZED OVER THE LAST 10-15 YEARS. CC WOULD BE A BETTER ZONING

Rezoning Purpose:

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

I-2 IS NOT THE BEST USE FOR THE PROPERTY

Applicant's Signature:

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

[signature] 9-20-2013

(Applicant's Signature) (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.

[signature], Pres 9-20-2013

(Owner's Signature) (Date)

ORINOCO PROPERTIES, INC

(Owner's Signature) (Date)

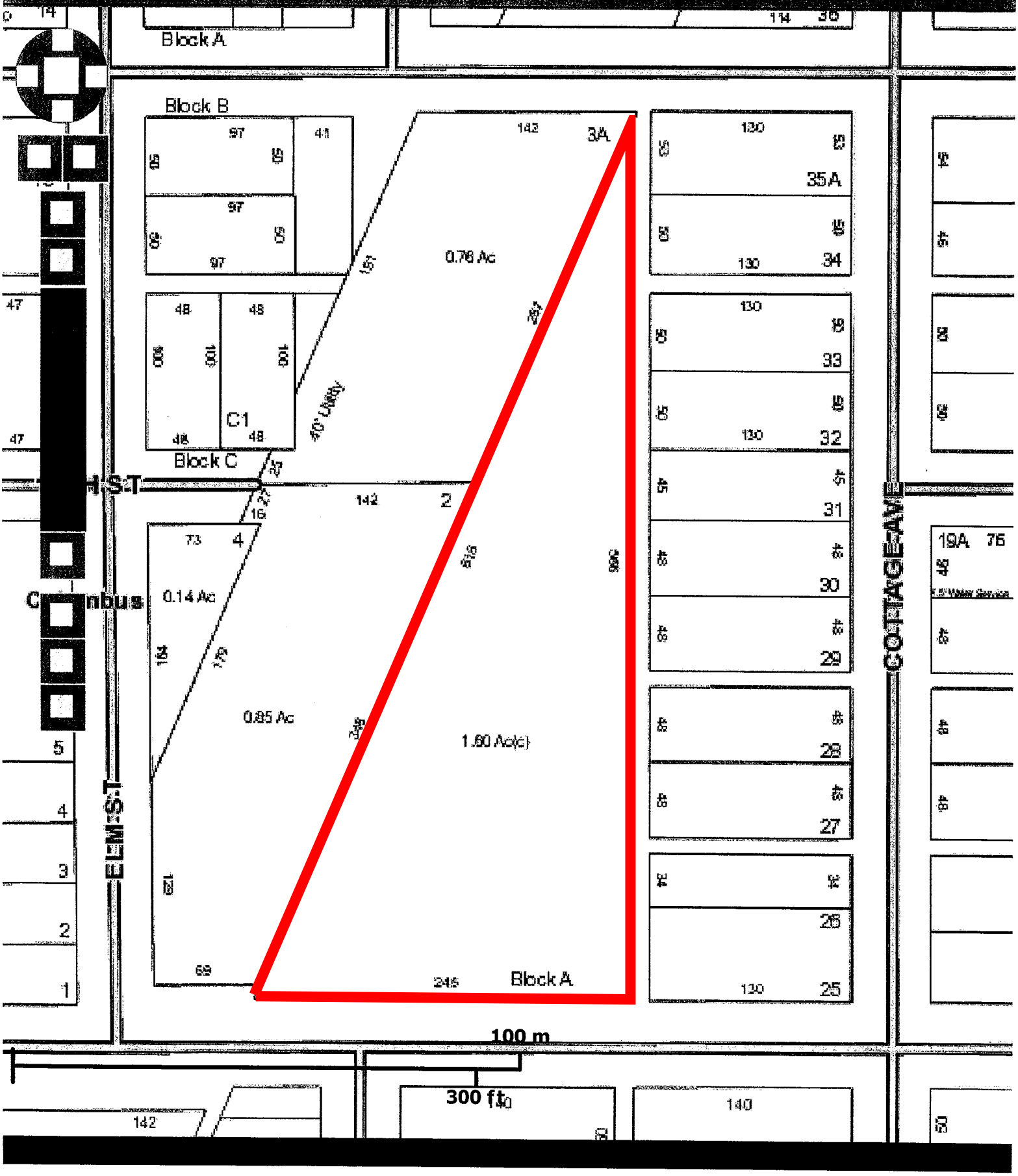
Said Block "A" is more particularly described as follows:

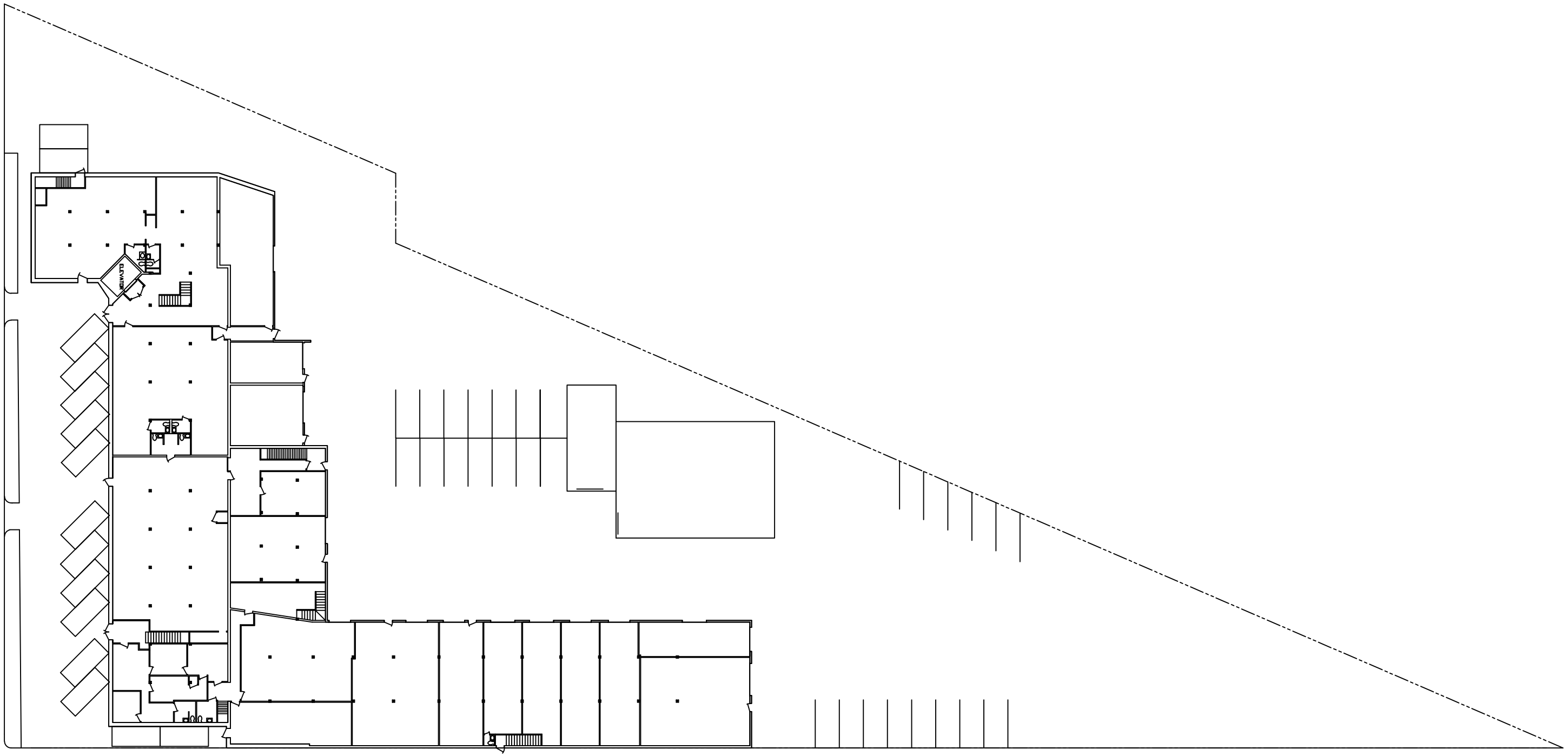
Beginning at the Southeast Corner of the Southwest Quarter of Section 18, Township 9 North, Range 6 East, thence West along the Section line on a Bearing South 89 degrees 48 minutes 30 seconds West 530.0 feet, thence North 0 degrees East 24.15 feet along the West Alley line to the point of beginning; thence South 89 degrees 43 minutes 30 seconds West 245.0 feet to an iron pin, thence North 23 degrees 17 minutes 30 seconds East 617.8 feet along the East line of the former C.C.C. & St. Louis Railroad to an iron pin, thence North 89 degrees 45 minutes East 0.70 feet along the South line of the nineteenth Street to an iron pin, thence South 0 degrees East 566.30 feet along the West Alley line to the point of beginning, containing 1.60 acres.

Bartholomew County, IN

Search Owner Name

Bookmarks




ELEVATOR

17TH STREET

ADDRESS	SQ FT	TENANT	TYPE OF BUSINESS
1710	10,000	SIHO	STORAGE
1718 A	1,200	VACANT	
1718 B	675	J & J FIRE ARMS	GUN SALES
1722	300	VACANT	
1724	2,400	VACANT	
1726	1200	VACANT	OFFICE
1730	1,200	BOBBY OWEN	PAINT STUDIO
1732	1,400	INDY NEWSPAPER	DISTRIBUTOR
1720	4,000	CORY SEXTON	MANAGER APARTMENT
1720 I	1,100	WAYNE BLACKERBY	STORAGE
1720 J	400	VACANT	STORAGE
1720 K	400	VACANT	STORAGE
1720 M		CORY SEXTON	MANAGER GARAGE
1720 N-1	200	OCCUPIED	STORAGE
1720 N-2	200	APT	STORAGE
1720 N-3	450	VACANT	
1720 N-4	675	VACANT	
1720 P	1,500	VACANT	
1720 Q	800	ORINOCO	STORAGE
1720 R		OCCUPIED	STORAGE
1720 S	1,200	VACANT	STORAGE
1720 T	750	OCCUPIED	STORAGE
1720 U	750	VACANT	
1720 X	650	VACANT	
1720 Z	1,300	VACANT	
1720 E	1,100	WILLIAM WATSON	STORAGE - WORKSHOP
1720 C	2,700	GARAGE	MECHANICAL REPAIR