

Bexley Board of Zoning and Planning

Planning Staff Report – February 25, 2021



Certificate of Appropriateness and Variance: 420 Cassady Avenue

Application #: BZAP-20-52

Location: 420 N. Cassady Avenue

Zoning: Mixed Use Commercial (MUC)

Request:

Certificate of appropriateness:

- The applicant is seeking architectural review and approval to allow a 3-story structure with a commercial use on the first floor, and residential on 2nd and 3rd floors. Demolition approval for the existing structure.

Variance:

- The applicant is seeking a parking variance in accordance with Bexley Code Section 1262.02 which requires 1 space per residential unit and additional spaces based on the commercial use and square footage to allow 17 spaces for 16 Residential Units a 2,895 sq' of commercial space on first floor.

Applicant: Bexley CIC

Owner: Bexley CIC

A. STAFF RECOMMENDATION

Staff recommends approval a certificate of appropriateness for architectural review as per the design standards in a MUC District (1254.11). This application was heard by the Architectural Review Board, which recommended a certificate of appropriateness with conditions.

The BZAP will review the variance request based on the review criteria (1226.11(c)) cited below in this report. Should the BZAP choose to act on the variance and certificate of appropriateness request, staff recommends conditions of approval as listed at the conclusion of this report.

B. BACKGROUND



The site is located on the southeast corner of Cassady Avenue and Columbus Avenue.

Zoning: The project is located in the Mixed Use Commercial District (MUC) (1254.03).

C. CONSIDERATIONS

Plan Conformance

The City of Bexley adopted a Diversity Equity & Inclusion Strategy on August 11, 2020, as an amendment to the Bexley Strategic Plan. One of the primary goals of the plan is:

Goal #3: Create an Inclusive Greater Bexley Community

Form an open and welcoming Bexley. Work to combat racism and discrimination in the City. Engage people and circumstances with fairness, justice, impartiality, honesty, balance, compassion, decency, reasonableness, and an open mind.

Each goal includes specific action items, and the one most directly related to this application is:

Goal Three Action Items

2. Continue to encourage the CIC in their efforts to identify affordable housing opportunities for people with low incomes as part of new development (including but not limited to rezoning and rehabbing current and future building and projects) as well as on its own.

Site Impacts

The site design is appropriate for a mixed-use corridor, with the building sited adjacent to the roadway and parking located to the rear. The Mixed Use Commercial (MUC) District site development regulations and design standards have largely been met.

Mixed Use Commercial (MUC) District Site Development Regulations

The MUC district regulations (*1154.10*) are as follows:

Lot Requirements

- This district has no minimum lot requirements.

Setbacks

- The front setback is 0 feet, within the required range of 0-15 feet: standard is met.
- The rear setback is 42' 6" feet, in excess of the minimum requirement of 15 feet: standard is met.
- There is no side yard setback requirement in this district. For the information of the BZAP, the side yard setback adjacent to the existing built site to the south is 14 feet, with the northern lot line abutting the right-of-way due to the position as a corner site.

Height

- The proposed structure is 3 stories and 42' 6" in height. The code allows 3 stories: standard is met.

Mixed Use District (MUC) District Design Standards

The proposed development meets the standards of applicability for review under this section (*1254.11(a) through (e)*). The application has been evaluated with regard to the applicable design standards as follows:

MUC District Design Standards	Met / Not Met
(f) A principal building shall be oriented to address and be nearly parallel to a primary street. Nearly parallel means within 15 degrees of being parallel.	Met
(g) The width of a principal building along a primary building frontage shall be a minimum of sixty (80) percent of the lot width.	Met
(h) A primary building frontage shall incorporate a primary entrance door	Met
(i) A building frontage that exceeds a width of 50 feet shall include vertical piers or other vertical visual elements to break the plane of the building frontage. The vertical piers or vertical elements shall be spaced at intervals of 15 feet to 35 feet along the entire building frontage	Generally met
(j) For a primary building frontage of a commercial use, a minimum of 60 percent of the area between the height of two feet and ten feet above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least four feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of ten feet.	Met
(k) For any new installation or replacement of upper story windows, the new/replacement windows must be clear/non-tinted glass.	Met
(l) At least 25% of the second and third floor building frontages (as measured from floor to ceiling) must be window glass. This requirement may be waived if historic documentation (e.g. historic photos) from when the building was first constructed can be provided that shows a different percentage of window glass was used on the second and third floor building frontages. In such cases, the historic percentage must be maintained.	Met
(m) All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.	To be determined
(n) Backlit awnings are not permitted.	Met
(o) The front yard shall be planted with live vegetation and a shade tree(s) (in addition to any street tree requirements), except for paved areas expressly designed for vehicular and pedestrian use. The minimum number of shade trees required is determined by the formula of one tree per 30 lineal feet, or fraction thereof, of frontage.	Generally met – further review needed by T+PG
(p) At the time of planting a new shade tree shall have a minimum two-inch caliper trunk and new shrubs for screening shall have a minimum height of 24-inches, and be maintained at that height or greater.	To be determined – further review needed by T+PG
(q) For all street tree planting beds, a minimum exposed space of 60 square feet shall be provided and edged in granite curbing.	To be determined – further review needed by T+PG
(r) All such landscape plantings and features shall be properly maintained, weeded, and watered, and any loss of plant materials shall be replaced in keeping with the approved landscape plan, or within minor modification to the landscape plan according to City Staff approval. The installation and operation of an irrigation system may be required for any planting area. In such cases, the irrigation system must remain operable.	To be determined – further review needed by T+PG

(s)	The use of landscape features such as pedestrian furniture, decorative railings, tree guards, trash receptacles, bollards and similar such accessories shall reference the Main Street Design Guidelines.	To be determined – further review needed by T+PG
(t)	A fence shall be provided along a lot line that borders a residentially zoned or used property at a height of 8 feet, as per the requirements in Section 1264.05 .	n/a
(u)	A surface parking lot or vehicular circulation area shall be screened from all abutting public streets with a minimum 4-foot solid masonry or stone wall; or a minimum 4-foot decorative metal tube or solid metal bar fence (excluding chain link, wire mesh or other similar material), with a minimum 3-foot wide landscaped area along the parking lot side of the fence.	Met – fence details needed
(v)	Landscaping is needed for surface parking lots in order to further screen parking from the view of public rights-of-way, provide mitigation for stormwater through reducing, slowing and cooling runoff, and to create visual relief from large pavement areas. This landscaping might be in well-designed border plantings that frame the lot or within landscape beds large enough to sustain plant growth.	Met
(w)	Dumpsters shall be located behind the principal building and be screened from public view on all 4 sides, to the height of the dumpster.	Met – enclosure details needed
(x)	Ground-mounted mechanical equipment shall be located behind the principal building and be screened from public view to the height of the equipment	To be determined
(y)	The height of any parking lot light pole/fixture shall not exceed 18 feet above grade.	n/a
(z)	When located within 25 feet of a residential district the height of a light fixture shall not exceed 14 feet above grade.	n/a
(aa)	All lighting must use cut-off type fixtures, to limit glare, and avoid directing light onto neighboring property, streets, or toward the night sky.	Met
(bb)	Parking, stacking and circulation aisles are not permitted between the principal building and a street right-of-way line. This standard does not apply to existing buildings unless they are expanded by fifty (50) percent or more gross floor area.	Met
(cc)	Additional curb cuts are not permitted	Met

Parking

In the Mixed Use Commercial (MUC) District, the parking requirements are (1262.02):

Parking standard	Required for 420 Cassady proposal (previous plan)	Required for 420 Cassady proposal (revised plan)
Residential: 1 per unit	16 spaces	16 spaces
High-intensive commercial uses: 1 per 250 sf	13 spaces	12 spaces
Reduction of up to 25% for on-street parking	- 7 spaces	- 7 spaces
	TOTAL= 22 spaces	TOTAL= 21 spaces
PROVIDED:	14 spaces	17 spaces
VARIANCE REQUEST:	8 spaces	4 spaces

The applicant has provided 14 off-street parking spaces in the previous proposal, including one handicap accessible space. The revised site plan proposes 17 off-street parking spaces, utilizing three “stacked” double-depth spaces and one in a semi-restricted area adjacent to the dumpster enclosure service doors. The applicant has proposed that those specific spaces will be managed through assignment to specific commercial operators or by other managed arrangement.

A significant positive aspect of the site plan is the removal of three existing curb cuts (one on Cassady and two on Columbus). With regard to parking, this provides a greater opportunity for on-street parking adjacent to the site.

With the revised plan, the applicant requests a parking variance from 21 to 17 parking spaces as per the variance process described below.

Variance Criteria

Under the code, the following establishes the framework for consideration of variance requests:

From (1226.11(b): On a particular property extraordinary circumstances may exist, making a strict enforcement of the applicable requirements of this Code unreasonable, and therefore, the variance procedure is provided to allow the flexibility necessary to adapt to changed or unusual conditions that meet the standards of review for variances. In granting any variance, the BZAP or City Council shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the zoning district in conformity with the Zoning Code.

From (1226.11(c): BZAP and City Council shall only approve a request for an area (non-use) variance in cases where the evidence demonstrates that the literal enforcement of this Code will result in practical difficulty and the granting of a variance complies with the purpose and intent of this Code. The following factors shall be considered and weighed by the Board when making a determination upon any (non-use) variance by a preponderance of the evidence:

Area (Non Use) Variance Criteria	
1)	Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2)	Whether the variance is substantial.
3)	Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
4)	Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
5)	Whether the property owner purchased the property with knowledge of the zoning restriction
6)	Whether the property owner's predicament feasibly can be obviated through some method other than a variance
7)	Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

The applicant has submitted a narrative describing how they feel the proposed project meets this set of criteria for the Board to use in considering the request.

D. ADDITIONAL COMMENTS

Architectural Review Board Recommendation

The ARB reviewed the application at their January 14, 2021 meeting and made the following recommendations:

- That a Certificate of Appropriateness should be issued by the Board of Zoning and Planning with the condition that the applicant return to the Architecture Review Board for a Certificate of Appropriateness; and
- That the application be reviewed and approved by the Bexley Tree and Public Gardens Commission

E. RECOMMENDED CONDITIONS

Should the Board of Zoning and Planning choose to act on the certificate of appropriateness request, staff recommends the following conditions:

1. The applicant returns to the ARB to receive a Certificate of Appropriateness, including review of architecture, mechanicals screening, fence and enclosure details.
2. That the application be reviewed and approved by the Bexley Tree and Public Gardens Commission.
3. That the site modifications, design and materials will be in substantial conformance with the renderings and plans submitted at the February 25, 2021, Board of Zoning and Planning meeting unless otherwise modified in collaboration with the ARB and staff.