

Date of Meeting: March 3, 2016
Subject: OSU Foundation
Project Name: Special Exception
Location: 417, 414 (part), 519, 521, 523 S Lincoln Street and 1114 W 6th Avenue

BACKGROUND

Currently the east half of the block between 4th Avenue and 6th Avenue along Monroe Street where the OSU Foundation is located is zoned O (Office). The west half of the block is zoned RTM (Two-Family and Multi-Family Residential). OSU Foundation owns all the properties on the west half of the block along Jefferson Street excluding the two northwest parcels. The properties have all been combined into one parcel by deed; therefore, the applicant is requesting the O (Office) zoning district be extended to cover the entire property.

CODE APPLICATION

Sec. 23-67. - Special exception considerations.

- (a) Enumerated. The following considerations shall be given the actions requested in the following:
- (1) To permit a contractor's office and/or equipment shed accessory to the construction project to have direct access from a minor street if it is determined that such location would result in less traffic on streets in residential areas;
 - (2) To extend the time period beyond one year during which a contractor's office and/or equipment shed may be located at the same construction site;
 - (3) To extend the time period beyond two years or until 90 percent of lots are sold for a real estate sales office incidental to the marketing of properties in a subdivision;
 - (4) To permit the conversion of an existing residential structure to a nonresidential use, provided that such structure is determined to be architecturally similar or structurally sound in compliance with all code requirements;
 - (5) To permit any multifamily apartment complex or structure which has been made nonconforming with regard to density and/or off-street parking by the adoption of this chapter to be reconstructed at the same density and number of off-street parking spaces existing prior to the time of destruction if destroyed by an act of God. Reconstruction must meet all applicable building codes in affect at the time of the reconstruction;
 - (6) To permit the extension of a zoning district where the boundary line of the zoning district divides a single lot, tract, or parcel of land under one ownership.**

DISCUSSION/ANALYSIS/FINDINGS

Section 23.66 Special exception considerations.

In determining whether or not the special exception should be granted the Board of Adjustment shall consider, and record in the official minutes of the meeting the extent to which the evidence demonstrates that:

- (1) Granting of the special exception will not adversely affect the rights of adjacent property owners or residents; and

The east portion of the property is zoned O (Office). The portion of the property under consideration is located along Jefferson Street. The surrounding zoning designations include office, commercial shopping, public and multi-family residential. The office zoning district is the least intensive of the commercial zones and is generally considered a buffer district between residential and more intensive commercial uses. The special exception should not adversely impact the adjacent properties.

- (2) Granting of the special exception will not cause substantial detriment to the public health, safety, convenience, or general welfare.

Due to the Office zoning district currently covering a large portion of the property, granting the special exception to extend the zoning district will not cause substantial detriment to the public health, safety, convenience, or general welfare.

MINIMUM RELIEF NECESSARY

The applicant is requesting the O (Office) be extended to the west portion of the property, as identified on the map of record.

RECOMMENDATION

After reviewing the two (2) criteria as indicated above, staff finds that the applicant has met items 1 and 2. Staff would recommend that the Board determine, if in the Board's opinion, the information provided in the report and by way of testimony, allows the Board to make findings in the applicant(s) favor and grant the request.

Prepared by: Patty Evans, Planner II
Date of Preparation: February 19, 2016
Attachments: Area/zoning map
Map Designation: SW