



## Legislation Text

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**File #:** 0630-2023, **Version:** 1

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### **Rezoning Application: Z22-057**

**APPLICANT:** Kim Mikanik; 1116 West 2<sup>nd</sup> Avenue; Columbus, OH 43212.

**PROPOSED USE:** Day care center.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on November 10, 2022.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with an office building in the L-C-2, Limited Commercial District which permits only office uses. The requested rezoning to L-C-2, Limited Commercial District will permit the building to be converted into a day care center. The site is located within the boundaries of the *Northland I Area Plan* (2014), which recommends "Office" land uses for this location. The limitation text commits to a site plan, and includes a use restriction for monopole telecommunication antennas. The proposed use is consistent with the land use recommendation of the *Northland I Area Plan*, and is not considered to be an introduction of an incompatible use.

To rezone **6116 CLEVELAND AVE. (43231)**, being 0.70± acres located on the east side of Cleveland Avenue, 180± feet south of Home Acre Drive, **From:** L-C-2, Limited Commercial District, **To:** L-C-2, Limited Commercial District (Rezoning #Z22-057).

**WHEREAS**, application #Z22-057 is on file with the Department of Building and Zoning Services requesting rezoning of 0.13± acres from L-C-2, Limited Commercial District, to L-C-2, Limited Commercial District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-C-2, Limited Commercial District will allow a day care center that is consistent with the land use recommendations of the *Northland I Area Plan*; now, therefore:

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**6116 CLEVELAND AVE. (43231)**, being 0.70± acres located on the east side of Cleveland Avenue, 180± feet south of Home Acre Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 2, Township 2, Range 17, United States Military Lands, containing 0.701 acre of land, more or less, said 0.701 acre being a part of that 6.094 acre tract of land described in the deed to John D. Wright, of record in Official Record 1 0289D09, Recorder's Office, Franklin County, Ohio, said 0.701 acre being more particularly described as follows:

Beginning at a railroad spike in the centerline of Cleveland Avenue at the northwesterly corner of said 6.094 acre tract, said spike also being the southwesterly corner of a 2.60 acre tract of land described as PARCEL 2 in EXHIBIT B in the deed of Ramsey Taylor Corporation, of record in Official Record 07525DI0 and the southwesterly corner of that 1.320 acre tract described as PHASE 1 in EXHIBIT "A" in the DECLARATION OF OAKSTONE OFFICE PARK CONDOMINIUM, of record in Official Record 09790017, both being of record in the Recorder's Office, Franklin County, Ohio;

Thence S-87° 33' 03" E, with the northerly line of said 6.094 acre tract and with the southerly line of said 2.60 acre tract and the southerly line of said 1.320 acre tract, a distance of 239.36 feet to a point;

Thence S-1° 34' 11" W, a distance of 143.25 feet to a point;

Thence N-88° 25' 49" W, a distance of 65.09 feet to a point;

Thence N-69° 48' 55" W, a distance of 104.73 feet to a point;

Thence N-87° 33' 03" W, a distance of 75.00 feet to a point in the westerly line of said 6.094 acre tract; the same being the centerline of said Cleveland Avenue;

Thence N-1° 34' 11" E, with the westerly line of said 6.094 acre tract and with the centerline of said Cleveland Avenue, a distance of 112.34 feet to the point of beginning and containing 0.701 acre of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

The bearings given in the foregoing description are based on an assumed meridian.

Parcel No. 600-212715

Address: 6116 Cleveland Ave., Columbus, OH 43231.

**To Rezone From:** L-C-2, Limited Commercial District,

**To:** L-C-2, Limited Commercial District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-C-2, Limited Commercial District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said site plan titled, "**NEW CHILDCARE FACILITY**," dated January 23, 2023, and signed by Kim Mikanik, Applicant, and text titled, "**LIMITATION TEXT**," dated October 18, 2022, and signed by Farouk Shaheen, Agent for the Owner, and reading as follows:

#### **LIMITATION TEXT**

**PROPOSED DISTRICTS:** L-C-2

**PROPERTY ADDRESS:** 6116 Cleveland Avenue

**OWNER:** Graystone Apartments LLC

**APPLICANT:** Kimberly Mikanik, Architect

**DATE OF TEXT:** 10/18/22

**APPLICATION:** Z22-057

1. **INTRODUCTION:** The building on this site will be used as a day care center.

2. **PERMITTED USES:** Those uses permitted in Chapter 3353 C-2, Commercial District of the Columbus City Code except for following uses: Monopole telecommunication antennas.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3353 C-2, Commercial District of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments.

N/A

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

N/A

C. Buffering, Landscaping, Open Space, and/or Screening Commitments.

N/A

D. Building Design and/or Interior-Exterior Treatment Commitments.

N/A

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

N/A

F. Graphics and Signage Commitments.

All Graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus Code as it applies to the C-2, Commercial zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

The Subject Site shall be developed in accordance with the submitted the Site Plan titled, "New Childcare Facility". The plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plans herein shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.