

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
JUNE 9, 2011**

- 1. APPLICATION: Z11-007 (ACCELA # 11335-00000-00114)**
Location: **700 WEST THIRD AVENUE (43212)**, being 7.7± acres located on the north side of West Third Avenue, 200± feet west of Olentangy River Road. (010-096214; Fifth by Northwest Area Commission).
Existing Zoning: M, Manufacturing District.
Request: C-4, Commercial and L-AR-O, Limited Apartment Office Districts.
Proposed Use: Commercial and multi-family use.
Applicant(s): Northstar Realty and Edwards Development Companies; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.
Property Owner(s): Olentangy Venture I & II LLC; 150 East Broad Street, Suite 100; Columbus, OH 43215.
Planner: Dana Hitt; 645-2395; dahitt@columbus.gov.

BACKGROUND:

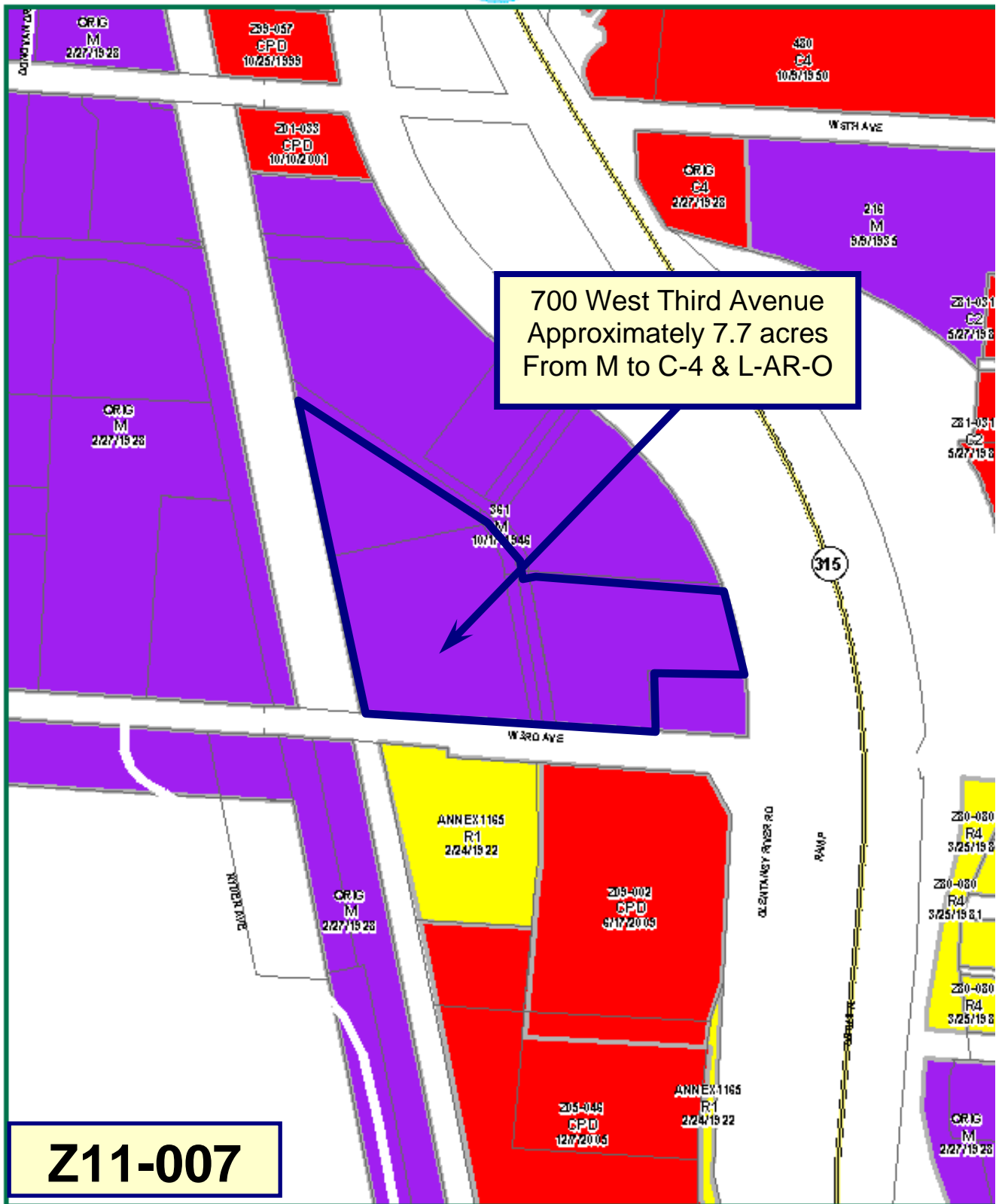
- The applicants are applying for a rezoning to allow up to 205 multi-unit dwellings in the L-AR-O Limited Apartment District and commercial uses in the C-4, Commercial District.
- To the north is office development zoned in the M, Manufacturing District. To the south across Third Avenue are offices and a fire station zoned in the CPD, Commercial Planned Development and R-1, Residential Districts respectively. To the east are commercial uses zoned in the M, Manufacturing District and State Route 315. To the west is the CSX Railroad right-of-way.
- The site falls within the boundaries of the *Fifth by Northwest Neighborhood Plan* (2009), which calls for Community Commercial Development on the site but states that mixed use development may be appropriate.
- The rezoning to the C-4, Commercial District along Olentangy River Road represents a down zoning of the site from the M, Manufacturing District. The requested L-AR-O, Limited Apartment Residential District is laid out so that the proposed parking will provide some buffering between the dwelling units and the nearby fire station and Railroad. The introduction of dwellings at the site that will be in close proximity to existing restaurants and offices provides for a mix of uses within walking distance. The L-AR-O text commits to the site plan, fencing along the Railroad, pitched roofs, mechanical screening and building material limitations.
- The site plan as shown requires parking and building setback variances along Third Avenue which the applicant has applied for via concurrent Council Variance CV11-013.

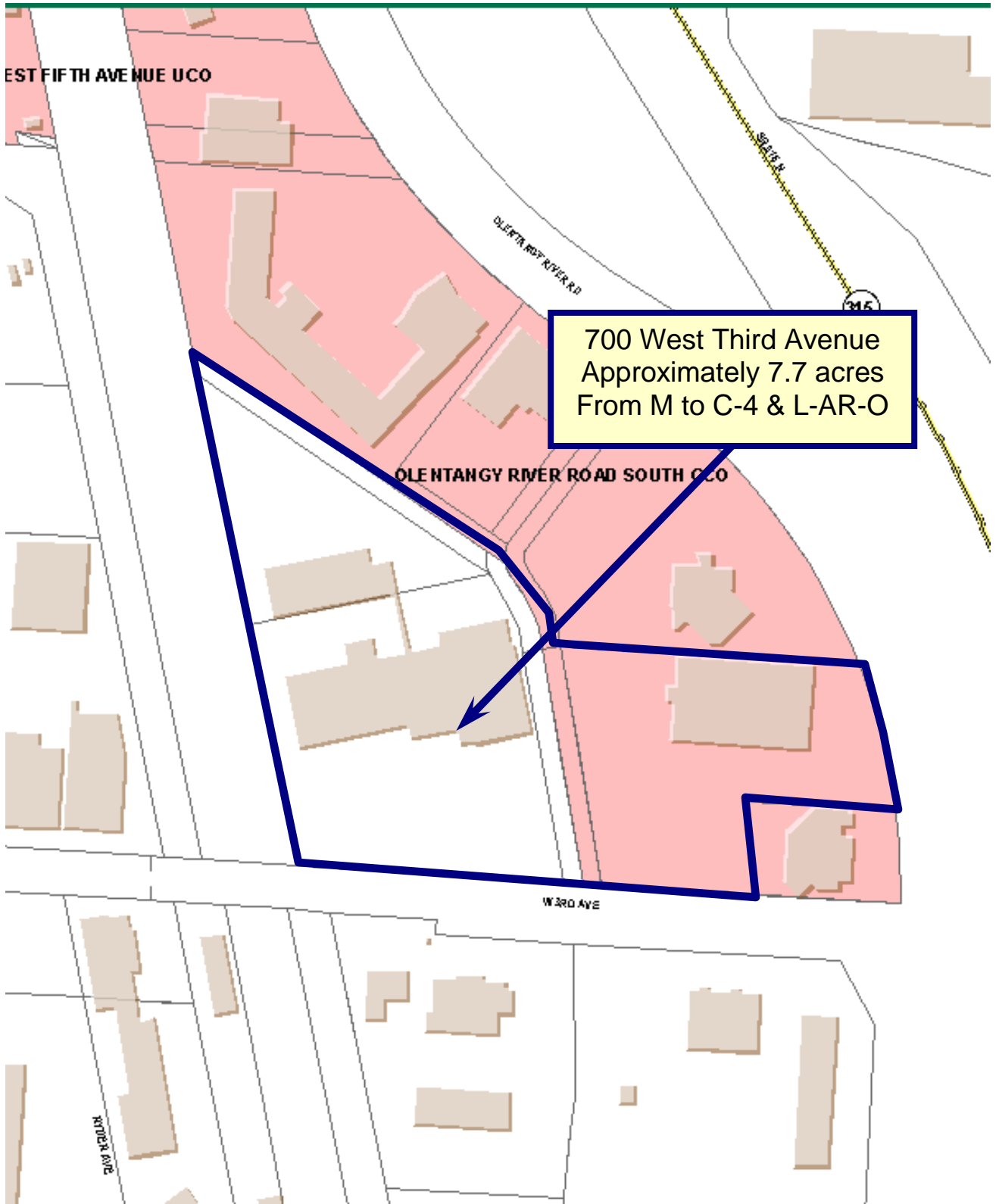
The Department of Public Service, Division of Planning and Operations is not in approval of those variances due to right-of-way concerns. Therefore as shown, this plan cannot be built unless Council approves the concurrent Council variance request over the Public Service Division's objections.

- The *Columbus Thoroughfare Plan* identifies Olentangy River Road and Third Avenue as 4-2 and C arterials requiring a minimum of 50 feet and 30 feet of right-of-way from centerline respectively.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval.

The rezoning to the C-4, Commercial District along Olentangy River Road represents a down zoning of the site from the M, Manufacturing District. The requested L-AR-O, Limited Apartment Residential District is laid out so that the proposed parking will provide some buffering between the dwelling units and the fire station and Railroad. The introduction of dwellings at the site that will be in close proximity to existing restaurants and offices provides for a mix of uses within walking distance. The proposal is consistent with the *Fifth by Northwest Neighborhood Plan* (2009), zoning and development patterns of the area, however due to the Division of Planning and Operations' recommendation of disapproval for the needed setback variances along Third Avenue, this site plan cannot be built unless Council approves the concurrent Council variance request over the Public Service Division's objections. Staff would suggest the applicant continue working with the Division of Planning and Operations to revise the proposed site plan to either reduce or eliminate the need for setback variances along Third Avenue, at which time Staff will reconsider our position.



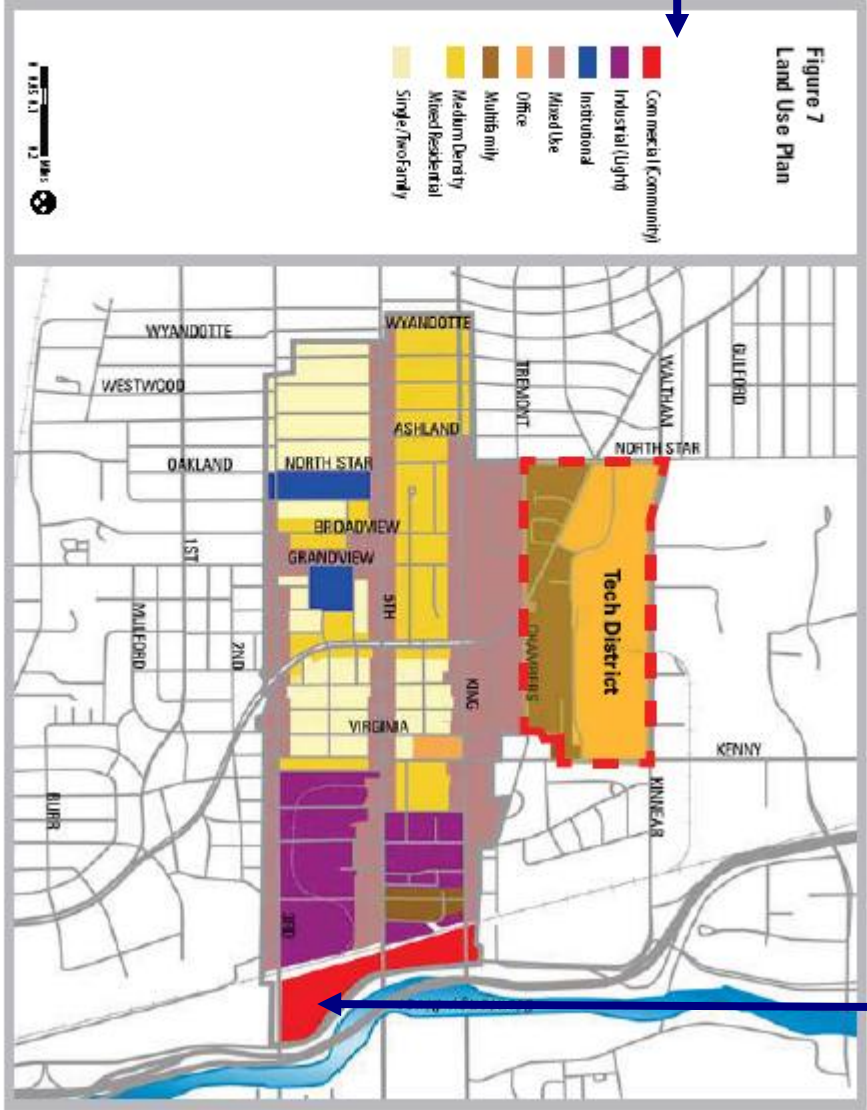


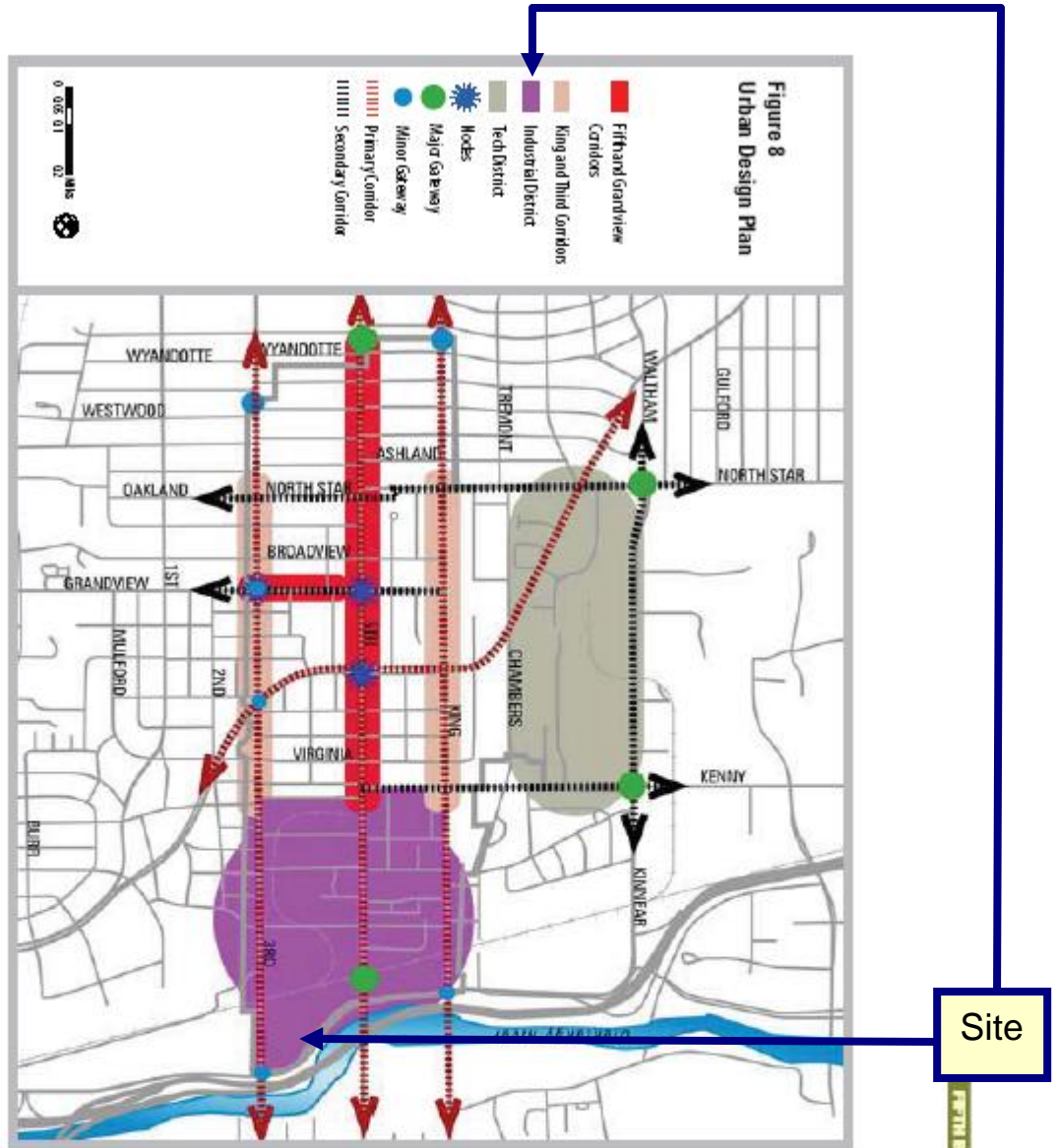
Z11-007

FIFTH ST. NORTHWEST NEIGHBORHOOD PLAN

Policy:
Mixed use development should be common on Fifth Northwest's primary corridors and include multifamily housing, neighborhood-scale retail, offices, and other services that contribute to a walkable environment.

- Guidelines/Strategies**
- Mixed use (retail, office, multifamily) is recommended for Fifth Avenue and Grandview Avenue (south of Fifth). The intersection of Fifth and Northwest and Fifth and Grandview should be the focus of the most intense neighborhood activity, expressed in the form of higher densities and intense commercial buildings. The intersection of Northwest and Chambers may also serve as a mixed use redevelopment opportunity.
 - Mixed use (office and multifamily) is recommended for King Avenue to the east of North Star Road, with Medium Density Mixed Residential recommended to the west of North Star Road. New retail should be limited to the sites of existing retail (such as at the intersections of King Avenue and Northwest Boulevard and King Avenue and North Star Road) or as part of a new mixed-use project, such as integrated within a single building (no new stand-alone retail).





Site

FIFTH ST. NORTHWEST NEIGHBORHOOD PLAN

- Mixed use (office and multifamily) is recommended for Third Avenue to the east of North Star Road, with Single-Two Family residential recommended to the west of North Star Road. New retail is not supported on Third Avenue.
- Community commercial is recommended along Orlinway, River Road. Multi-story mixed use projects including office/retail and multifamily would also be supported.
- The placement of active uses, such as retail, restaurants, cultural facilities and amenities, and various services, is encouraged on the ground floor of buildings on Fifth Avenue and Grandview Avenue (south of Fifth Avenue).
- The redevelopment of the development opportunity sites (and other applicable locations) should be guided by the principles illustrated through the development concepts and other guidelines included in this plan.



City of Columbus
Mayor Michael B. Coleman

Department of Development Building Services

757 Carolyn Avenue ♦ Columbus, Ohio ♦ 43224 ♦ (614) 645-7314

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS

STANDARDIZED RECOMMENDATION FORM

Group Name: 5th & Northwest Area Comm Meeting Date: 6-7-11

Case Number: Z11-007 Case Type: Council Variance Rezoning

Zoning Address: 700 W. Third Ave Applicant: North Star Realty + Edwards Dev

Person(s) Representing Applicant at Meeting: Michael Shannon Esq

Conditions Requested by Group (Add continuation sheet if needed): Area Commissions see note at bottom.	Applicant Response	
	Yes	No
1. _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	<input type="checkbox"/>	<input type="checkbox"/>
6. _____	<input type="checkbox"/>	<input type="checkbox"/>
7. _____	<input type="checkbox"/>	<input type="checkbox"/>
8. _____	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation

Approval Disapproval Conditional Approval (list conditions and applicant response above)

Explain the basis for Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed).

Recommending Commission / Association / Accord Partner Vote: For 5 Against 0

Signature / Title of Authorized Representative: Bruce Shalter

Daytime Phone Number: 614-298-1100

Note to Area Commissions: Ordinances sent to Council will contain only recommendations for "approval" or "disapproval." Recommendations for "conditional approval" will be treated as a disapproval, if, at the time the ordinance is sent to Council, any condition that was checked "No" on the *Standardized Recommendation Form* has not been resolved as documented in writing by the recommending body or party.



REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # Z11-007

STATE OF OHIO
COUNTY OF FRANKLIN

 Michael T. Shannon, Esq.

Being first duly cautioned and sworn (NAME) Michael T. Shannon, Esq.
of (COMPLETE ADDRESS) 500 S. Front St., Ste. 1200, Columbus, Ohio 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

<p>1. Olentangy Ventures I and II LLC 150 E. Broad St., Ste. 100 Columbus, Ohio 43215</p>	<p>2. North Star Realty 150 E. Broad St., Ste. 100 Columbus, Ohio 43215</p>
<p>3.</p>	<p>4. Edwards Development Companies 495 S. High Street, Ste. 150 Columbus, Ohio 43215</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

 Michael T. Shannon

Subscribed to me in my presence and before me this 24th day of February , in the year 2011

SIGNATURE OF NOTARY PUBLIC

 Carol A. Stewart

My Commission Expires:

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2014

This Project Disclosure Statement expires six months after date of notarization.



PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-8637
Please make all checks payable to the Columbus City Treasurer