

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
DECEMBER 8, 2022**

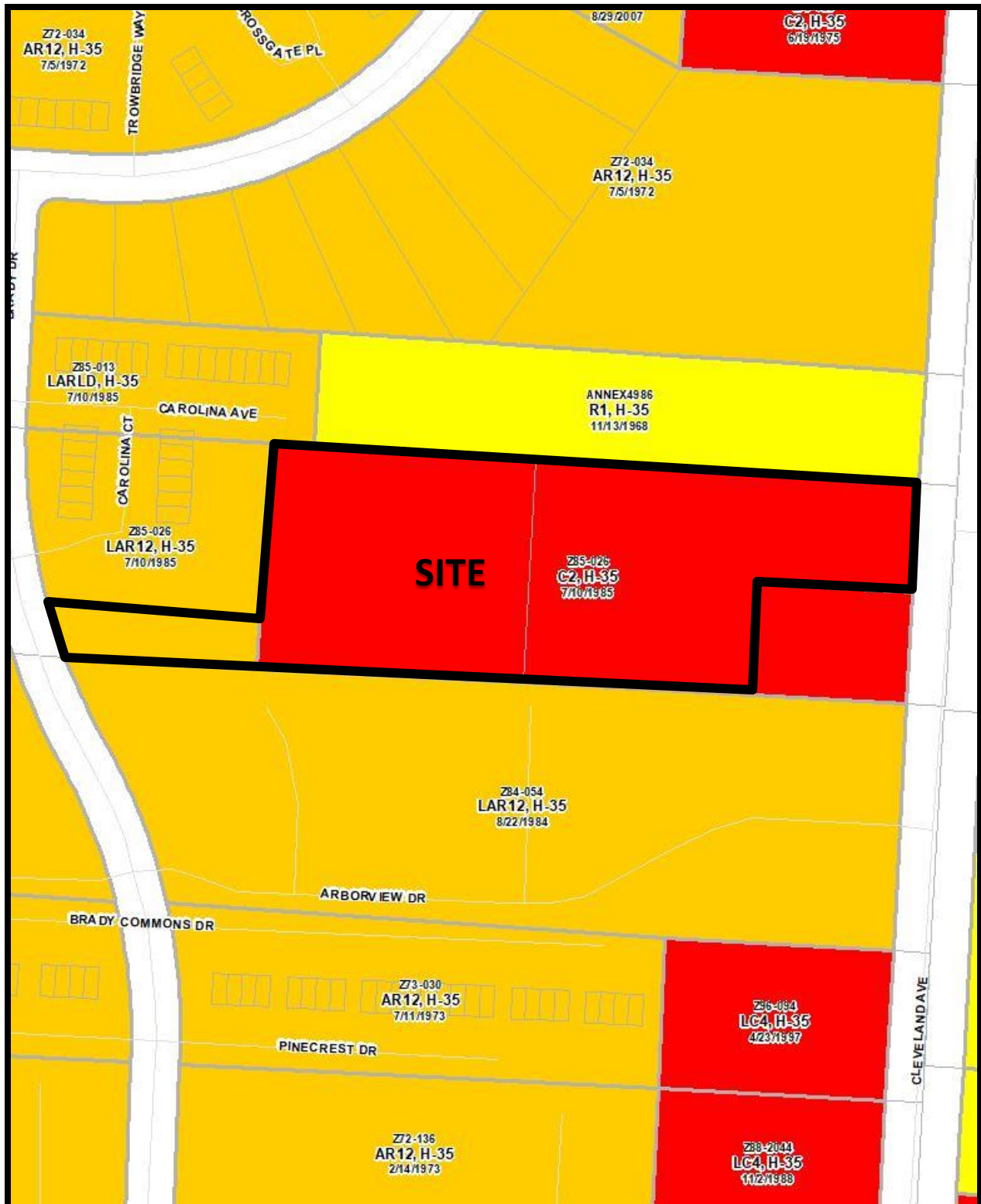
- 1. APPLICATION: Z22-073**
Location: **5869-5877 CLEVELAND AVE. (43229)**, being 3.1 F± acres located on the west side of Cleveland avenue, and east side of Brady Drive, 730± feet north of Fuji Drive (010-201608 & 010201611; Northland Community Council).
Existing Zoning: C-2, Commercial District and L-AR-12, Limited Apartment Residential District.
Request: AR-12, Apartment Residential District (H-35).
Proposed Use: Multi-unit residential development.
Applicant(s): HG Property Holdings, LLC.; c/o Donald Plank, Atty.; 411 East Town Street, Second Floor; Columbus, OH 43215.
Property Owner(s): The Applicant.
Planner: Joe Rose; 614-645-3526; jmrose@columbus.gov

BACKGROUND:

- The 3.1 F± acre site consists of one parcel developed with an office building in the C-2, Commercial District, and one undeveloped parcel in the C-2, Commercial and L-AR-12, Apartment Residential districts. The requested AR-12, Apartment Residential District will permit a multi-unit residential development at this location.
- To the north of the site is a religious facility in the R-1, Residential District. To the south is a multi-unit development in the L-AR-12, Limited Apartment Residential District, and an office in the C-2, Commercial District. To the east across Cleveland Avenue is an office in the C-2, Commercial District, and a religious facility in the CPD, Commercial Planned Development District. To the west is a condominium development in the L-AR-12, Limited Apartment Residential District.
- Concurrent CV22-097 has been filed and includes variances to area district requirements and perimeter yard. That request will be heard by City Council and will not be considered at this Development Commission meeting.
- The site is within the planning area of the *Northland I Area Plan* (2014), which recommends “Office and Medium-High Density Mixed Residential” land uses at this location.
- The site is located within the boundaries of the Northland Community Council, whose recommendation is for approval.
- The *Columbus Multimodal Thoroughfare Plan* (2018) identifies this portion of Cleveland Avenue as a Suburban Commuter Corridor requiring 120 feet of right-of-way.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested AR-12, Apartment Residential District will permit a multi-unit residential development that is compatible with the density and residential developments in the surrounding area. While the *Northland I Area Plan* (2014) includes a recommendation for "Office" for half of the site, the proposed use is consistent with the second half of the Plan's recommendation for "Medium-High Density Mixed Residential" land uses.



Z22-073
5869-5877 Cleveland Ave.
Approximately 3.1 F acres
LAR-12 & C-2 to AR-12

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5869-5877 Cleveland Ave.
Approximately 3.1 F acres
LAR-12 & C-2 to AR-12



Northland Community Council Development Committee Report

October 26, 2022 6:30 PM
Franklin County Job and Family Services
(Use south entrance)
1721 Northland Park Avenue (43229)

Meeting Called to Order: 6:30 pm by co-chair Dave Paul

Members represented:

Voting: (17): Albany Park (APHA), Asherton Grove (AGCA), Blendon Chase (BCCA), Clinton Estates (CECA), Devonshire (DCA), Elevate Northland (EN), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Little Turtle (LTCA), Maize Morse Tri-Area (MMTACA), North Village (NVHA), Northland Alliance (NA), Northland Area Business Association (NABA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA), Westerwood (WRA).

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| Case #1 | <p>Application #BZA22-112 (BZA variance from §3312.13(A) to accommodate a driveway expansion from 20' to 29' 2", and from §3312.27 to reduce the parking setback from 25' to 0' from ROW to allow parking of vehicles on the driveway expansion)</p> <p>Ugo Nwoke/Aurtec Designs LLC <i>representing</i>
Kwaku Agyemang
2978 Wallcrest Blvd, 43231 (PID 010-245299) Smedley</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by SCA, second by APHA) to TABLE the application.¹</i> |
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| Case #2 | <p>Application #Z22-070 (Rezone 1.62 AC± from CPD to CPD to permit construction of an automatic car wash)</p> <p>Dave Perry/David Perry Co. <i>representing</i>
Driven Brands, Inc.
990 E Dublin Granville Rd, 43229 (PID 010-300590) Dietrich</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by SCA, second by APHA) to RECOMMEND APPROVAL of the application.</i> |
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| Case #3 | <p>Application #Z22-077/CV22-102 (Rezone 1.32 AC± from C-4 to L-M (text preserving all C-4 uses) for the construction and maintenance of an outside automobile storage lot for excess inventory associated with the dealership at 1888 Morse Road; concurrent Council variances from §3363.41 to reduce the setback required for any storage use along the lot line to 0' and along the street ROW line from 30' to 25'; and from §3363.27(b) to reduce the required separation of an M district from residential uses from 25' to 0')</p> <p>Jeff Brown/Smith and Hale <i>representing</i>
Caldwell Real Estate 161 LLC
1769 E Dublin Granville Rd, 43229 (PID 010-293623) Dietrich</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by KWPCA, second by APHA) to RECOMMEND DISAPPROVAL OF Z22-077.</i> • <i>The Committee approved (17-0) a motion (by KWPCA, second by APHA) to RECOMMEND APPROVAL OF CV22-102 WITH TWO (2) CONDITIONS:</i> <ul style="list-style-type: none"> ○ The CV application, no longer concurrent with Z22-077, will be amended to include a Council use variance to permit the use of the site for storage <u>only</u> of new, undamaged and operational automobiles (which would otherwise be permitted in an M district), in addition to uses already permitted in the existing C-4 zoning district. ○ The application will be amended to correct a misstatement in the summary of the proposed variance from §3363.41 to indicate that the variance as it pertains to the setback from the street right of way will be from 30 feet to 25 feet (not to zero), as the applicant's representative advised was the variance intended, without change to the other variances requested from §3363.41 and §3363.27(b) to accommodate the storage use. |
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Case #4

Application #Z22-078/CV22-103 (Rezone 2.476 AC± from C-4 (35' HD) to AR-O, with a 60' HD, to permit the construction of a multifamily affordable senior independent living facility, number of units and site plan TBD; concurrent Council variance from §3312.49 to reduce required parking from 1.5/unit to 0.5/unit)

Matt Bierlein and Stephanie Rhodes *representing*
National Church Residences
5860 Roche Dr, 43229 (PID 010-085780)

Rose

- *The Committee approved (14-2 w/ 1 abstention) a motion (by BCCA, second by NVHA) to **RECOMMEND DISAPPROVAL** of the application.²*

Case #5

Application #Z22-073/CV22-097 (Rezone 3.32 AC± from a combination of L-AR12 and C-2 to AR-12 to construct a 5-building, 41-unit apartment complex; concurrent Council variances from §3333.18 to reduce setback from ROW from 60' to 40'; from §3333.10 to reduce ft²/du sufficient to permit 41 dwelling units after required ROW dedication; and from §3333.255 to reduce the required perimeter yard from 25' to 5')

Craig Moncrief/Plank Law *representing*
HG Property Holdings LLC
5869-5877 Cleveland Ave, 43229 (PID 010-201611/010-201608)

Rose

- *The Committee approved (17-0) a motion (by EN, second by RRSOA) to **RECOMMEND APPROVAL** of the application.*

Executive Session**9:45 pm****Meeting Adjourned****10:35 pm**

¹ After reviewing the application and viewing images of the site, the Committee suggested to the applicant's representative that his client agree not to park any vehicles on the concrete paving abutting the original (14' 9") driveway, and that he install planters and/or other landscaping to preclude the use of the additional concrete paving for parking. The applicant's representative indicated that his client would do so. The Committee suggested that there was therefore no need for the requested variances and that the application should be withdrawn, since the additional paving would not be used as a driveway, and no vehicles would be parked within the existing 25' parking setback other than those already permitted to be stacked on the existing driveway behind the two required spaces in the garage. The Committee agreed to table the application rather than disapprove it while the applicant's representative discusses the withdrawal of the variance application with City staff.

² The Committee proposed that the applicant consider revising the rezoning application to seek an AR-2 district rather than AR-O, and to change the CV to reduce the parking requirement from 1.5 to 0.7 spaces/du rather than to 0.5 spaces/du; and the applicant agreed to these potential conditions of support. However, while generally supportive of the use, the Committee's consensus was that the absence of commitments to a specific site plan and to shared parking or other agreements to address the potential for overflow parking left it unable to support the application as presented.

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: Z22-073

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.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald T. Plank
of (COMPLETE ADDRESS) Plank Law Firm, LPA, 411 East Town Street, Fl. 2, 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 (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

1. HG Property Holdings LLC 7100 Armscote End, New Albany, Ohio 43054 0	2. Felix Tolani 7100 Armscote End, New Albany, Ohio 43054 0
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 21st day of September, in the year 2022

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



Craig J. Moncrief, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

This Project Disclosure Statement expires six (6) months after date of notarization.