



## Legislation Details (With Text)

**File #:** 2188-2023      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 7/12/2023      **In control:** Zoning Committee

**On agenda:** 7/31/2023      **Final action:** 8/2/2023

**Title:** To rezone 210 WINNER AVE. (43203), being 3.12± acres located at the northeast corner of Hawthorne Avenue and Winner Avenue, From: ARLD, Apartment Residential District and I, Institutional District, To: CPD, Commercial Planned Development District and to declare an emergency.(Rezoning #Z23-019).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2018-2023\_Attachments, 2. ORD2188-2023\_Labels

Date	Ver.	Action By	Action	Result
8/2/2023	2	ACTING CITY CLERK	Attest	
8/2/2023	2	MAYOR	Signed	
7/31/2023	2	COUNCIL PRESIDENT	Signed	
7/31/2023	1	Zoning Committee	Approved as Amended	Pass
7/31/2023	1	Zoning Committee	Amended to Emergency	Pass
7/24/2023	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z23-019

**APPLICANT:** State of Ohio FBO The Ohio State University c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Parking lot.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on July 13, 2023.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 3.12± acre site consists of one undeveloped parcel in the ARLD, Apartment Residential and I, Institutional districts. The requested CPD, Commercial Planned Development District will permit the site to be redeveloped with a parking lot for Ohio State East Hospital. While the *Near East Area Plan* (2005), does not contain a land use recommendation for this site, the Plan does specify design guidelines for parking lots including screening from adjacent public streets with a four-foot high decorative metal tube or solid metal bar fence, and landscaping or a masonry or stone wall and buffer between the parking lot and adjacent residential uses. The applicant is proposing a four- to six- foot tall metal fence with a landscaped buffer in addition to internal tree preservation and green space with the parking lot, as shown on the site plan and fencing exhibit. With the fencing, landscaping, and overall site design proposed, the request is consistent with the Plan's recommendations.

To rezone **210 WINNER AVE. (43203)**, being 3.12± acres located at the northeast corner of Hawthorne Avenue and Winner Avenue, From: ARLD, Apartment Residential District and I, Institutional District, To: CPD, Commercial Planned Development District **and to declare an emergency.**(Rezoning #Z23-019).

**WHEREAS**, application #Z23-019 is on file with the Department of Building and Zoning Services requesting rezoning of 3.2± acres from ARLD, Apartment Residential District and I, Institutional District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Near East Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will permit a parking lot that includes a site plan and fencing exhibit demonstrating landscaping, fencing, and overall site design consistent with the *Near East Area Plan's* recommendations; ~~now, therefore:~~ ; and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus on that it is immediately necessary to pass this ordinance due to the need to move forward with the construction of the parking lot so that the lot can be finished before the asphalt batch plants close this year for the immediate preservation of the public peace, property, health and safety; 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**210 WINNER AVE. (43203)**, being 3.12± acres located at the northeast corner of Hawthorne Avenue and Winner Avenue, and being more particularly described as follows:

**DESCRIPTION OF 2.753 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee lands and being all out of that 4.250 acre tract of land as conveyed to Columbus Metropolitan Housing Authority, of record in Instrument No. 201708070108453, all references refer to the records of the Recorder's Office Franklin County Ohio and described as follows:

**Beginning** at a P.K. Nail found with an EMH&T Shiner at the intersection of the westerly right of way line of Hughes Street (35 feet-wide) and the northerly right of way line of Hawthorn Avenue (50 feet wide);

Thence North 86°38'07" West with said northerly right of way line a distance of 248.74 feet to an iron pin set at a point on a curve;

Thence with a new division line across said Columbus Metropolitan Housing Authority tract the following courses.

With an arc to the right having a radius of 11.50 feet a central angle of 55°26'49" an arc length of 11.13 feet, a chord bearing of North 24°34'17" West and a chord distance of 10.70 feet to an iron pin set at a point of tangency;

North 03°09'07" East a distance of 441.22 feet to an iron pin set at a point of curvature;

With a curve to the right of way a radius of 17.50 feet a central angle of 76°38'09" an arc length of 23.41 feet, a chord bearing of North 41°28'11" East and a chord distance of 21.70 feet to a part of tangency in the southerly right of way line

of Phale D Hale Drive (50 feet wide);

Thence South 86°30'22" East, with said southerly right of way line, a distance of 246.26 feet to a 3/4" pin found with a plastic cap inscribed EMH&T at the intersection of said southerly right of way line and the westerly right of way line of said Hughes Street;

Thence South 03°53'17" West, with said westerly right of way line, a distance of 467.21 feet to the **point of beginning** and containing 2.753 acres of land more or less;

**DESCRIPTION OF 0.373 ACRE  
HUGHES STREET PUBLIC RIGHT-OF-WAY  
BETWEEN HAWTHORNE AVENUE AND PHALE D. HALE DRIVE**

Situated in the State of Ohio, County of Franklin, City of Columbus, being all the right-of-way of Hughes Street, 35 feet in width, between the north right-of-way line of Hawthorne Avenue, 50 feet in width, and the south right-of-way line of Phale D. Hale Drive, 50 feet in width, and as originally established by the plats of Samuel Hughes Subdivision, of record in Plat Book 3, Page 272 and Theodore Leonard Jr. School Board Subdivision, of record in Plat Book 4, Page 405, all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning** at a 1-inch iron pin found capped "H&G Engr. & Surveying" at the intersection of the easterly right-of-way line of Hughes Street with the southerly right-of-way line of Phale D. Hale Drive (formerly Clifton Avenue, Plat Book 1, Page 259), being also the northwesterly corner of Lot 1 of the Theodore Leonard Subdivision and the northwesterly corner of that 9.726-acre tract as described in a deed to The Ohio State University, of record in Instrument Number 199904090088853;

Thence South 3°54'48" West, along said easterly right-of-way line and the westerly line of said 9.726-acre tract, a distance of 464.69 feet to a Mag Nail set at the intersection of the northerly right-of-way line of Hawthorne Avenue, being also the southwest corner of Lot 1 of the Samuel Hughes Subdivision;

Thence North 86°26'41" West, crossing Hughes Street, a distance of 35.00 feet to a Mag Nail set at the southeasterly corner of Lot 3 of Samuel Sharps Subdivision, of record in Plat Book 2, Page 136 and at the southeasterly corner of that 2.753-acre tract as described in a deed to The State of Ohio for the benefit of The Ohio State University, of record in Instrument Number 201709010121817;

Thence North 3°54'48" East, along the westerly right-of-way line of Hughes Street and the easterly line of said 2.753-acre tract, a distance of 464.64 feet to a Mag Nail set at the intersection of the southerly right-of-way line of Phale D. Hale Drive and at the northeasterly corner of Lot 6 of David Jones Subdivision, of record in Plat Book 2, Page 119;

Thence South 86°31'14" East, again crossing Hughes Street, a distance of 35.00 feet to the **place of beginning** and containing 0.373 acre of land.

**To Rezone From:** ARLD, Apartment Residential District and I, Institutional District,

**To:** CPD, Commercial Planned Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "SITE PLAN," and fencing

exhibit titled, “EX A,” both dated July 13, 2023, and text titled, “CPD TEXT,” dated July 6, 2023, all signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

**CPD TEXT**

**PROPOSED DISTRICT:** CPD, Commercial Planned Development District

**PROPERTY ADDRESS:** 210 Winner Avenue

**OWNER:** State of Ohio FBO The Ohio State University

**APPLICANT:** The Ohio State University

**DATE OF TEXT:** 7/6/23

**APPLICATION NUMBER:** Z23-019

1. **INTRODUCTION:** The site is on the west side of Hughes Street between Hawthorne Avenue and Phale D Drive. Part of the site has been used for parking. The current zoning is in the ARLD and I districts, and the proposed zoning would be CPD permitting parking on the site.

2. **PERMITTED USES:** Parking for Ohio State East Hospital

3. **DEVELOPMENT STANDARDS:** Except as listed in the zoning text and on the submitted site plan, the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements.

Parking setback along Winner Avenue, Hawthorne Avenue and Phale D Hale Drive shall be 5 feet.

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

Access will be from “Hughes Street.”

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

1. The site plan shows an area where existing trees are being preserved and maintained.
2. The proposed fence is shown on submitted Exhibit A.
3. Minimum height of shrubbery shall be 3 feet at installation.

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

N/A

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

N/A

F. Graphics and Signage Commitments:

The applicable graphics standards shall be those contained in the City Code as the apply to C-4, Commercial District Any variances shall be submitted to the Columbus Graphics Commission and the applicant shall file a graphics plan application for any freestanding signs on the parcel.

G. Miscellaneous Commitments:

Site Plan Revision Allowance: The Property shall be developed in accordance with the site plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

H. Modification of Development Standards:

Section 3312.27 Parking Setback line: to reduce the parking setback along Winner Avenue, Hawthorne Avenue and Phale D Hale Drive from 10 to 5 feet.

4. **CPD REQUIREMENTS:**

A. Natural Environment: The site is on the west side of Hughes Street between Phale D Hale Drive and Hawthorne Avenue. Part of the site has been graveled and used for parking.

B. Existing Land Use: To the north across Phale D Hale Drive is residential; to the west across Winter Avenues is multi-family; to the south across Hawthorne Avenue is residential and to the east across Hughes Drive is Ohio State East Hospital.

C. Transportation and Circulation: Access from Hughes Avenue (see submitted site plan).

D. Visual Form of the Environment: See submitted plan.

E. View and Visibility: The applicant considered pedestrian and vehicular movement in layout of site.

F. Proposed Development: Parking.

G. Behavior Patterns: The property will serve the parking needs of Ohio State Hospital East.

H. Emissions: No adverse effect from emissions shall result from the proposed development

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

**SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**