



## Legislation Details (With Text)

**File #:** 1491-2017      **Version:** 1

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

**File created:** 5/31/2017      **In control:** Zoning Committee

**On agenda:** 7/31/2017      **Final action:** 8/3/2017

**Title:** To rezone 2700 MCKINLEY AVENUE (43214), being 2.85± acres located on the east side of McKinley Avenue, 1,650± feet southeast of West Fifth Avenue, From: L-M, Limited Manufacturing District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z16-081).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1491-2017\_Attachments, 2. ORD1491-2017\_Labels

Date	Ver.	Action By	Action	Result
8/3/2017	1	ACTING CITY CLERK	Attest	
8/2/2017	1	MAYOR	Signed	
7/31/2017	1	COUNCIL PRESIDENT	Signed	
7/31/2017	1	Zoning Committee	Approved	Pass
7/24/2017	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z16-081

**APPLICANT:** Roy Yoder; 3200 Mann Road; Blacklick, OH 43004

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on April 13, 2017.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with an industrial/office building zoned in the L-M, Limited Manufacturing District. The requested L-ARLD, Limited Apartment Residential District will permit redevelopment of the site with a 42-unit apartment building. The limitation text addresses the maximum number of dwelling units, minimum number of parking spaces, building height, parking and building setbacks, traffic access, tree preservation, and landscaping and screening elements. Additional commitments to develop the site in conformance with the submitted site plan and building elevations are included. The site is located within the boundaries of the *McKinley Avenue Corridor Plan (2000)*, which does not contain specific land use recommendations. However, the Plan recommends that wherever new residential development occurs, screening, landscaping buffers, and/or deep building setbacks should be required to ensure that adjoining land uses are not adversely affected. City Staff believes that the limitations included in this proposal meet the Plan's recommendations for new residential development in the McKinley Avenue Corridor, and note the site's adjacency to existing multi-unit residential development.

To rezone **2700 MCKINLEY AVENUE (43214)**, being 2.85± acres located on the east side of McKinley Avenue, 1,650± feet southeast of West Fifth Avenue, From: L-M, Limited Manufacturing District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z16-081).

**WHEREAS**, application # Z16-081 is on file with the Department of Building and Zoning Services requesting rezoning of 2.85± acres from L-M, Limited Manufacturing District, to L-ARLD, Limited Apartment Residential 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-ARLD, Limited Apartment Residential District will allow the applicant to redevelop the site with a 42-unit apartment building that includes limitation and commitments that match the *McKinley Avenue Corridor Plan's* recommendation for new residential development. Additionally, the site is located between two existing multi-unit residential developments and must comply with submitted site plan and building elevations; 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:

**2700 MCKINLEY AVENUE (43214)**, being 2.85± acres located on the east side of McKinley Avenue, 1,650± feet southeast of West Fifth Avenue, and being more particularly described as follows:

Property Description for 2700 McKinley

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in part of lots 2 and 3 of “Scioto Park”, of record in Plat Book 43, Page 108 being part of those tracts of land conveyed to Pittsburg National Bank, by deed of record in Deed Book 3792, Page 488 (record references to those of the Recorder’s Office, Franklin County, Ohio), described as follows:

Commencing at a railroad spike at the centerline intersection of McKinley Avenue and West Fifth Avenue as shown on the plat of “Subdivision of Lot 4 of Scioto Park Subdivision” of record in Plat Book 46, Page 66;

Thence along the centerline of said McKinley Avenue (80.00 feet in width), S 36 degrees 37 minutes 36 seconds E a distance 1319.32 feet; Thence continuing along said centerline S 36 degrees 33 minutes 57 seconds E a distance 229.47 feet to a point of curvature; Thence along the arc of a curve to the left (Radius = 308.12 feet, Sub-Delta = 29 degrees 40 minutes 12 seconds), a chord bearing and distance of S 51 degrees 24 minutes 05 seconds E a distance 157.78 feet to an iron pin in the northeasterly Right-of-Way line of said McKinley Avenue and the TRUE POINT OF BEGINNING;

Thence N 53 degrees 02 minutes 48 seconds E a distance 218.88 feet to a point;

Thence S 47 degrees 47 minutes 28 seconds E a distance 252.50 feet to the westerly corner of the 32.372 acre tract conveyed to Main Street Properties, Inc. by deed of record in Official Records 704, Page G09;

Thence along said westerly line and the westerly lines of the Main Street Properties, Inc. 0.069 acre tract, the following five (5) courses and distances;

Thence S 53 degrees 11 minutes 11 seconds E a distance 208.36 feet;

Thence S 58 degrees 10 minutes 00 seconds W a distance 90.00 feet to an Iron pin;

Thence S 57 degrees 04 minutes 33 seconds W a distance 85.00 feet to an Iron pin;

Thence S 32 degrees 55 minutes 27 seconds E a distance 71.19 feet to an Iron pin; and

Thence S 17 degrees 07 minutes 36 seconds W a distance 148.27 feet to an Iron pin found in the Northeasterly Right-of-Way line of said McKinley Avenue;

Thence along said Right-of-Way line of McKinley Avenue, N 34 degrees 39 minutes 15 seconds W a distance 16.41 feet to an Iron pin at an angle point in said line;

Thence continuing along said Right-of-Way line, N 36 degrees 33 minutes 57 seconds W a distance 301.30 feet to an Iron pin;

Thence S 46 degrees 19 minutes 03 seconds W a distance 25.26 feet to an Iron pin;

Thence N 37 degrees 12 minutes 52 seconds W a distance 248.13 feet to an Iron pin;

Thence N 64 degrees 25 minutes 00 seconds E a distance 20.10 feet to an Iron pin;

Thence N 71 degrees 41 minutes 37 seconds W a distance 10.07 feet to an Iron pin at a point of curvature;

Thence N 68 degrees 57 minutes 53 seconds W along the arc of a curve to the right (Radius = 308.12 feet, Sub-Delta = 5 degrees 27 minutes 28 seconds), a chord distance of 29.34 feet to the TRUE POINT OF BEGINNING; containing 2.849 acres of land, more or less.

**To Rezone From:** L-M, Limited Manufacturing District

**To:** L-ARLD, Limited Apartment Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-ARLD, Limited Apartment Residential 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-ARLD, Limited Apartment Residential 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 plans being titled “**2700 MCKINLEY PROPERTIES,**” and “**PRELIMINARY ELEVATIONS,**” and text titled, “**LIMITATION TEXT,**” all dated May 25, 2017, and signed by Roy Yoder, Applicant, and the text reading as follows:

**LIMITATION TEXT**

**EXISTING ZONING DISTRICT:** L-M, Limited Manufacturing District

**PROPOSED DISTRICT:** L-ARLD, Limited Apartment Residential District

**PROPERTY ADDRESS:** 2700 McKinley Avenue, Columbus, OH 43214

**OWNER:** 2700 McKinley Properties, LLC; 7686 Fishel Drive North, Suite B; Dublin, OH 43016

**APPLICANT:** Roy Yoder; 3200 Mann Road, Blacklick, OH 43004

**DATE OF TEXT:** May 25, 2017

**APPLICATION NUMBER:** Z16-081

**1. INTRODUCTION:** The subject property is 2.85 +/- acres located on the East side of McKinley Avenue, approximately 1600 feet south of Fifth Avenue. The property is currently zoned Limited Manufacturing (L-M). Applicant proposes to rezone the property to L-ARLD, Limited Apartment Residential District, for development of a condominium complex. The abutting property to the south and east is zoned PUD-8, and is developed with a condominium complex. The abutting property to the north is zoned AR-12, and is developed with an apartment complex. Properties immediately across McKinley Avenue are zoned M, Manufacturing.

**2. PERMITTED USES:** The following specific uses shall be permitted from C.C.C. §3333.02 (AR-12, ARLD, and AR-1 District Uses): Apartment development; multiple-dwelling development.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated herein, the applicable development standards shall be those contained in Chapter 3333 (Apartment Districts) of the Columbus City Codes.

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

1. The maximum number of dwelling units shall be 42.
2. The parking and paving setback from the McKinley Avenue Right-of-Way line shall be twenty-five (25) feet. The building setback along McKinley Avenue is a minimum of fifty (50) feet from the right-of-way. There shall be a minimum rear yard setback of twenty-five (25) feet. A minimum side yard setback of ten (10) feet along the North property line, and a minimum side yard setback on the south side property line of approximately 88.83 feet at its narrowest point. It is noted as a Buffer Area on the Site Plan (see Paragraph C-1 below).
3. The apartment building shall contain a maximum of three (3) stories. The Site shall be designated as an H-35 Height District.

**B. Access, Loading, Parking and/or Other Traffic-Related commitments.**

1. A minimum of 86 parking spaces shall be provided on site.
2. The developer shall be responsible for the installation of a southbound left turn lane at the site access point to McKinley Ave. with a length of 225' (includes diverging taper).
3. The developer shall be responsible for the removal of foliage south of the site access point to McKinley Ave. in order to maintain adequate sight distance at the site access point to McKinley Ave.
4. All curb cuts and access points shall be subject to the review and approval of the Public Service Department of the City of Columbus.
5. In addition to exterior surface parking, there is a lower level covered parking garage.

**C. Buffering, Landscaping and/or Screening Commitments.**

1. Along our south property line there exists an Ordinance (OR 3200A01) granting to the Hidden Lake Condominium Association a PERPETUAL NON-EXCLUSIVE EASEMENT, approximately 88.83 foot in width, consisting of open lawn, trees, and bushes. No encroachment into this area shall be permitted with any development, except for a ten foot wide area adjacent to our building for construction equipment during construction. At the completion of the project this area will be returned to a lawn area. Every effort to maintain all trees in the Buffer Area shall be made.
2. On the South end of the building a six foot tall wood security fence will be placed from the building onto/into the steep ravine slope and to the cliff's edge. On the North end of the building shall be placed a six foot wood security fence from the building to the existing fence at the property line. Ten eight-foot tall Canadian Hemlock trees in the Buffer Area, in a staggered line from the lake to the ravine shall be placed.
3. Any trees damaged or destroyed in the Buffer Area during the relocation of the 12 inch Sanitary Sewer Line, shall be replaced.

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

1. The exterior finishes of the building will be as indicated on the submitted Exterior Elevations. Materials include

facebrick or stone, stucco, storefront glazing and standard window units, and metal composite fascia material.

2. First floor south facing units will not have direct access to the Buffer Area.

**E. Dumpsters, Lighting and Open Space Commitments.**

Area lighting on the perimeter of the site shall be cut-off type (down lighting). An interior trash compactor will be used so there will not be exterior trash dumpsters.

**F. Graphics and Signage Commitments.**

All graphics and signage shall comply with City Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

1. The existing topographical elevation shall be maintained except for grading as needed for site engineering purposes.
2. Developer shall comply with the Parkland Dedication provisions of C.C.C. Chapter 3318. Such compliance shall be in the form of land dedication and/or a monetary contribution, the details of which shall be reviewed with and approved by the Recreation and Parks Department as a part of this rezoning ordinance.
3. The proposed shall be developed in general conformance with the submitted site plan titled “2700 McKinley Properties” and building elevation titled “Preliminary Elevations”. Said site plan and building elevation may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any adjustment to the site plan shall be reviewed and may be approved by the Director of the Department of Building & Zoning Services or his 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.