



Legislation Details (With Text)

File #: 1889-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/1/2021 **In control:** Zoning Committee

On agenda: 7/19/2021 **Final action:** 7/22/2021

Title: To rezone 5055 SINCLAIR RD. (43229), being 7.43± acres located on the west side of Sinclair Road, 200± feet south of Freeway Drive North, From: M, Manufacturing District, To: AR-1, Apartment Residential District (Rezoning #Z20-049).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1889-2021_Attachments, 2. ORD1889-2021_Labels

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Zoning Committee	Approved	Pass
7/12/2021	1	Columbus City Council	Read for the First Time	

Rezoning Application Z20-049

APPLICANT: NRP Properties, LLC; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, 1st Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 11, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The 7.43± acre site consists of two parcels developed with a former entertainment venue in the M, Manufacturing District and is subject to Ordinance #1462-2020 (CV20-031), passed on July 20, 2020, permitting a multi-unit residential development with up to 180 units. This rezoning request satisfies a condition of that ordinance and permits said multi-unit residential development. The site is within the planning boundaries of the *Northland I Area Plan* (2014), which recommends “Employment Center” land uses at this location. Although the proposal is for affordable housing and has been approved conceptually with the passage of Ordinance #1462-2020, Planning Division staff does not support the request as it is inconsistent with the land use recommendation for this location and the requested AR-1 district does not match the development and zoning pattern along this portion of Sinclair Road. A concurrent Council Variance (Ordinance #1890-2021; CV20-117) is requested to conform the existing monopole telecommunication antenna and for variances to parking space dimensions, parking setback, parking lot screening, and perimeter yard.

To rezone **5055 SINCLAIR RD. (43229)**, being 7.43± acres located on the west side of Sinclair Road, 200± feet south of

Freeway Drive North, **From:** M, Manufacturing District, **To:** AR-1, Apartment Residential District (Rezoning #Z20-049).

WHEREAS, application #Z20-049 is on file with the Department of Building and Zoning Services requesting rezoning of 7.43± acres from M, Manufacturing District, to AR-1, Apartment Residential District; and

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

WHEREAS, the City Departments recommend disapproval of said zoning change because the request is not consistent with the *Northland I Area Plan*'s recommendation is for "Employment Center" uses and is not consistent with the zoning and development pattern along this portion of Sinclair Road; 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:

5055 SINCLAIR RD. (43229), being 7.43± acres located on the west side of Sinclair Road, 200± feet south of Freeway Drive North, and being more particularly described as follows:

DESCRIPTION OF 7.425 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 2, Range 18, United States Military Lands, and being 7.425 acres of those tracts described in a deed to DRJ Family, LLC (hereafter referred to as "DRJ tract"), of record in Instrument Number 20071227022181, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the intersection of the southerly line of the said DRJ tract and the proposed westerly right-of-way of Sinclair Road, being on the north line of that 3.049 acre tract described in a deed to Columbus Southern Power Company, of record in Instrument Number 200812240184021, and being on the existing west right-of-way line for Sinclair Road;

Thence North 86 degrees 26 minutes 34 seconds West, along the south line of said DRJ tract and along the north line of said 3.049 acre tract, a distance of 325.35 feet to a southwest corner of said DRJ tract, being the northwest corner of said 3.049 acre tract and being on the existing east railroad right-of-way line;

Thence North 02 degrees 50 minutes 38 seconds West, along a west line of said DRJ tract and along the existing east railroad right-of-way line, a distance of 429.37 feet to a southwest corner of said DRJ tract, being a northeast corner of the existing railroad right-of-way;

Thence North 87 degrees 07 minutes 38 seconds West, along a south line of said DRJ tract and along the existing north railroad right-of-way line, a distance of 40.20 feet to a southwest corner of said DRJ tract, being a northeast corner of the existing railroad right-of-way;

Thence North 02 degrees 50 minutes 38 seconds West, along a west line of said DRJ tract and along the existing east railroad right-of-way line, a distance of 406.26 feet to the northwest corner of said DRJ tract, being a southwest corner of that 2.169 acre tract described in a deed to Tony W. Bowman and Richard A. Bowman, Co-Trustees of the Tony W. Bowman Revocable Trust Dated May 19, 2015, of record in Instrument Number 201505210067176;

Thence South 87 degrees 10 minutes 51 seconds East, along the north line of said DRJ tract and along the south line of said 2.169 acre tract, a distance of 452.88 feet to the intersection of the north line of said DRJ tract and the said proposed westerly right-of-way line of Sinclair Road;

Thence South 03 degrees 19 minutes 22 seconds West, along the said proposed westerly right-of-way line for Sinclair Road and along the east line of said DRJ tract, a distance of 309.37 feet to a point;

Thence South 03 degrees 03 minutes 21 seconds West, continuing along the proposed westerly right-of-way line for Sinclair Road and continuing along the east line of said DRJ tract, a distance of 526.43 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 7.425 acres, of which:

Known as: 5055 Sinclair Rd., Columbus, Ohio 43229.

To Rezone From: M, Manufacturing District.

To: AR-1, Apartment Residential District.

SECTION 2. That a Height District of sixty (60) feet is hereby established on the AR-1, 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 changes on the said original zoning map in the office of the Department of Building and Zoning Services.

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