



## Legislation Details (With Text)

**File #:** 1182-2016      **Version:** 1

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

**File created:** 4/22/2016      **In control:** Zoning Committee

**On agenda:** 5/16/2016      **Final action:** 5/19/2016

**Title:** To rezone 587 LEHMAN STREET (43206), being 3.04± acres located at the southern terminus of Lehman Street, 155± feet south of East Livingston Avenue, From: C-4, Commercial District, and CPD, Commercial Planned Development District, To: AR-3, Apartment Residential District (Z15-046).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1182-2016.Attachments, 2. ORD1182-2016.Labels

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 5/19/2016 | 1    | CITY CLERK            | Attest                  |        |
| 5/17/2016 | 1    | MAYOR                 | Signed                  |        |
| 5/16/2016 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 5/16/2016 | 1    | Zoning Committee      | Approved                | Pass   |
| 5/9/2016  | 1    | Columbus City Council | Read for the First Time |        |

**Council Variance Application: Z15-046**

**APPLICANT:** Jeff May; c/o Michael J. Maistros, AIA; 4740 Reed Road, Suite 201; Columbus, OH 43220.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on January 14, 2016.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 3.04± site consists of a parking lot zoned in the C-4, Commercial District, and CPD, Commercial Planned Development District. The applicant requests the AR-3, Apartment Residential District to allow multi-unit residential development. The site is located within the boundaries of the *South Side Plan* (2014), which recommends “neighborhood mixed uses” with residential uses having a density up to 45 units per acre for this area. Staff finds that the proposed AR-3, Apartment Residential District which permits density higher than 45 units per acre is warranted as most of that density is concentrated adjacent to commercial uses fronting Parsons Avenue. A concurrent Council variance (Ordinance No. 1183-2016 (CV15-062)) has been filed to request variances for commercial access through the AR-3, Apartment Residential District, landscaping and screening, dumpster area requirements, and perimeter yard.

To rezone **587 LEHMAN STREET (43206)**, being 3.04± acres located at the southern terminus of Lehman Street, 155± feet south of East Livingston Avenue, **From:** C-4, Commercial District, and CPD, Commercial Planned Development District, **To:** AR-3, Apartment Residential District (Z15-046).

**WHEREAS**, by application No. Z15-046 is on file with the Building and Zoning Services Department requesting rezoning of 3.04± acres from C-4, Commercial District, and CPD, Commercial Planned Development District, to AR-3, Apartment Residential District; and

**WHEREAS**, the Development Commission recommends approval; and

**WHEREAS**, the Columbus Southside Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested AR-3, Apartment Residential District is consistent with the zoning and development patterns of the area. The proposal will permit multi-unit residential development which is consistent with the *South Side Area Plan's* recommendation for neighborhood mixed uses; 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:

**587 LEHMAN STREET (43206)**, being 3.04± acres located at the southern terminus of Lehman Street, 155± feet south of East Livingston Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 27, Township 5 North, Range 22 West, Refugee Lands, being all of Tracts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 15 (Parcels 1 through 5) and the remainder of Tract 13 as described in a deed to JMM Real Estate Investments, Inc, of record in Instrument No. 201103170037114, also being all of that portion of Kennedy Drive (16.00 feet in width) as vacated by Ordinance 0310-2016 , being a 0.071 acre tract of land as described in a deed to said JMM Real Estate Investments, Inc., of record in Instrument No. 201604110043419 and all of the interest in the alleys vacated by Ordinances 774-69, 2229-83 and 2696-94, all references herein being to the records located at the Recorder's Office, Franklin County, Ohio and being more particularly described as follows;

BEGINNING at a 3/4" iron pipe found at the intersection of the southerly right-of-way line of Jackson Street (40.00 feet in width) and the easterly right-of-way line of South Washington Avenue (28.00 feet in width), also being the northwesterly corner of Lot 5 of "Michael Oestriecher Et Al. Subdivision", a subdivision of record in Plat Book 5, Page 206 and being the northwesterly corner of said Tract 15 (Parcel 5) as described in said deed to JMM Real Estate Investments, Inc.;

Thence South 86° 34' 34" East, along the southerly right-of-way line of said Jackson Street, the northerly line of said Lot 5, the northerly line of Lot 6 of said subdivision and the northerly line of said 0.071 acre tract, passing a 5/8" iron pin found (Jon Adcock S-8461) at a distance of 181.20 feet, a total distance of 197.20 feet to a MAG nail found in the easterly right-of-way line of said Kennedy Drive, being the westerly line of Lot 17 as shown and delineated on the plat entitled "William F. Lehman's Executors Subdivision", a subdivision of record in Plat Book 3, Page 201;

Thence North 3° 37' 09" East, along the easterly right-of-way line of said Kennedy Drive, the westerly line of said Lot 17, the westerly line of Lots 15, 13, 11 and 9 and the westerly line of a vacated alley between said Lots 9 and 11, all as shown and delineated on said "William F. Lehman's Executors Subdivision", a distance of 210.19 feet to a MAG nail set in the southerly line of a 15 foot alley, being the northwesterly corner of said Lot 9;

Thence South 86° 34' 41" East, along the southerly right-of-way line of said 15 foot alley, the northerly line of said Lot 9 and the northerly line of a 0.380 acre tract of land described as Tract 9 in the previously mentioned deed to JMM Real Estate Investments, Inc., a distance of 177.07 feet to a MAG nail set in the easterly right-of-way line of Lehman Street (40.00 feet in width), also being a point in the westerly line of a 1.955 acre tract as described in a deed to JMM Real Estate Investments, Inc., of record in Instrument No. 201103170037114, said Tract 9 being a portion of said Lehman

Street vacated by Ordinance 2344-96;

Thence South 3° 39' 26" West, along the easterly line of said 0.380 acre tract and the westerly line of said 1.955 acre tract, a distance of 109.16 feet to a MAG nail found at the southwesterly corner of said 1.955 acre tract, being a point on the westerly line of Lot 14 of said "William F. Lehman's Executors Subdivision";

Thence South 86° 17' 58" East, along the southerly line of said 1.955 acre tract and through Lot 14, a distance of 54.69 feet to a MAG nail found at the northwesterly corner of a 1.991 acre tract of land as described in a deed to JMM Real Estate Investments, Inc., of record in Instrument No. 201604150046314;

Thence South 3° 32' 28" West, along the westerly line of said 1.991 acre tract, through Lots 14, 16, 18, 20, 22, 24, 26, 28 and through a portion of a 16 foot alley as vacated by Ordinance No. 774-69, a distance of 299.93 feet to a MAG nail found on the northerly right-of-way line of South Lane (20 feet in width), also being the southwesterly corner of said 1.991 acre tract and a point in the southerly line of said Lot 28;

Thence along the northerly right-of-way line of South Lane the following courses;

1. North 86° 46' 06" West, along the southerly line of said Lot 28, the southerly line of said 0.380 acre tract and the southerly line of Lot 27, all as shown and delineated on said "William F. Lehman's Executors Subdivision", a distance of 232.10 feet to an iron pin set at the southwesterly corner of said Lot 27;
2. North 3° 37' 09" East, along the westerly line of said Lot 27, a distance of 8.00 feet to an iron pin found (Jon Adcock S-8461) in the northerly right-of-way line of South Lane (28.00 feet in width), also being the southeasterly corner of the previously mentioned 0.071 acre tract;
3. North 86° 46' 06" West, along said northerly right-of-way line and the southerly line of said 0.071 acre tract, a distance of 8.00 feet to a MAG nail set in the centerline of Kennedy Drive and the easterly line of Lot 13 as shown and delineated on the plat entitled "Joseph Schwartz Subdivision", of record in Deed Book 32, Page 109;

Thence South 3° 37' 09" West, along the centerline of Kennedy drive and the easterly line of said Lot 13, a distance of 18.00 feet to a MAG nail set in the centerline of South Lane;

Thence North 86° 46' 06" West, along the centerline of said South Lane and the southerly line of said Lot 13, a distance of 201.89 feet to a MAG nail set in the centerline of South Washington Avenue;

Thence North 3° 15' 36" East, along said centerline, through said Lot 13 a distance of 169.64 feet to a MAG nail set in the northerly line of said Lot 13;

Thence South 86° 34' 34" East, along the northerly line of said Lot 13, a distance of 14.00 feet to an iron pin set in the easterly right-of-way line of said South Washington Avenue, also being the southwesterly corner of 16.00 foot wide alley vacated by Ordinance No. 774-69 and 2229-83;

Thence North 3° 15' 36" East, along said easterly right-of-way line, the westerly line of said vacated alley and the westerly line of Lot 7 and Lot 5 of the previously mentioned "Michael Oestriecher Et. Al. Subdivision", a distance of 41.00 feet to the PLACE OF BEGINNING and containing 3.044 acres of land.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the AR-3, 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.