



Legislation Details (With Text)

File #: 1992-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/8/2021 **In control:** Zoning Committee

On agenda: 7/26/2021 **Final action:** 7/28/2021

Title: To rezone 793 W. STATE ST. (43222), being 1.88± acres located at the terminus of West State Street at South Souder Avenue, From: CPD, Commercial Planned Development District, To: AR-3, Apartment Residential District (Rezoning #Z20-063).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1992-2021_Attachments, 2. ORD1992-2021_Labels

Date	Ver.	Action By	Action	Result
7/28/2021	1	CITY CLERK	Attest	
7/27/2021	1	MAYOR	Signed	
7/26/2021	1	Zoning Committee	Approved	Pass
7/26/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z20-063

APPLICANT: Thrive Companies; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Joseph M. Reidy, Atty.; 842 North Fourth Street, Suite 200; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on November 12, 2020.

FRANKLINTON AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.88± acre site consists of part of one parcel formerly developed with the Mount Carmel West Hospital campus in the CPD, Commercial Planned Development District. The requested AR-3, Apartment Residential District permits the site to be redeveloped with multi-unit residential uses. The proposed zoning district and allowable density is comparable to the *West Franklinton Plan's* (2014) recommendation for "Regional Mixed-Use" land uses at this location. Additionally, the proposed density is consistent with residential infill developments in urban neighborhoods. A concurrent Council variance (Ordinance #1993-2021; CV20-069) has been filed to vary the permitted uses of Subarea B, minimum number of parking spaces required, vision clearance, landscaping, building lines, and rear yard.

To rezone **793 W. STATE ST. (43222)**, being 1.88± acres located at the terminus of West State Street at South Souder Avenue, **From:** CPD, Commercial Planned Development District, **To:** AR-3, Apartment Residential District (Rezoning #Z20-063).

WHEREAS, application #Z20-063 is on file with the Department of Building and Zoning Services requesting rezoning of 1.88± acres from CPD, Commercial Planned Development District, to AR-3, Apartment Residential District; and

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

WHEREAS, the Franklinton Area Commission recommends approval of said zoning change, and

WHEREAS, the City Departments recommend approval of said zoning change because the requested AR-3, Apartment Residential District is comparable to the *West Franklinton Plan's* land use recommendation and consistent with residential infill developments in urban neighborhoods; 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:

793 W. STATE ST. (43222), being 1.88± acres located at the terminus of West State Street at South Souder Avenue, and being more particularly described as follows:

SUBAREA A 1.532 ACRES:

Situated in the State of Ohio, County of Franklin, in the City of Columbus, being part of Virginia Military Survey No. 1393, and being part of Lot No. 1 of M.L. Sullivant's Subdivision of Land in Franklin Township, being part of Lot 25 and Lot 40, being all of Lots 53 through 60, inclusive, being part of the 20-foot, north-south alley vacated by Ordinance Number 26385, being part of the portion of West State Street vacated by Ordinance Number 1363-72, and being part of the 20-foot, east-west alley and 20-foot north-south alley vacated by Ordinance Number 587-63, all being of A.E. Davis Subdivision of Old State Fair Grounds, of record in Plat Book 2, Page 257, all as conveyed to Mount Carmel Health in Official Record Volume 16070 Page D16, now known as Mount Carmel Health System by affidavit of name change of record in Instrument Number 201901250009699, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

COMMENCING at an iron pin set, being on the intersection of the easterly right-of-way line of Souder Avenue (50') and the southerly right-of-way line of Mount Carmel Mall (Varies), as dedicated by Ordinance Number 1844-72, Deed Book 3289, Page 616, and also being the northwesterly corner of the remainder of said Lot 40, said iron pin set being the **TRUE POINT OF BEGINNING** of the tract herein described:

Thence along the northerly lines of the remainder of said Lots 25 and 40, along the northerly terminus of said vacated 20-foot, north-south alley, and along the southerly right-of-way line of said Mount Carmel Mall, North 81°29'50" East, 320.80 feet to an iron pin set, being on the northeasterly corner of the remainder of said Lot 25, also being the northwesterly corner of a portion of South Davis Avenue vacated per Ordinance Number 2030-93, conveyed as a 0.9156 acre tract to Mount Carmel Health in Official record Volume 25868, Page A01;

Thence along the easterly lines of said Lot 25 and said Lot 60, and said vacated portion of West State Street, across said vacated 20-foot, east-west alley, along the westerly line of said 0.9156 acre tract and said vacated South Davis Avenue, South 08°14'51" East, 208.10 feet to a mag nail set;
Thence across said vacated portion of West State Street, South 81°29'51" West, 320.72 feet to a mag nail set, being on the westerly terminus of said vacated portion of West State Street, also being the easterly right-of-way line of said Souder Avenue;

Thence along the easterly right-of-way line of said Souder Avenue, along the westerly lines of said Lot 53 and Lot 40, along the westerly terminus of said vacated 20-foot, east-west alley and part of said vacated State Street, North 08°16'07"

West, 208.10 feet to an iron pin set, said iron pin being the **POINT OF BEGINNING**, containing 1.532 acres (66,750 S.F.), more or less.

Subject however to all legal easements, restrictions, and rights of way of record and of records in the respective utility offices.

SUBAREA B 0.347 ACRES:

Situated in the State of Ohio, County of Franklin, in the City of Columbus, being part of Virginia Military Survey No. 1393, and being part of Lot No. 1 of M.L. Sullivant's Subdivision of Land in Franklin Township, being part of the portion of West State Street vacated by Ordinance Number 1363-72, being of A.E. Davis Subdivision of Old State Fair Grounds, of record in Plat Book 2, Page 257, as conveyed to Mount Carmel Health in Official Record Volume 16070 Page D16, now known as Mount Carmel Health System by affidavit of name change of record in Instrument Number 201901250009699, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

COMMENCING at an iron pin set, being on the intersection of the easterly right-of-way line of Souder Avenue (50') and the southerly right-of-way line of Mount Carmel Mall (Varies), as dedicated by Ordinance Number 1844-72 and also being the northwesterly corner of the remainder of Lot 40, of said A.E. Davis Subdivision of Old State Fair Grounds;

Thence along the easterly right-of-way line of said Souder Avenue, along the westerly lines of Lot 40 and Lot 53, along the westerly terminus of a 20-foot, east-west alley vacated per Ordinance Number 587-63, and along the westerly terminus of said vacated portion of West State Street, South 08°16'07" East, 208.10 feet to a mag nail set, said mag nail set being the **TRUE POINT OF BEGINNING** of the tract herein described:

Thence across said vacated portion of West State Street, North 81°29'51" East, 320.72 feet to a mag nail set, being on the easterly line of said vacated portion of West State Street and being on the westerly line of a portion of South Davis Avenue vacated per Ordinance Number 2030-93, conveyed as a 0.9156 acre tract to Mount Carmel Health in Official record Volume 25868, Page A01;

Thence along the easterly line of said vacated portion of West State Street and along the westerly line of said vacated portion of South Davis Avenue and said 0.9156 acre tract, South 08°14'51" East, 41.20 feet to a mag nail set;

Thence across said vacated portion of West State Street, the following three (3) courses:

South 81°29'51" West, 116.14 feet to a mag nail set on a point of curvature; Along a curve to the left having a radius of 15.00 feet, a delta angle of 69°43'20", an arc length of 18.25 feet, and a chord bearing and distance of South 46°38'08" West, 17.15 feet to a mag nail set;

South 81°29'51" West, 190.54 feet to a mag nail set, being on the westerly terminus of said vacated portion of West State Street, along the easterly line of a vacated portion of Souder Avenue, vacated by Ordinance Number 2030-93, being a 0.639 acre tract as conveyed to Mount Carmel Health in Official Record Volume 25868, Page A01;

Thence along the easterly line of said 0.639 acre tract, along the easterly right-of-way line of said Souder Avenue, and along the westerly terminus of said vacated portion of West State Street, North 08°16'07" West, 51.00 feet to a mag nail set, said mag nail being the **POINT OF BEGINNING**, containing 0.347 acres (15,118 S.F.), more or less.

Subject however to all legal easements, restrictions, and rights of way of record and of records in the respective utility offices.

Known as: 793 W. State St., Columbus, Ohio 43222.

To Rezone From: CPD, Commercial Planned Development District.

To: AR-3, Apartment Residential District.

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.