



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 3146-2021, **Version:** 1

Rezoning Application: Z21-042

APPLICANT: 1179 E. Main Street Redevelopment, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; 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 October 14, 2021.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.61± acre site consists of one parcel developed with a former supermarket predominantly zoned in the C-4, Commercial District with a small portion of the site zoned in the R-3, Residential District that contains the site's dumpster facilities. The requested AR-2 Apartment Residential District will permit redevelopment of the site with multi-unit residential development. The site is within the planning boundaries of the *Near East Area Plan* (2005), which recommends "Higher Density Residential/Mixed Use" land uses for this location. Staff finds this proposal to be consistent with the density recommendation of the Plan and recent infill development proposals in the area. A concurrent Council Variance (Ordinance #3147-2021; CV21-057) has been filed to permit commercial vehicular access through the site, and to reduce the required number of parking spaces, parking lot landscaping area, vision clearance triangles, and parking and building setback lines.

To rezone **1179 E. MAIN ST. (43205)**, being 1.61± acres located at the southeast corner of East Main Street and Oakwood Avenue, **From:** C-4, Commercial District and R-3, Residential District, **To:** AR-2, Apartment Residential District (Rezoning #Z21-042).

WHEREAS, application #Z21-042 is on file with the Department of Building and Zoning Services requesting rezoning of 1.61± acres from C-4, Commercial District and R-3, Residential District, to the AR-2, Apartment Residential 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 because the requested AR-2 Apartment Residential District is consistent with the land use and density recommendations of the *Near East Area Plan*, and recent infill development proposals in the area; 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:

1179 E. MAIN ST. (43205), being 1.61± acres located at the southeast corner of East Main Street and Oakwood Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 4 and all of Lots 5 and 12 of C. F. Humphrey's Park Place Addition as recorded in Plat Book 4, Page 174, part of Lot 19 of John N. Champion's Subdivision as recorded in Deed Book 31, Page 65, all records being of the Recorder's Office, Franklin County, Ohio and part of McAllister Avenue, 22.5 feet wide, vacated by City of Columbus Ordinance Number 778-66, also being part of the tracts conveyed to 1179 E. Main Street Redevelopment, LLC in Instrument Number 200602080025585, being more particularly described as follows:

Commencing at a set Mag nail at the intersection of the south line of East Main Street, 80 feet wide and the west line of Wilson Avenue, 60 feet wide, also being the northeast corner of Lot 1 of Claire L. Smith's Subdivision as recorded in Plat Book 7, Page 97;

Thence, along the south line of East Main Street and the north line of said Lot 1 and part of the north line of said Lot 4, South 87 degrees 36 minutes 00 seconds West, 136.01 feet to a set Mag nail and the True Point of Beginning of the parcel herein intended to be described;

Thence, across said Lot 4, South 00 degrees 20 minutes 00 seconds East, 187.50 feet to a set Mag nail in the south line of said Lot 4 and in the north line of McAllister Avenue, 22.5 feet wide;

Thence, along part of the south lines of said Lots 4 and 5 and along the north line of McAllister Avenue, South 87 degrees 36 minute 00 seconds West, 34.90 feet to a found railroad spike at the northeast corner of said vacated portion of McAllister Avenue;

Thence, along the east lines of the vacated portion of McAllister Avenue and said Lot 12 and along the west line of a 21 foot wide alley, South 00 degrees 20 minutes 00 seconds East, 231.50 feet to a set iron pipe at the southeast corner of said Lot 12 and in the north line of East Mound Street, 60 feet wide;

Thence, along the south line of said Lot 12 and the north line of East Mound Street, South 87 degrees 30 minutes 00 seconds West, 30.00 feet to a set iron pipe at the southwest corner of said Lot 12 and the southeast corner of said Lot 19, also being the southeast corner of a parcel conveyed to Summerfield Homes, LLC in Instrument Number 200505170093744, Tract 8, Parcel XVII;

Thence, along part of the west line of said Lot 12, part of the east line of said Lot 19 and all of the east line of said Summerfield Homes, LLC parcel, North 00 degrees 20 minutes 00 seconds West, 116.60 feet to a found 1" O.D. hollow iron pipe at the northeast corner of said Summerfield Homes, LLC parcel;

Thence, across said Lot 19, along the north line of said Summerfield Homes, LLC parcel and along the north line of a parcel conveyed to Urban Restorations, LLC in Instrument Number 200206260157385, South 87 degrees 30 minutes 00 seconds West, 163.35 feet to a found 1" O.D. hollow iron pipe at the northwest corner of said Urban Restorations parcel, in the west line of said Lot 19 and in the east line of Oakwood Avenue, 50 feet wide;

Thence, along the west line of said Lot 19 and the east line of Oakwood Avenue, North 00 degrees 20 minutes 00 seconds West 302.75 feet to a set Mag nail at the northwest corner of said Lot 19 and the intersection of the east line of Oakwood Avenue with the south line of East Main Street;

Thence, along the north lines of said Lots 19 and 5 and part of the north line of said Lot 4, also along the south line of East Main Street, North 87 degrees 36 minutes 00 seconds East, 233.24 feet to the True Point of Beginning, **containing 1.607 Acres**, subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices. Being part of Auditor's Parcel Number 010-014373.

Iron pipe set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings is the south line of East Main Street assumed to be North 87 degrees 36 minutes 00 seconds East. This description is based on a field survey by Myers Surveying Company, Inc. in November, 2007.

To Rezone From: C-4, Commercial District and R-3, Residential District

To: AR-2, Apartment Residential District

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