



Legislation Text

File #: 2197-2015, **Version:** 1

Rezoning Application Z15-031

APPLICANT: Michele Reynolds, c/o Nick Cavalaris, Attorney; 65 East State Street, Suite 1800; Columbus, Ohio 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on August 13, 2015.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed L-ARLD, Limited Apartment Residential District, will allow development of a 25-unit apartment building. The site is within the boundaries of the *North Central Plan* (2002), which recommends single-unit residential uses. However, Staff supports the proposed development given the site plan and limitation text commitments, the proposed density, and the existing underlying L-M, Limited Manufacturing zoning district. The limitation text commits to a site plan, maximum number of units, landscaping and screening, building design, and lighting controls. The proposed L-ARLD, Limited Apartment Residential District, while inconsistent with the land use recommendation of the *North Central Plan*, is appropriate and consistent with the zoning and development pattern in the area.

To rezone **1560 OLD LEONARD AVENUE (43219)**, being 1.52± acres located on the north side of Old Leonard Avenue, 318± feet west of Taylor Avenue, **From:** L-M, Limited Manufacturing District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning # Z15-031).

WHEREAS, application #Z15-031 is on file with the Department of Building and Zoning Services requesting rezoning of 1.52± 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 North Central Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because multi-unit residential development is appropriate at this location given the commitment to a site plan, limitation text, proposed density, proposed screening and landscaping, and the existing underlying L-M, Limited Manufacturing zoning district. While the request is inconsistent with the land use recommendation of the *North Central Plan*, it is appropriate and consistent with the zoning and development pattern 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:

1560 OLD LEONARD AVENUE (43219), being 1.52± acres located on the north side of Old Leonard Avenue, 318± feet west of Taylor Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and Township 5 North, Range 22 West, Half Section 3, Refugee Lands, and being 1.522 acre parcel consisting of Lot Numbers 1, 2, 3, 4, 5, 6, 42, 43, 44 and 45 and a portion of Lot Number 41 and portions of one (1) unnamed 15' wide alley and a 50' wide Anderson Avenue, all as indicated on the plat of "Anderson & Eberly Amended Subdivision" and of record in Plat Book 7, Page 134, and said Lot Numbers being a portion of the property conveyed to Our Masonry Company, Inc., as Parcel I in Instrument Number 199905030109830, and said portions of alley and street being as vacated in City of Columbus City Council Ordinance Number 1856-99 and being the 0.056 acre 15' wide unnamed alley Parcel B, and a portion of the 0.524 acre 50' wide Anderson Avenue parcel as conveyed to Our Masonry Company, Inc. in Instrument number 199911090281211, with all record references herein cited being to the records of the Franklin County Recorder's Office, Columbus, Ohio and said 1.522 acre parcel more particularly bounded and described as follows:

Beginning for reference at an iron pin set at the northwesterly corner of the 0.092 acre 10' wide unnamed alley parcel vacated in said City of Columbus City Council Ordinance Number 1856-99 and conveyed to Our Masonry Company, Inc. in Instrument Number 199911090281211, and said iron pin set being on the southerly right-of-way line of an unnamed 10' wide alley (per Plat Book 7, Page 134) located at the westerly terminus of Gibbard Avenue (formerly Anderson Avenue per Plat Book 7, Page 134);

Thence S 03° 09' 19" W, leaving said southerly right-of-way line of the unnamed 10' wide alley and along the easterly line of an unnamed alley being westerly of, and adjacent to said unnamed 10' wide alley, the westerly line of said 0.092 acre parcel, the easterly line of the property conveyed to William V. Bailey in Deed. Volume 2075, Page 539 and the easterly line of the property conveyed to Jason Wilson in Instrument Number 200410060233538, a distance of 113.28 feet to an iron pin set at the southeasterly corner of said Wilson property and at the northeasterly corner of the 0.041 acre 10' wide unnamed alley parcel vacated in said City of Columbus City Council Ordinance Number 1856-99 and conveyed to Our Masonry Company, Inc in Instrument Number 199911090281211;

Thence N 86° 59' 27" W, along the northerly line of said 0.041 acre alley parcel and the southerly line of said Jason Wilson property, a distance of 10.00 feet to an iron pin set at the northwesterly corner of said 0.041 acre alley parcel and the northeasterly corner of Lot Number 1 of the Flavious J. Kistler's Subdivision, and of record in Plat Book 5, Page 461; Thence S 03° 09' 19" W, along the westerly line of said 0.041 acre alley parcel and the easterly line of said Lot Number 1, and along the easterly lines of Lot Numbers 2, 3 and a portion of 4 of said Flavious J. Kistler's Subdivision, a distance of 92.99 feet to an iron pin set at the true point of beginning of the parcel herein described;

Thence S 86° 07' 14" E, leaving said westerly line of the 0.041 acre alley parcel and said easterly line of Lot Number 4, and crossing said 0.041 acre alley parcel, said 0.092 acre alley parcel, said Lot Number 41 and said 0.524 acre Anderson Avenue parcel, a distance of 196.70 feet to an iron pin set on an easterly line of said 0.524 acre Anderson Avenue parcel and the westerly line of Lot Number 33 of said Anderson & Eberly Amended Subdivision;

Thence S 03° 09' 19" W, along said easterly line of the 0.524 acre Anderson Avenue parcel and said westerly line of Lot Number 33, and along the westerly line of Lot Number 34 of said Anderson & Eberly Amended Subdivision, a distance of 84.93 feet to an iron pin set at the southwest corner of said Lot Number 34 and the northwesterly corner of the 0.041 acre 15' wide unnamed alley Parcel A vacated in said City of Columbus City Council Ordinance Number 1856-99 and conveyed to Our Masonry Company, Inc. in Instrument Number 199911090281211;

Thence S 14° 29' 47" E, along an easterly line of said 0.524 acre Anderson Avenue parcel and the westerly line of said 0.014 acre alley parcel, a distance of 15.69 feet to an iron pin set at the northwesterly corner of Lot Number 7 of said Anderson & Eberly Amended Subdivision;

Thence N 58° 30' 00" E, leaving said easterly line of the 0.524 acre Anderson Avenue parcel, and along the southerly line of said 0.014 acre alley parcel and the northerly line of said Lot Number 7, a distance of 11.71 feet to an iron pin set

at the northwesterly corner of the 0.048 acre 15' wide unnamed alley conveyed to the City of Columbus Ohio in Instrument Number 199911120283467;

Thence S 02° 26' 45" W, leaving said southerly line of the 0.014 acre alley parcel and said northerly line of Lot Number 7, and along the westerly line of said 0.048 acre alley parcel, and crossing a portion of said Lot Number 7 and a portion of said 0.524 acre Anderson Avenue parcel, a distance of 57.50 feet to an iron pin set;

Thence S 31° 30' 00" E, along a westerly line of said 0.048 acre alley parcel and crossing a portion of said 0.524 acre Anderson Avenue parcel, a distance of 82.30 feet to an iron pin set at the southwesterly corner of said 0.048 acre alley parcel, and said iron pin set being on the southerly line of said 0.524 acre Anderson Avenue parcel and the northerly right-of-way line of Old Leonard Avenue (60' wide);

Thence S 58° 30' 00" W, along said southerly line of the 0.524 acre Anderson Avenue parcel and the southerly lines of said Lot Numbers 6, 5, 4, 3, 2 and 1, and along said northerly right-of-way line of Old Leonard Avenue, a distance of 302.20 feet to an iron pin set at the southwesterly corner of said Lot Number 1 and the southeasterly corner of the property conveyed to Mae J. Welch in Official Records Volume 30234, Page D05;

Thence N 03° 09' 19" E, leaving said northerly right-of-way line of Old Leonard Avenue, and along the westerly line of said Lot Number 1, the easterly line of said Mae J. Welch property and a westerly line of said 0.092 acre alley parcel, a distance of 171.72 feet to an iron pin set on the southerly line of the property conveyed to Mae V. Welch in Instrument Number 200309300312735;

Thence along eight (8) westerly lines of said 0.092 acre alley parcel and the adjoining property of said Mae V. Welch, the property conveyed to Quality Farms in Official Record Volume 27082, Page E16, the property conveyed to Vernia Jackson in Official Record Volume 28366, Page E09 and Lot Number 7 of said Flavious J. Kistler's Subdivision by the following courses and distances:

- 1) S 86° 59' 27" E, a distance of 5.00 feet to an iron pin set;
- 2) N 03° 09' 19" E, a distance of 35.00 feet to an iron pin set;
- 3) N 86° 59' 27" W, a distance of 5.00 feet to an iron pin set;
- 4) N 03° 09' 19" E, a distance of 35.00 feet to an iron pin set;
- 5) S 86° 59' 27" E, a distance of 5.00 feet to an iron pin set;
- 6) N 03° 09' 19" E, a distance of 35.00 feet to an iron pin set;
- 7) N 86° 59' 27" W, a distance of 5.00 feet to an iron pin set;
- 8) N 03° 09' 19" E, a distance of 30.00 feet to an iron pin set at the southeasterly corner of said 0.041 acre parcel;

Thence N 86° 59' 27" W, leaving said westerly line of the 0.092 acre alley parcel and along the southerly line of said 0.041 acre parcel, a distance of 10.00 feet to an iron pin set at the southwesterly corner of said 0.041 acre parcel and the southeasterly corner of Lot Number 6 of said Flavious J. Kistler's Subdivision;

Thence N 03° 09' 19" E, along the westerly line of said 0.041 acre parcel and the easterly lines of Lot Numbers 6 and 5 of said Flavious J. Kistler's Subdivision, and along a portion of said easterly line of Lot Number 4, a distance of 86.06 feet to the true point of beginning of the parcel herein described, containing 1.522 acres, more or less, and subject to all legal easements, restrictions, and rights-of-way of previous record.

The basis of bearings for this description is the southerly right-of-way line of Gibbard Avenue (45' wide - 50' wide) and the northerly line of the vacation of Anderson Avenue (50' wide), being S 86° 36' 25" E, as indicated in the description of the 0.524 acre Anderson Avenue parcel conveyed to Our Masonry Company, Inc. in Instrument Number 199911090281211, Franklin County Recorder's Office, Columbus, Ohio.

The iron pins set are thirty (30) inches in length, three-quarter (³/₄) inch diameter, hollow iron pipes with a plastic yellow cap stamped "P & L Syst.).

This description was prepared by P & L Systems, Inc. in February of 2005 from public record information and actual field surveys of the premises conducted in 1999 and January 2005.

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 changes 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 plan titled, "**SITE PLAN,**" and said text titled, "**LIMITATION OVERLAY TEXT,**" both dated August 13, 2015, and signed by Nicholas Cavalaris, Attorney for the Applicant, and the text reading as follows:

Limitation Overlay Text

Proposed District: L-ARLD, Limited Apartment Residential District

Property Address: 1560 Old Leonard Avenue (43219)

Owners: Old Leonard Holdings, LLC

Applicant: Michele Reynolds and Nicholas Cavalaris, Attorney

Date of Text: August 13, 2015

Application No: Z15-031

1. Introduction: This vacant site is located north of I-670 approximately one block east of Joyce Avenue within the jurisdiction of the North Central Area Commission. The site is currently zoned Limited Manufacturing - LM. The applicant is seeking rezoning of the property to the L-ARLD zoning district to develop 25 residential units. The buildings shall be three stories and constructed with steel shipping containers and other conventional building materials. Parking for vehicles and bicycles shall be provided as shown on the site plan. The northern portion of the site shall remain green space as depicted on the site plan and may include gardens and recreational space for the residents.

2. Permitted Uses: Those uses permitted in Section 3333.02 ARLD of the Columbus City Code.

3. Development Standards: Unless otherwise indicated, the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

A. Density, Lot and/or Setback Commitments.

1. The maximum number of dwelling units shall be 25.
2. There shall be a minimum number of parking spaces of 47.

B. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. The developer shall install a mixture of eight (8) shade, ornamental and/or evergreen trees as depicted on the site plan.
2. The developer shall provide green space as depicted on the site plan.

C. Building Design and Exterior Treatment Commitments.

Buildings shall be finished on the exteriors with a mixture or single application of steel, glass, brick, stone veneer, wood, cement wood siding, and/or beaded vinyl siding.

D. Graphics and/or Signage Commitments.

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

E. Lighting and Other Environmental Commitments.

1. External lighting, with the exception of entry lighting required by the Building Code, shall be cut-off type fixtures (down lighting) and shall not be higher than eighteen feet (18') provided, however, that the rental office, display/signage areas, and landscaping may be up-lighted from a ground source.

2. All external outdoor lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility.

F. Miscellaneous Commitments.

1. The site shall be developed in general conformance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of development and when engineering plans are complete. Any slight adjustment to the Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or a designee, upon submission of the appropriate data regarding the proposed adjustment.

2. The Parkland Dedication shall be in compliance with the requirements of the City of Columbus Recreation and Parks Department.

3. The proposal shall require that (i) all new sidewalks installed within the site be connected in a network and a minimum of five feet in width, and (ii) that pedestrian signage or other safe pedestrian means (such as texture pavement, striping) be installed at the entrance of the development as approved by the Department of Public Service.

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