



# City of Columbus

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

## Legislation Text

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**File #: 0224-2013, Version: 2**

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### **Rezoning Application Z12-023**

**APPLICANT:** Weinland Senior LLC; c/o Dave Perry, David Perry Company; 145 East Rich Street; 3<sup>rd</sup> Floor; Columbus, Ohio 43215.

**PROPOSED USE:** Housing for the elderly.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on December 13, 2012.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This proposal would permit a 4-story elderly housing facility with 70 dwelling units. The proposed rezoning is consistent with the zoning pattern in the area and with the *Weinland Park Plan* (2006). Staff finds the requested variances to setbacks and parking spaces to be negligible.

To rezone **1372 NORTH GRANT AVENUE (43201)**, being 1.87± acres located on the north side of East Fifth Avenue, 160± feet east of North Grant Avenue, From: M, Manufacturing District, To: CPD, Commercial Planned Development District. (Rezoning # Z12-023).

**WHEREAS**, application #Z12-023 is on file with the Department of Building and Zoning Services requesting rezoning of 1.87± acres from M, Manufacturing District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the University Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval because Staff finds the proposed rezoning to be consistent with the zoning pattern in the area and with the *Weinland Park Plan* (2006) and the requested variances to be negligible, and

### **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:

**1372 NORTH GRANT AVENUE (43201)**, being 1.87± acres located on the north side of East Fifth Avenue, 160± feet east of North Grant Avenue, and being more particularly described as follows:

### **ZONING EXHIBIT**

**1.87 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 4, Township 1, Range 18, United States Military Lands, being part of that 12.128 acre tract as conveyed to Weinland Park Development, LLC by deed of record in Instrument Number 200810080150639 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, at a southeasterly corner of that 1.210 acre tract conveyed to City of Columbus Ohio as Parcel 1WD, of record in Instrument Number 201006180075900, being on the northerly right-of-way line of Fifth Avenue;

thence, with the arc of a curve to the right having a central angle of 88°30'13", a radius of 10.00 feet, an arc length of 15.45 and a chord bearing and distance of North 42°23'08" West, 13.96 feet to a point;

thence North 01°51'58" East, a distance of 333.98 feet to a point;

thence South 86°38'15" East, a distance of 224.20 feet to a point;

thence South 02°49'07" East, a distance of 345.64 feet to a point on the northerly right-of-way line of Fifth Avenue;

thence with the northerly right-of-way line of Fifth Avenue, the following courses and distance:

North 86°38'15" West, a distance of 127.62 feet to a point;

North 00°21'41" West, a distance of 8.02 feet to a point;

North 86°38'15" West, a distance of 27.06 feet to a point;

South 00°21'41" East, a distance of 8.02 feet to a point;

North 86°38'15" West, a distance of 88.03 feet to the POINT OF BEGINNING and containing 1.87 acres of land, more or less.

This description is for the use of zoning purposes only and is not to be used for transfer.

**To Rezone From:** M, Manufacturing District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the CPD, Commercial Planned Development 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 change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**WEINLAND SENIOR**," and text titled, "**CPD, COMMERCIAL PLANNED DEVELOPMENT**" dated January 10, 2013, both signed by Donald Plank, Attorney for the Applicant, and the text reading as follows:

**CPD, Commercial Planned Development**

1372 North Grant Avenue  
Columbus, OH 43201

PROPOSED DISTRICT: CPD, Commercial Planned Development

EXISTING DISTRICT: M, Manufacturing

ACRES: 1.87 +/- acres

PROPERTY ADDRESS: 1372 North Grant Avenue, Columbus, OH, 43201

OWNER(S): Weinland Park Development LLC c/o Dave

Perry, David Perry Co., Inc., 145 East Rich

Street, 3<sup>rd</sup> Flr., Columbus, OH 43215 and Donald

Plank, Plank Law Firm, 145 East Rich Street, 3<sup>rd</sup>

Flr., Columbus, OH 43215

APPLICANT: Weinland Senior LLC c/o Dave Perry Co., Inc.,

145 East Rich Street, 3<sup>rd</sup> Flr., Columbus, OH

43215 and Donald Plank, Plank Law Firm, 145

East Rich Street, 3<sup>rd</sup> Flr., Columbus, OH 43215

DATE OF TEXT: January 10, 2013

APPLICATION NUMBER: Z12-023

INTRODUCTION: The site is zoned M, Manufacturing and is part of the Columbus Coated Fabrics/Weinland Park redevelopment. The site is 1.87 +/- acres located at the northeast corner of Grant Avenue (relocated) and East Fifth Avenue. Redevelopment of the Columbus Coated Fabrics property and other property in the area includes new single family dwellings, apartments and Housing for the Elderly. This application is submitted for the Housing for the Elderly component of the redevelopment and consists of a four (4) story building with 70 dwelling units. The drawing titled "Weinland Senior", dated January 10, 2013 and referenced in Section I, Miscellaneous Commitments, shall be the site development plan for the site.

PERMITTED USES: Permitted uses shall be Housing for the Elderly and related accessory uses, as permitted in 3361.02, Permitted Uses, of the Columbus City Code.

DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

Density, Height, Lot and/or Setback Commitments.

1. The maximum number of housing for the elderly units shall be seventy (70).
2. The minimum building setback from East Fifth Avenue and North Grant Avenue shall be four (4) feet and ten (10) feet, respectively. An open, unenclosed porch shall be permitted in the building setback.
3. Height District shall be H-60.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

1. Vehicular access to the site shall be from a private drive at the east terminus of Grant Avenue (relocated), as depicted on the Site Plan. There shall be no direct vehicular access to East Fifth Avenue.

2. East Fifth Avenue right of way totaling 0.04 +/- acres, as depicted on the site plan ("Weinland Senior") by hatching, shall be dedicated in conjunction with the Site Compliance Plan review process. The 0.04 +/- acre East Fifth Avenue right of way dedication shall satisfy all requirements to dedicate right of way in accordance with the Columbus Thoroughfare Plan for the site in conjunction with this rezoning application.

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

1. Street trees shall be provided along East Fifth Avenue either in the right of way or on-site at the rate of one (1) tree for every forty (40) lineal feet of street frontage. Trees may be grouped. Street trees presently exist along North Grant Avenue due to the recent relocation/construction of North Grant Avenue.

2. If air conditioning compressors are located on the East Fifth Avenue and/or North Grant Avenue sides of the building, the compressors shall be located in the recessed areas of the building and shall be screened with landscaping or other materials to the height of the compressors.

#### D. Building Interior-Exterior Commitments.

The building will be four (4) stories with a majority of hip/gable roof(s) utilizing architectural shingles and minor flat roof (s) utilizing rubber membrane. The primary exterior building materials shall be horizontal and/or vertical vinyl siding with accented vinyl trim, PVC trim details, and brick/block veneer used at the base of the building and accent areas.

#### E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

Refuse service shall be provided by private hauler. On-site refuse storage pending collection will be stored inside the building in the building services area.

#### F. Graphics and/or Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, as it applies to the C-4 Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration. Any ground sign shall be monument style.

#### G. Other CPD Requirements.

1. Natural Environment: The natural environment of the site is flat. Former improvements on the site have been removed for site redevelopment.

2. Existing Land Use: The site is undeveloped.

3. Circulation: Full access to and from the site will be via a single access point at the east terminus of Grant Avenue (relocated). There shall be no direct vehicular access to East Fifth Avenue.

4. Visual Form of the Environment: Commercial/Industrial development exists to the east, west and south of the site. Acreage to the north is part of the Columbus Coated Fabrics/Weinland Park redevelopment of residential uses.

5. Visibility: The site is located on East Fifth Avenue and North Grant Avenue and is visible from both streets.

6. Proposed Development: Rezoning to CPD to permit a 70 unit housing for the elderly development and accessory parking.

7. Behavior Patterns: Vehicular access will be by a single access point at the east terminus of Grant Avenue (relocated). There shall be no direct vehicular access to East Fifth Avenue.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

#### H. Modification of Code Standards.

1. Section 3356.11, C-4 District Setback Lines, which Section requires a building setback of sixty (60) feet and twenty-five (25) feet on East Fifth Avenue and North Grant Avenue, respectively, while applicant proposes building setbacks of four (4) feet and ten (10) feet on East Fifth Avenue (irregular right of way/property line) and North Grant Avenue, respectively.

2. Section 3312.49, Minimum Numbers of Parking Spaces Required, which Section requires 105 parking spaces for 70 dwelling units at 1.5 spaces per dwelling unit, while applicant proposes 70 parking spaces at the rate of 1.0 per dwelling unit.

I. Miscellaneous Commitments.

1. Development of the site shall be in accordance with the site plan titled "Weinland Senior", dated January 10, 2013 and signed January 10, 2013 by David B. Perry, Agent, and Donald Plank, Attorney. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Applicant shall pay a Parkland Dedication Ordinance (PDO) fee of \$9,000.00 in conjunction with the Site Compliance Plan approval process.

**3. Pedestrian signage or other safe pedestrian means (such as texturized pavement and/or pavement striping) shall be installed at the building entrance adjacent to the parking lot, to help motorists see seniors walking to and from their housing.**

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