



## Legislation Details (With Text)

**File #:** 2443-2016      **Version:** 1

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

**File created:** 9/21/2016      **In control:** Zoning Committee

**On agenda:** 10/24/2016      **Final action:** 10/26/2016

**Title:** To rezone 4660 KENNY ROAD (43235), being 1.9± acres located on the east side of Kenny Road, 377± north of Godown Road, From: M-1, Manufacturing and CPD, Commercial Planned Development Districts, To: L-AR-1, Limited Apartment Residential District (Rezoning # Z16-021).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2443-2016Attachments, 2. ORD2443-2016Labels

Date	Ver.	Action By	Action	Result
10/26/2016	1	CITY CLERK	Attest	
10/26/2016	1	MAYOR	Signed	
10/24/2016	1	COUNCIL PRESIDENT	Signed	
10/24/2016	1	Zoning Committee	Taken from the Table	Pass
10/24/2016	1	Zoning Committee	Approved	Pass
10/17/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
10/17/2016	1	Zoning Committee	Tabled to Certain Date	Pass

### Rezoning Application Z16-021

**APPLICANT:** Preferred Real Estate Investments II, LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on July 14, 2016.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a 1.9± acre parcel currently developed with an office-industrial building zoned in the M-1, Manufacturing and CPD, Commercial Planned Development districts. The applicant is requesting to rezone the parcel to the L-AR-1, Limited Apartment Residential District to allow a 60-unit apartment development with a gross density of 31.58 dwelling units per acre. Staff is supportive of the request given the existing mix of residential, commercial, and industrial uses adjacent to the site, the compatibility with the multi-unit residential development to the immediate north, and the applicant's commitments in the limitation text and site plan. The Applicant has filed for a concurrent Council variance (Ordinance No. 2444-2016; CV16-024) to development standards, including height, basis of computing area, building lines, side yard, rear yard, parking spaces required, and maneuvering.

To rezone **4660 KENNY ROAD (43235)**, being 1.9± acres located on the east side of Kenny Road, 377± north of

Godown Road, From: M-1, Manufacturing and CPD, Commercial Planned Development Districts, To: L-AR-1, Limited Apartment Residential District (Rezoning # Z16-021).

**WHEREAS**, application No. Z16-021 is on file with the Department of Building and Zoning Services requesting rezoning of 1.9± acres from M-1, Manufacturing and CPD, Commercial Planned Development Districts, to the L-AR-1, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because of the existing mix of residential, commercial, and industrial uses adjacent to the site, the compatibility with the multi-unit residential development to the immediate north, and the applicant's commitments in the limitation text and site plan.; 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:

**4660 KENNY ROAD (43235)**, being 1.9± acres located on the east side of Kenny Road, 377± north of Godown Road, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and in the City of Columbus:

Being a part of Section 1, Township 1, Range 19, United States Military Lands and being that certain Tract conveyed to the CAA Corporation by deed recorded in Deed Book 2978, Page 388, Records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the centerline of Kenny Road, 60 ft. in width, at the northwest corner of said CAA Corporation's tract and the southwest corner of 2.953 acre tract conveyed to Keneco, Inc., by Deed of Record in Deed Book 2508, Page 423, records of said Recorder's Office: thence N. 88° 11' E., passing an iron pin at 31.42 ft., a distance of 715.85 ft. to an iron pin in the westerly line of the Chesapeake and Ohio Railroad Right-of-Way; thence S. 14° 23' E., with said Railroad, a distance of 156.33 ft. to an iron pin; thence S. 88° 11' W. passing an iron pin at 766.39 ft. a distance of 797.81 ft. to a point in the centerline of Kenny Road; thence N. 15° 30' E., with the centerline of said Road, a distance of 159.74 ft. to the point of beginning, containing 2.650 acres, more or less, except the following:

Being in Quarter Township 1, Township 1-North, Range 19-West, United States Military Lands, being a 0.655 acre tract of land all out of that 2.650 acre tract of land described in a deed to Frank J. Cipriano, Trustee, of record in Deed Book 3622, Page 614, Recorder's Office, Franklin County, Ohio, said 0.655 acre tract being more particularly described as follows:

Beginning at a point in the centerline of Kenny Road (60.00 feet in width) at the southwesterly corner of said 2.650 acre tract, said point also being the northwesterly corner of a 3 acre tract of land described in a deed to Victoria S. Haddad of record in Deed Book 3446, Page 763, Recorder's Office, Franklin County, Ohio;

Thence North 15° 30' 00" East, along the centerline of said Kenny Road, a distance of 107.46 feet to a point;

Thence North 88° 11' 00" East, parallel to and 50.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 57.61 feet to a point;

Thence North 15° 30' 00" East, parallel to and 55.00 feet easterly from (as measured at right angles) the centerline of said Kenny Road, a distance of 15.71 feet to a point;

Thence North 88° 11' 00" East, parallel to and 35.00 feet southerly from (as measured at right angles) the northerly line

of said 2.650 acre tract, a distance of 174.23 feet to a point;

Thence South 1° 49' 00" East, a distance of 117.58 feet to a point in the southerly line of said 2.650 acre tract;

Thence South 88° 11' 00" West, along the southerly line of said 2.650 acre tract, the same being the northerly line of said 3 acre tract, a distance of 268.50 feet to the place of beginning (passing an iron pin found on the easterly right-of-way line of Kenny Road at a distance of 237.08 feet) and containing 0.655 acres of land.

The above described Tract #1 contains 1.995 acres and is subject to the following...described non-exclusive ingress, egress and utility easement for the purpose of providing vehicular access, drainage outlets, and any utility services necessary to allow use of the aforementioned 0.655 acre tract, grantee acknowledges that in no way will the use of this easement impair the access to the residential property of grantor.

Beginning at a point in the centerline of Kenny Road (60.00 feet in width) at the northwesterly corner of said 2.650 acre tract;

Thence North 88° 11' 00" East, along the northerly line of said 2.650 acre tract a distance of 220.93 feet to a point;

Thence South 1° 49' 00" East, a distance of 35.00 feet to a point;

Thence South 88° 11' 00" West, parallel to and 35.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 174.23 feet to a point;

Thence South 15° 30' 00" West, parallel to and 55.00 feet easterly from (as measured by right angles) the centerline of said Kenney Road, a distance of 15.71 feet to a point;

Thence South 88° 11' 00" West, parallel to and 50.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 57.61 feet to a point in the centerline of said Kenny Road;

Thence North 15° 30' 00" East, along said centerline, a distance of 52.37 feet to the place of beginning and containing 8,787 square feet of land more or less.

Parcel Number: 010-129794-00

Known as: 4660 Kenny Road, Columbus, Ohio 43220

**To Rezone From:** M-1, Manufacturing and CPD, Commercial Planned Development Districts.

**To:** L-AR-1, Limited Apartment Residential District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-AR-1, 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 change on the said original zoning map and shall register a copy of the approved L-AR-1, 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 being titled, "**DEVELOPMENT PLAN,**" and text titled, "**LIMITATION OVERLAY TEXT,**" signed by Jill Tangeman, Attorney for the Applicant, dated August 26, 2016, and the text reading as follows:

**Limitation Overlay Text**

Proposed District: L-AR-1

Property Address: 4660 Kenny Road

Owners: Kenny Road 4660 LLC

Applicant: Preferred Real Estate Investments II LLC

Date of Text: August 26, 2016

Application No: Z16-021

1. Introduction: The subject site is 1.9 +/- acres located on Kenny Road south of Bethel Road. To the south is existing industrial land; to the east are railroad tracks; and to the west across Kenny Road is property zoned R2F. To the north is an apartment community developed by the applicant in 2015 known as Kendall Park. The site is currently zoned M1. The applicant is seeking to rezone the site to L-AR-1 to allow for the construction of a multi-family apartment project. The site is ideal for this type of zoning because the multi-family project will help buffer the existing residential developments in the area from nearby manufacturing uses. The multi-family project will have little impact on existing roadways, and support services, leisure activities and working environments are nearby.

2. Permitted Uses: Multi-family uses as permitted in the AR-1 district.

3. Development Standards:

*A. Density, Lot, and/or Setback Commitments.*

1. The parking and building setback shall be zero (0) feet to the north, five (5) feet to the east and ten (10) feet to the south. Council Variance Application CV16-024 has been filed along with the rezoning application for the reduced perimeter yard setback on the north, east and south.

2. Maximum building height shall be 35'.

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

1. All curb cuts and access points shall be subject to the review and approval of the Public Service Department for the City of Columbus.

2. Required bicycle parking shall be distributed throughout the site to provide convenient access to each proposed building and shall be as close as possible to each primary building entrance.

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

1. A six foot wood fence along with 2" caliper ornamental trees will be installed along the south property line.

2. A six foot wood fence along with 2.5" caliper ornamental trees and 6' evergreen trees will be installed along the east property line.

*D. Building Design and/or Interior-Exterior Commitments.*

1. Maximum height of light poles shall be eighteen feet.

2. All external lighting (parking and wall-mounted) shall be cut-off fixtures (down lighting) and shall be designed to prevent offsite spillage.

3. Lights shall be of the same or similar type and color.

4. Buildings will be constructed with an exterior mixture of (i) brick and/or stone veneer, and (ii) cementitious wood and/or vinyl siding.

*E. Graphics and/or Signage Commitments.*

1. All graphics and signage shall comply with Article 15, Chapter 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

*F. Miscellaneous*

1. The developer shall comply with the park land dedication ordinance by contributing money to the City's Recreation and Parks Department.

2. The site will be developed in substantial accordance with the site plan attached hereto as Exhibit A. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the plan will be reviewed and may be approved by the Director of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment

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