



Legislation Details (With Text)

File #: 2029-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/9/2018 **In control:** Zoning Committee

On agenda: 7/30/2018 **Final action:** 8/3/2018

Title: To rezone 1774 EAST MAIN STREET (43205), being 2.17± acres located at the northeast corner of East Main Street and Fairwood Avenue, From: C-4, Commercial District and L-P-1, Limited Parking District, To: AR-1, Apartment Residential District. (Rezoning # Z18-027).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2029-2018.Attachments, 2. ORD2029-2018.Labels.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 8/3/2018 | 1 | ACTING CITY CLERK | Attest | |
| 8/2/2018 | 1 | MAYOR | Signed | |
| 7/30/2018 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/30/2018 | 1 | Zoning Committee | Approved | Pass |
| 7/23/2018 | 1 | Columbus City Council | Read for the First Time | |

Rezoning Application: Z18-027

APPLICANT: The WODA Group, Inc., c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Senior housing with commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June 14, 2018.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single parcel being developed with a senior housing and commercial development in the C-4, Commercial and L-P-1, Limited Parking districts, previously permitted by a Council variance (Ordinance #0277-2016; CV15-055). The applicant proposes the AR-1, Apartment Residential District to conform the three story senior housing apartment building with attached commercial space on the site as conditioned by CV15-055. A concurrent Council variance (Ordinance #2030-2018; CV18-021) has been requested for variances to permitted uses, height district, landscaping and screening, minimum number of parking spaces from 95 to 82, vision clearance, building lines, and setbacks. The site is subject to the East Main Street Urban Commercial Overlay and is within the planning area of the *Near East Area Plan* (2005), which recommends "Higher Density Residential / Mixed Use Development" at this location. Staff finds the request to be consistent with the Plan's land use recommendations and will contribute to the traditional and established development pattern along East Main Street.

To rezone **1774 EAST MAIN STREET (43205)**, being 2.17± acres located at the northeast corner of East Main Street and Fairwood Avenue, **From:** C-4, Commercial District and L-P-1, Limited Parking District, **To:** AR-1, Apartment Residential District. (Rezoning # Z18-027).

WHEREAS, application # Z18-027 is on file with the Department of Building and Zoning Services requesting rezoning of 2.17± acres from C-4, Commercial District and L-P-1, Limited Parking District, to the AR-1, 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 of said zoning change because the requested AR-1, Apartment Residential District will allow development that is consistent with the *Near East Area Plan*'s land use recommendations and will contribute to the traditional and established development pattern along East Main Street; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1774 EAST MAIN STREET (43205), being 2.17± acres located at the northeast corner of East Main Street and Fairwood Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Half Section 21, Section 14, Township 5, Range 22, Refugee Lands, being a part of Lot 1, all of Lots 2 through 5, and a part of Lot 6 of Martin & Stage's Subdivision, as recorded in Plat Book 2, Page 98 and in Plat Book 2, Page 128, said Lots described in deeds to Fairwood Commons Limited Partnership, of record in Instrument Number 201609300133611, Instrument Number 201609300133612, and Instrument Number 201609300133613, all record records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being more particularly bounded and described as follows:

BEGINNING at an iron pin set at the intersection of the existing north right-of-way line for East Main Street (80 feet wide) and the existing east right-of-way line for Fairwood Avenue (60 feet wide), both as shown on said Martin & Stages Subdivision Plats, and being the southwest corner of said Lot 1;

Thence North 03 degrees 51 minutes 09 seconds East, along the existing east right-of-way line for said Fairwood Avenue and along the west line of said Lot 1, a distance of 114.37 feet to an iron pin set at the southwest corner of that parcel of land described in a deed to Sanbeiro, LLC, of record in Instrument Number 201602110017315;

Thence South 88 degrees 13 minutes 05 seconds East, along the south line of said Sanbeiro parcel, across said Lot 1, a distance of 47.20 feet to an iron pin set at the southeast corner of said Sanbeiro parcel;

Thence North 03 degrees 51 minutes 09 seconds East, along the east line of said Sanbeiro parcel, continuing across said Lot 1, a distance of 70.00 feet to an iron pin set on the existing south right-of-way line for East Cherry Street (30 feet wide), as shown in said Plat Book 2, Page 128, being the northeast corner of said Sanbeiro parcel;

Thence South 88 degrees 13 minutes 05 seconds East, along the existing south right-of-way line for said East Cherry Street and along the north lines of said Lots 1 through 6, a distance of 484.80 feet to an iron pin set at the northwest corner of that parcel of land described in a deed to Samuel Edward Cabbell, of record in Official Record 5683 A09;

Thence South 03 degrees 51 minutes 09 seconds West, along the west line of said Cabbell parcel, across said Lot 6, a distance of 184.37 feet to an iron pin set on the existing north right-of-way line for said East Main Street, being on the

south line of said Lot 6, and being at the southwest corner of said Cabbell parcel (reference a 5/8 inch iron pin found North 88 degrees 13 minutes 05 seconds West at a distance of 3.47 feet);

Thence North 88 degrees 13 minutes 05 seconds West, along the existing north right-of-way line for said East Main Street and along the south lines of said Lots 1 through 6, a distance of 532.00 feet to the POINT OF BEGINNING for this description.

Thence above description contains a total area of 2.174 acres, being all of Franklin County Auditor's parcel number 010-016635.

To Rezone From: C-4, Commercial District and L-P-1, Limited Parking District

To: AR-1, Apartment Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the AR-1, 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.