



## Legislation Details (With Text)

**File #:** 0597-2019      **Version:** 1

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

**File created:** 2/20/2019      **In control:** Zoning Committee

**On agenda:** 3/18/2019      **Final action:**

**Title:** To rezone 818 EAST LONG STREET (43205), being 2.27± acres located at the northeast corner of East Long Street and Garfield Avenue, From: R-2F, Residential and AR-O, Apartment Office districts, To: CPD, Commercial Planned Development District (Rezoning #Z18-052).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0597-2019.Attachments.pdf, 2. ORD0597-2019.Labels.pdf

Date	Ver.	Action By	Action	Result
3/20/2019	1	CITY CLERK	Attest	
3/19/2019	1	MAYOR	Signed	
3/18/2019	1	COUNCIL PRESIDENT	Signed	
3/18/2019	1	Zoning Committee	Approved	Pass
3/11/2019	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z18-052

**APPLICANT:** Kingsley + Co.; c/o Sean Mentel, Atty.; 100 South Fourth Street, Suite 100; Columbus, OH 43215.

**PROPOSED USE:** Mixed use development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on February 14, 2019

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This 2.27+/- acre site presently consists of eight parcels and is developed with a vacant commercial building, a two-unit dwelling, and a parking lot zoned in the R-2F, Residential and AR-O, Apartment Office districts. The requested CPD, Commercial Planned Development District would permit a mixed-use development consisting of residential, retail, and office uses. The site is located within the boundaries of the East Long Street Urban Commercial Overlay (UCO) and is within the planning area of the *Near East Area Plan* (2005), which recommends "higher density residential and mixed-use development" at this location. The development text permits C-4 district uses, C-4 and UCO development standards, and establishes supplemental standards that address setbacks, parking, and graphics. Variances to reduce the required number of parking spaces from 249 to 128 and to reduce building and parking setback lines are included in the proposal. The request is consistent with the Plan's recommendations for the development of pedestrian and transit-oriented environments and the use of Urban Commercial Overlay design standards with street-level retail, and is also compatible with the commercial developments along the Long Street corridor and the adjacent dwellings to the north and east. The applicant has filed a concurrent Council Variance (ORD #0598-2019; CV18-073) to allow first-floor residential uses on the site.

To rezone **818 EAST LONG STREET (43205)**, being 2.27± acres located at the northeast corner of East Long Street and Garfield Avenue, From: R-2F, Residential and AR-O, Apartment Office districts, To: CPD, Commercial Planned Development District (Rezoning #Z18-052).

**WHEREAS**, application #Z18-052 is on file with the Department of Building and Zoning Services requesting rezoning of 2.27 ± acres from R-2F, Residential and AR-O, Apartment Office districts, to CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District is consistent with the *Near East Area Plan*'s recommendations for the development of pedestrian and transit-oriented environments and the use of Urban Commercial Overlay design standards with street-level retail, and is also compatible with the commercial developments along the Long Street corridor and the adjacent dwellings to the north and east; 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:

**818 EAST LONG STREET (43205)**, being 2.27± acres located at the northeast corner of East Long Street and Garfield Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and City of Columbus and bounded and described as follows:

Description 1:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 13, Section 10, Township 5, Range 22, Refugee Lands, and being all Lot 1 of James Watson's Subdivision delineated in Plat Book 3, Page 5, and being all of Lots 41, 44, 45, 48, 49 and 52 of East Grove Add Amended Plat delineated in Plat Book 2, Page 172, all as described as Parcels One and Two in a deed to City of Columbus, Ohio, of record in Instrument Number 201803010028440, all of Lot 2 of said James Watson's Subdivision, as described in a deed to Columbus Holding Group, LLC, of record in Instrument Number 201503180033821, all of that private alley delineated in Plat Book 3, Page 5, and all of that described parcel in a deed to Christopher Owens, of record in Instrument Number 200507120135928, all records referenced are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the southwest corner of said Lot 2, being at the intersection of the north right-of-way line for Long Street (70 feet wide) as dedicated in Plat Book 2, Page 172 and the east right-of-way line for Talmadge Street (20 feet wide), the east 5 feet of which dedicated in Plat Book 2, Page 172 and the west 15 feet dedicated in Plat Book 1 Page 266, (reference a bent iron pin found South 16 degrees 00 minutes 57 seconds East at a distance of 0.38 feet);

Thence North 04 degrees 06 minutes 16 seconds East, along the east right-of-way line for said Talmadge Street, along the west lines of said Lots 2, 41, 44, 45, 48, 49, and 52 (passing at a distance of 77.55 feet an iron pin found with a cap inscribed "BKJ7343"), a total distance of 318.00 feet to the northwest corner of said Lot 52, being the southwest corner of said Lot 53, and being the southwest corner of a tract of land described in a deed to Alexander Development Group, LLC, of record in Instrument Number 201409180123367 to an iron pin set at the northwest corner of said Owens tract;

Thence South 85 degrees 48 minutes 17 seconds East, along the north line of said Lot 52 and south line of said Lot 53, along the south lines of said Sheidler tract and Alexander Development Group tract, a distance of 175.00 feet to a 3.5 feet tall concrete post on the west right-of-way line for Monroe Avenue (66 feet wide) as dedicated in Plat Book 2, Page 172, being at the northeast corner of said Lot 52 and the southeast corner of said Lot 53, being at the southeast corner of said Sheidler tract, (reference a  $\frac{3}{4}$  inch iron pipe found South 46 degrees 08 minutes 27 seconds West at a distance of 1.26 feet);

Thence South 04 degrees 06 minutes 16 seconds West, along the west right-of-way line for said Monroe Avenue, along the east lines of said Lots 52, 49, 48, 45, 41 and 1, a distance of 280.00 feet to an iron pin set at the intersection of the west right-of-way line for said Monroe Avenue and the north right-of-way line for said Long Street, being the southeast corner of said Lot 1;

Thence South 81 degrees 56 minutes 24 seconds West, along the north right-of-way line for said Long Street, along the south line of said Lots 1 and 2, and along the south line of said private alley, a distance of 179.02 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 1.201 acres, of which 0.894 acres is all of Franklin County Auditor's parcel number 010-001694, 0.154 acres is all of Franklin County Auditor's parcel number 010-010855, 0.068 acres is all of Franklin County Auditor's parcel number 010-043637, 0.069 acres is all of Franklin County Auditor's parcel number 010-013753, and 0.016 acres is all of the private alley depicted in Plat Book 3, Page 5 (no parcel number assigned).

#### Description 2:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 13, Section 10, Township 5, Range 22, Refugee Lands, and being all of those parts of Lot 14 of T.W. Talmadge's Addition to the City of Columbus delineated in Plat Book 1, Page 266 as described as Parcels XIII and XIV in a deed to Columbus Holding Group, LLC, of record in Instrument Number 201611030151949, and all of that part of said Lot 14 described as a tract of land in a deed to City of Columbus, of record in Instrument Number 201002040014303, all records referenced are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at an iron pin set at the southeast corner of said Lot 14, being at the southeast corner of said Parcel XIII, and being at the intersection of the north right-of-way line of a 15-foot wide alley dedicated in Plat Book 1, Page 266 and the west right-of-way line for Talmadge Street (20 feet wide), the west 15 feet of which dedicated in Plat Book 1, Page 266 and the east 5 feet dedicated in Plat Book 2, Page 172;

Thence North 85 degrees 10 minutes 26 seconds West, along the north right-of-way line of said 15-foot wide alley, along the south line of said Lot 14, and along the south line of said Parcel XIII, a distance of 75.32 feet to an iron pin set at the intersection of the north right-of-way line of said 15-foot wide alley and the east right-of-way line of a 15-foot wide alley dedicated in Plat Book 4, Page 435;

Thence North 04 degrees 06 minutes 16 seconds East, across said Lot 14, along the west right-of-way line for said 15-foot wide alley, and along the west lines of said Parcels XIII and XIV and said City of Columbus tract, a distance of 75.00 feet to an iron pin set at the northwest corner of said City of Columbus tract, being the southwest corner of a tract of land described in a deed to Harold M. Rutherford, of record in Instrument Number 200010230214271;

Thence South 85 degrees 10 minutes 26 seconds East, continuing across said Lot 14, along the north line of said City of Columbus tract, along the south line of said Rutherford tract, a distance of 75.32 feet an iron pin set at the northeast corner of said City of Columbus tract, being the southeast corner of said Rutherford tract, and being on the west right-of-way line for said Talmadge Street;

Thence South 04 degrees 06 minutes 16 seconds West, along the west right-of-way line for said Talmadge Street, along the east line of said Lot 14, and along the east lines of said City of Columbus tract and said Parcels XIV and XIII, a distance of 75.00 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 0.129 acres, of which 0.043 acres is all of Franklin County Auditor's parcel number 010-045313, 0.043 acres is all of Franklin County Auditor's parcel number 010-033096, and 0.043 acres is all of Franklin County Auditor's parcel number 010- 004754.

**Description 3:**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 13, Section 10, Township 5, Range 22, Refugee Lands, and being all of those parts of Lots 11, 12 and 13 of T.W. Talmadge's Addition to the City of Columbus delineated in Plat Book 1, Page 266 as described as Parcels I thru XII, inclusive, in a deed to Columbus Holding Group, LLC, of record in Instrument Number 201611030151949, all records referenced are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at a MAG nail set at the northeast corner of said Lot 13, being at the northeast corner of said Parcel IX, and being at the intersection of the south right-of-way line of a 15-foot wide alley dedicated in Plat Book 1, Page 266 and the west right-of-way line for Talmadge Street (20 feet wide), the west 15 feet of which dedicated in Plat Book 1, Page 266 and the east 5 feet dedicated in Plat Book 2, Page 172;

Thence South 04 degrees 06 minutes 16 seconds West, along the east lines of said Lots 13, 12 and 11, along the east line of said Parcels IX, IV, X, XIII and XI, and along the west right-of-way line for said Talmadge Street, a distance of 161.40 feet to a MAG nail set at the intersection of the west right-of-way line for said Talmadge Street and the north right-of-way line for Long Street (70 feet wide), being at the southeast corner of said Parcel XI;

Thence South 81 degrees 56 minutes 24 seconds West, across said Lot 11, along the south lines of said Parcels XI, II and I, and along the north right-of-way line for said Long Street, a distance of 240.61 feet to a MAG nail set at the intersection of the north right-of-way line for said Long Street and the east right-of-way line for Garfield Avenue (50 feet wide), dedicated in Plat Book 1, Page 266, being at the southwest corner of said Parcel I;

Thence North 03 degrees 55 minutes 31 seconds East, across said Lots 11, 12 and 13, along the west lines of said Parcels I, VIII, III and VII, and along the east right-of-way line for said Garfield Avenue, a distance of 175.07 feet to the southwest corner of a tract of land described in a deed to Lulu Mae Turner, of record in Official Record 5728 H04, being the northwest corner of said Parcel VII, (referenced a 2 inch iron pipe found South 03 degrees 42 minutes 00 seconds East at a distance of 1.53 feet);

Thence South 85 degrees 10 minutes 26 seconds East, across said Lot 13, along the north line of said Parcel VII, and along the south line of said Turner tract, a distance of 87.00 feet to an iron pin set at the southeast corner of said Turner tract, being at the southwest corner of said Parcel V;

Thence North 03 degrees 55 minutes 31 seconds East, continuing across said Lot 13, along the west line of said Parcel V, and along the east line of said Turner tract, a distance of 40.00 feet to a MAG nail set on the south right-of-way line for said 15-foot wide alley, being at the northwest corner of said Parcel V, and being at the northeast corner of said Turner tract;

Thence South 85 degrees 10 minutes 26 seconds East, along the south right-of-way line for said 15-foot wide alley, along the north lines of said Parcels V, VI and IX, a distance of 148.90 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 0.938 acres, being all of Franklin County Auditor's parcel number 010-014545.

**To Rezone From:** R-2F, Residential and AR-O, Apartment Office districts

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

**SECTION 2.** That a Height District of two hundred (200) 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, “**818 E. LONG STREET: PROPOSED SITE PLAN,**” and text titled, “**DEVELOPMENT TEXT,**” both dated February 22, 2019, and signed by Sean Mentel, Attorney for the Applicant, and the text reading as follows:

#### **DEVELOPMENT TEXT**

**EXISTING ZONING:** AR-O, Apartment Office District and R-2F, Residential District

**PROPOSED ZONING:** CPD, Commercial Planned Development District

**OWNER:** Columbus Holding Company, LLC

**APPLICANT:** Kingsley + Co. c/o Sean Mentel, Kooperman Mentel Ferguson Yaross

**DATE OF TEXT:** February 22, 2019

**APPLICATION NUMBER:** Z18-052

**1. INTRODUCTION:** The subject property of this rezoning is +/- 2.27 acre tract of land located along E. Long Street between Monroe Avenue and N. Garfield Avenue. It consists of eight parcels being Franklin County Parcel Numbers 010014545, 010043637, 010010855, 010001694, 010045313, 010004755, 010033096 & 010013753. The site is undeveloped except for existing parking lots, and Parcel Number 010013753, which is improved with a two-family dwelling. In connection with the development, the Applicant proposes the existing two-family dwelling located on Parcel Number 010013753 be razed.

The Applicant proposes to the rezone the property to a CPD, Commercial Planned Development District to permit a mixed-use development consisting of four buildings, two buildings with frontage on E. Long Street and two buildings with frontage on Monroe Avenue.

**2. PERMITTED USES:** The permitted use of the site will be those listed in Columbus City Code Chapter 3356, C4, Regional Scale Commercial District, and residential uses on the first floor of the building per the Council variance submitted concurrent with this rezoning (CV18-073).

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or the site plan, the applicable development standards are contained in Chapter 3356, C-4, Regional Scale Commercial District of the Columbus City Code, Chapter 3312, Off-Street Parking and Loading, Chapter 3321, General Site Development Standard, and Chapter 3372, Planning Overlay.

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

1. The setback lines for the buildings will be 0 feet as depicted on the site plan.
2. The setback lines for the parking lots will be 5 feet as depicted on the site plan. The foregoing setback line will not apply to alley rights-of-way.

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

There will be 128 total off-street parking spaces for the development.

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

N/A

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

N/A

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

N/A

F. Graphics and/or Signage Commitments

All graphics and signage for the subject shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, and any variance to those requirements or off-premises graphics will be submitted to the Columbus Graphics Commission for consideration.

G. CPD Criteria

1. Natural Environment. The natural environment of the site is flat.
2. Existing Land Use. The property is currently a vacant lot, parking lot, and a two-family dwelling.
3. Circulation. Access to and from the site includes pedestrian access, and access via N. Monroe Ave. and N. Garfield Ave.
4. Visual Form. The site is located within the King Lincoln Arts District. The lot to the west of the site is zoned CPD. Two lots to the south of the site are zoned R2F but allow mixed uses per council variances. The remaining adjacent lots are zoned R2F, Residential.
5. Visibility. The site is visible from E. Long Street, N. Monroe Ave. and N. Garfield Ave.
6. Proposed Development. Commercial uses appropriate for the site and area and residential uses.
7. Behavior Patterns. This area of development will integrate selective commercial uses that encourage pedestrian access. Talmadge Avenue will be vacated beginning at the intersection of Talmadge Avenue and the unnamed alley connecting Talmadge Avenue to N. Garfield Avenue and continuing south to E. Long Street as depicted on the submitted site plan. Otherwise, existing traffic flow shall be maintained.
8. Emissions. This 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. Miscellaneous Commitments

The subject property shall be developed in accordance with the submitted site plan. The submitted 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 completed. Any slight adjustment to the site plan is subject to review and approval by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

I. Variances Requested

1. Section 3312.49 Minimum Number of Parking Spaces Required.

The Applicant proposed to develop the site with residential, retail, and office uses. The Applicant anticipates Section

3312.49, as reduced by the Section 3372.609 Planning Overlay, will require 249 parking spaces for Applicants mix of uses. Applicant proposes off street parking of 128 total spaces

A variance is requested for 128 parking spaces.

2. Section 3356(A)(4) C-4 District Setback Lines.

The code requires building setbacks within a C-4 district be equal to the setback of an abutting parcel's building. A variance is requested to permit a building setback of 0 feet as depicted on the site plan to match adjacent Urban Commercial Overlay setbacks.

3. Section 3312.27 - Parking Setback Line.

The code requires parking setbacks within a C-4 district be at least 10 feet from the right-of-way. A variance is requested to permit a parking setback of 5 feet as depicted on the site plan to match adjacent Urban Commercial Overlay setbacks.

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