



## Legislation Details (With Text)

**File #:** 0120-2020      **Version:** 1

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

**File created:** 1/8/2020      **In control:** Zoning Committee

**On agenda:** 1/27/2020      **Final action:** 1/30/2020

**Title:** To rezone 750 E. BROAD ST. (43205), being 1.03± acres located at the northeast corner of East Broad Street and Hamilton Park, From: CPD, Commercial Planned Development District, To: AR-O, Apartment Office District (Rezoning #Z19-048).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0120-2020.Attachments.pdf, 2. ORD0120-2020.Labels.pdf

Date	Ver.	Action By	Action	Result
1/30/2020	1	CITY CLERK	Attest	
1/29/2020	1	MAYOR	Signed	
1/27/2020	1	COUNCIL PRESIDENT	Signed	
1/27/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
1/27/2020	1	Zoning Committee	Approved	Pass

**Rezoning Application: Z19-048**

**APPLICANT:** Attainable Luxury, LLC; c/o Brian Higgins; 1310 Dublin Road; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on January 9, 2020.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 1.03± acre site consists of two parcels developed with a medical center and a parking lot, respectively, in the CPD, Commercial Planned Development District. The applicant requests the AR-O, Apartment Office District to permit redevelopment of the site with a 67-unit apartment building and offsite parking lot. The site is located within the boundaries of the *Near East Area Plan* (2005), which recommends “East Broad Street” development which is defined as new and renovated buildings for medium- to high-density housing and office uses which comply with East Broad Street Design Guidelines. Staff finds the proposal to be consistent with the Plan’s land use recommendations and design guidelines. Concurrent Council variance Ordinance #0121-2020 (CV19-066) is requested to permit a parking reduction and the parking lot to be located on a separate parcel; and to reduce development standards associated with setbacks, yard area, and the parking lot.

To rezone **750 E. BROAD ST. (43205)**, being 1.03± acres located at the northeast corner of East Broad Street and Hamilton Park, **From:** CPD, Commercial Planned Development District, **To:** AR-O, Apartment Office District (Rezoning #Z19-048).

**WHEREAS**, application #Z19-048 is on file with the Department of Building and Zoning Services requesting rezoning of 1.03± acres from CPD, Commercial Planned Development District, to the AR-O, Apartment Office District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested AR-O, Apartment Office District will allow a multi-unit residential development that is consistent with the recommendations of the *Near East Area Plan* for compatible "East Broad Street" development, 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:

**750 E. BROAD ST. (43205)**, being 1.03± acres located at the northeast corner of East Broad Street and Hamilton Park, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Nineteen (19), Twenty (20) and Twenty-One (21) and all except the east 5.00 feet of Lots Numbers Twenty-Two (22) and Thirty-Three (33) in East Park Place Addition, as shown of record in Plat Book 2, Pages 61 and 62, Recorder's Office, Franklin County, Ohio, said lots and parts of lots having been conveyed to Truman Comers Town & County Shoppers City, Inc., by deeds of record in Deed Book 2622, Page 206 (Lots Nos. 19, 20 and 21) and in Official Record 3994, Page E 04 (parts of Lots Nos. 22 and 33), Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

TRACT NO. 1 (Lots Nos. 19, 20 and 21):

Beginning at a 3/4 inch I.D. iron pipe set at the intersection of the north line of East Broad Street - U.S. Route 40 (110 feet wide) with the east line of Hamilton Park (70 feet wide) and at the southwest corner of said Lot No. 19;

thence N 8° 25' 09" W along the east line of Hamilton Park and along the west line of said Lot No. 19 a distance of 170.55 feet to a 3/4 Inch I.D. iron pipe found at the intersection of the east line of Hamilton Park with the south line Avon Place (25 feet wide) and at the northwest corner of said Lot No. 19;

thence N 81° 3' 24" E along the south line of Avon Place and along the north lines of said Lots Nos. 19, 20 and 21 a distance of 185.46 feet to a drill hole set in a concrete wall at the intersection of the south line of Avon Place with the west line of North Garfield Avenue (45 feet wide) and at the northeast corner of said Lot No. 21;

thence S 3° 33' 50" W along the west line of North Garfield Avenue and along the east line of said Lot No. 21 a distance of 173.27 feet to a drill hole set in a concrete walk at the intersection of the west line of North Garfield Avenue with the north line of East Broad Street and at the southeast corner of said Lot No. 21;

thence S 81° 15' 00" W along the north line of East Broad Street and along the south lines of said Lots Nos. 21, 20 and 19 a distance of 149.49 feet to the place of beginning; containing 0.6535 acres of land more or less and being subject to all easements and restrictions of record.

TRACT NO. 2 (Parts of Lots Nos. 22 and 33):

Beginning at a 1-1 inch I.D. iron pipe found at the intersection of the east line of Hamilton Park (70 feet wide) with the north line of Avon Place (25 feet wide) and at the southwest corner of said Lot No. 22, said iron pipe also being the point

of curvature of a reverse curve widening Hamilton Park from 70 feet to 180 feet;

Thence northeasterly along a curved east line of Hamilton Park, along the curved west line of said Lot No. 22 and with a curve to the right, data of which is: radius = 58.25 feet and delta =  $58^{\circ} 10' 34''$ , a chord distance of 56.64 feet bearing N  $20^{\circ} 37' 47''$  E to a 3/4 inch I.D. iron pipe set at the point of reverse curvature, at the northwest corner of said Lot No. 22 and at the southwest corner of said Lot No. 33;

thence northeasterly along a curved east line of Hamilton Park, along the curved west line of said Lot No. 33 and with a curve to the left, data of which is: radius = 58.25 feet and delta =  $58^{\circ} 10' 34''$ , a chord distance of 56.64 feet bearing N  $20^{\circ} 37' 47''$  E to a 3/4 inch I.D. iron pipe found at the point of tangency of said reverse curve in Hamilton Park (180 feet wide), at the northwest corner of said Lot No. 33 and at the southwest corner of Lot Number Thirty-Four (34) in said East Park Place Addition;

thence N  $81^{\circ} 3' 24''$  E along a portion of the north line of said Lot No. 33 and along a portion of the south line of said Lot No. 34 a distance of 151.68 feet to a 3/4 inch I.D. iron pipe set in the west line of North Garfield Avenue (50 feet wide);

thence S  $3^{\circ} 33' 50''$  W along the west line of North Garfield Avenue and parallel with and 5.00 feet westerly by perpendicular measurement from the east lines of said Lots Nos. 33 and 22 a distance of 101.27 feet to drill hole set in a concrete walk at the intersection of the west line of North Garfield Avenue with the north line of Avon Place and in the south line of said Lot No. 22;

thence S  $81^{\circ} 3' 24''$  W along the north line of Avon Place and along a portion of the south line of said Lot No. 22 a distance of 185.65 feet to the place of beginning;

containing 0.3836 acres of land more or less and being subject to all easements and restrictions of record.

**EXCEPTING THEREFROM THE FOLLOWING DESCRIPTION**

Situated in the State of Ohio, County of Franklin, City of Columbus: Being a triangular trace of land out of the northeast corner of Lot Number Twenty-One (21) in East Park Place Addition, as shown of record in Plat Book 2, Pages 61 and 62, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at a drill hole set in a concrete walk at the intersection of the south line of Avon Place (25 feet wide) with the west line of North Garfield Avenue (45 feet wide) and at the northeast corner of said Lot No. 21;

thence S  $3^{\circ} 33' 50''$  W along the west line of North Garfield Avenue and along a portion of the east line of said Lot No. 21 a distance of 15.00 feet to a point;

thence N  $47^{\circ} 23' 53''$  W crossing said Lot No. 21 a distance of 18.90 feet to a point in the south line of Avon Place and in the north line of said Lot No. 21;

thence N  $81^{\circ} 38' 24''$  E along the south line of Avon Place and along a portion of the north line of said Lot No. 21 a distance of 15.00 feet to the place of beginning;

containing 110 square feet of land more or less and being subject to all easements and restrictions of record.

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

**To:** AR-O, Apartment Office District.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the AR-O, Apartment Office 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.