



Legislation Details (With Text)

File #: 0316-2021 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 2/3/2021 **In control:** Zoning Committee

On agenda: 2/22/2021 **Final action:** 2/26/2021

Title: To rezone 1572 MCNAUGHTEN RD. (43232), being 10.54± acres located on the east side of McNaughten Road, 1,500± north of East Livingston Avenue, From: R-1, Residential District, To: L-ARLD, Limited Apartment Residential District (Rezoning #Z20-090).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0316-2021_Attachments_Amended, 2. ORD0316-2021_Attachments, 3. ORD0316-2021_Labels

Date	Ver.	Action By	Action	Result
2/26/2021	2	CITY CLERK	Attest	
2/25/2021	2	MAYOR	Signed	
2/22/2021	2	COUNCIL PRESIDENT	Signed	
2/22/2021	1	Zoning Committee	Waive the 2nd Reading	Pass
2/22/2021	1	Zoning Committee	Amended as submitted to the Clerk	Pass
2/22/2021	1	Zoning Committee	Approved as Amended	Pass

Rezoning Application: Z20-090

APPLICANT: Metro Development, LLC; c/o Jeffrey L. Brown, Atty.; Smith and Hale, LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on January 14, 2021.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 10.54± acre site consists of four parcels in the R-1, Residential District. Two parcels are developed with single-unit dwellings, and the other two parcels are undeveloped. The requested L-ARLD, Limited Apartment Residential district will permit multi-unit residential development containing up to 160 apartment units (15.18 units per acre gross density). The limitation text establishes use restrictions and supplemental development standards that address the maximum number of permitted units, traffic improvements, landscaping, tree preservation, and open space. Commitments to develop the site in accordance with the submitted site plan and building elevations have been included in the text. The requested L-ARLD district is consistent with the *Far East Land Use Plan's* (2018) recommendation for "Medium Density Residential" uses at this location. Additionally, *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018) were adopted with the *Far East Land Use Plan*. The proposed building elevations demonstrate the use of durable, high quality materials and aesthetically appealing design through the use of appropriate and varying massing and architectural elements as recommended by C2P2. The

request is compatible to adjacent residential development and the zoning pattern along McNaughten Road. A concurrent Council variance (Ordinance #0317-2021; CV20-104) has been filed to reduce the building line along McNaughten Road to accommodate the development's swimming pool.

To rezone **1572 MCNAUGHTEN RD. (43232)**, being 10.54± acres located on the east side of McNaughten Road, 1,500± north of East Livingston Avenue, **From:** R-1, Residential District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning #Z20-090).

WHEREAS, application #Z20-090 is on file with the Department of Building and Zoning Services requesting rezoning of 10.54± acres from R-1, Residential District, to the L-ARLD, Limited Apartment Residential District; and

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

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

WHEREAS, the City Departments recommend approval of the zoning change because it is consistent with the *Far East Land Use Plan*, *Columbus Citywide Planning Policies* Design Guidelines, and compatible with adjacent residential development and the zoning pattern along McNaughten Road; 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:

1572 MCNAUGHTEN RD. (43232), being 10.54± acres located on the east side of McNaughten Road, 1,500± north of East Livingston Avenue, and being more particularly described as follows:

Zoning Description ~ 10.54 Acre +/-

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Section 21, Section 14, Township 12, Range 21 of Refugee Lands, being all of a 1 acre tract of land conveyed to Delmar C. Stumbaugh, Successor Trustee of record in Instrument Number 201205170069449 and Instrument Number 200011170234161 and being all of a 0.879 acre tract of land conveyed to Evelyn F. Beeghley of record in Instrument Number 201211130172103 and Official Record 10195J05 and being all of all of a 8.658 acre tract of land conveyed to Reverend Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus of record in Instrument Number 201206290093699 an Deed Book 3377, Page 404, said 10.54+/- acres more particularly described as follows:

Beginning, at the northwesterly corner of said Stumbaugh tract, being the southwesterly corner of a tract of land conveyed to McNaughten Woods LP and in the easterly line of a tract of land conveyed to Plaza Properties Inc.;

Thence S 85° 03' 47" E, along the northerly line of said Stumbaugh tract, along the northerly line of said Campbell tract, and along a portion of the southerly line of said McNaughten Woods LP tract, 996.66 feet+/- to a northeasterly corner of said Campbell tract and the northwesterly terminus of the right-of-way line of and Alley (R/W-8') as dedicated on the plat Idlewild Manor of record in Plat Book 15, Page 18;

Thence S 04° 31' 58" W, along the easterly line of said Campbell tract and the westerly line of said Idlewild Manor plat, 488.66 feet+/- to a southeasterly corner of said Campbell tract, being the centerline of the terminus of an Alley (R/W-16') as dedicated on said Idlewild Manor plat and being the northeasterly corner of a tract of land conveyed to McNaughten Plaza Holding;

Thence N 85° 06' 17" W, with the southerly line of said Campbell tract and the northerly line of said McNaughten Plaza

Holding tract, 711.13 feet+/- to the southwesterly corner of said Campbell tract and to a southeasterly corner of a tract of land conveyed to Edward F. Thurkettle Et al;

Thence with the common lines of said Campbell tract and said Thurkettle Et al tract, the following two (2) courses and distances:

N 04° 43' 13" E, 100.00 feet+/- to a common corner thereof;

N 85° 06' 17" W, 287.00 feet+/- to a common corner thereof and being in the easterly line of the Scotland Yard Condominiums;

Thence N 04° 43' 13" E, with the westerly line of said Campbell tract and the easterly line of said Scotland Yard Condominiums, 160.38 feet+/- to a northwesterly corner of said Campbell tract and the southwesterly corner of said Beeghley tract;

Thence N 04° 41' 13" E, with the westerly lines of said Beeghley and Stumbaugh tracts, along a portion of the easterly line of said Scotland Yard Condominiums and along a portion of the easterly line of said Plaza Properties Inc. tract, 229.00 feet+/- to the **True Point of Beginning**. Containing 10.54+/- acres.

Property Parcel: 550-156223, 550-156222, 550-156224 & 550-155903.

Property Address: 1572 McNaughten Rd., Columbus, OH 43232.

To Rezone From: R-1, Residential District.

To: L-ARLD, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-ARLD, 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-ARLD, 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 text titled, "**LIMITATION TEXT**," dated December 22, 2020, site plan titled, "**DEVELOPMENT PLAN**," dated January 29, 2021, and building elevations titled, "**ARCHITECTURAL ELEVATIONS SHEETS 1 & 2**," both dated January 29, 2021, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-ARLD, Limited Apartment Residential District

PROPERTY ADDRESS: 1572 McNaughten Road, Columbus, OH 43232

OWNER: Evelyn F. Beeghley et. al

APPLICANT: Metro Development, LLC

DATE OF TEXT: 12/22/20

APPLICATION NUMBER: Z20-090

1. INTRODUCTION: These parcels were annexed in 1970 and were zoned to the R-1 zoning classification the same year. The site is on the east side of McNaughten Road north of East Livingston Road. To the north are multifamily units, to the east is an electric substation, to the south are multifamily units and a single family house and across McNaughten Road to the west are multifamily units. The site contains two single family dwellings and vacant ground.

2. PERMITTED USES: Those uses permitted in Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code

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

1. The maximum number of dwelling units shall be 160.

2. CV20-104 permits a reduced building setback of 35 feet to accommodate the development's swimming pool as demonstrated on the submitted site plan.

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

The applicant shall install a southbound left turn lane with a length of 135 feet (including a 60 feet diverging taper).

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

The landscaping, tree preservation areas and the pond are shown on the submitted site plan.

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

The buildings shall be constructed in accordance with the submitted building elevations.

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

N/A

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 ARLD zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

2. The buildings shall be constructed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

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