



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 10/19/2022 **In control:** Zoning Committee

On agenda: 11/7/2022 **Final action:** 11/10/2022

Title: To rezone 543 TAYLOR AVE. (43203), being 9.9± acres located at the southwest corner of Taylor Avenue and Leonard Avenue, From: CPD, Commercial Planned Development District and M-2, Manufacturing District, To: CPD, Commercial Planned Development District (Rezoning #Z22-025).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#2883-2022_Attachments, 2. ORD#2883-2022_Labels

Date	Ver.	Action By	Action	Result
11/10/2022	2	CITY CLERK	Attest	
11/9/2022	2	MAYOR	Signed	
11/7/2022	2	COUNCIL PRESIDENT PRO-TEM	Signed	
11/7/2022	1	Zoning Committee	Reconsidered	Pass
11/7/2022	1	Zoning Committee	Approved as Amended	Pass
11/7/2022	1	Zoning Committee	Amended as submitted to the Clerk	Pass
11/7/2022	1	Zoning Committee	Approved as Amended	Pass
11/7/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
11/7/2022	1	Zoning Committee	Amended as submitted to the Clerk	Pass
11/7/2022	1	Zoning Committee	Waive the 2nd Reading	Pass

Rezoning Application Z22-025

APPLICANT: The Ohio State University; and the State of Ohio; c/o Jeffery L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Parking lot expansion for existing medical clinic.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on July 14, 2022.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 9.9± acre site consists of one parcel developed with a medical clinic zoned in the CPD, Commercial Planned Development District, and an undeveloped parcel zoned in the M-2, Manufacturing District. The requested CPD, Commercial Planned Development District will permit a parking lot expansion for the existing medical office, and is comprised of two subareas: Subarea A, the medical clinic within the existing CPD district (Z18-069), and Subarea C, the site of the proposed parking lot. Subarea B of Z18-069 is not included in this rezoning request, and will likely be rezoned for a future project. The CPD text includes use restrictions,

and supplemental development standards addressing building height, parking setbacks, lot coverage, traffic access, off-site traffic improvements, bicycle parking, street trees, landscaping, and graphics provisions. Modifications of code standards to permit parcel lines to divide maneuvering areas and parking spaces, to eliminate parking lot trees in Subarea C, and to exceed the maximum number of parking spaces for the medical clinic are included in the text. The requested CPD is consistent with the *Near East Area Plan's* (2005) land use recommendation for "Office/Light Industrial/Mixed Uses" at this location.

To rezone **543 TAYLOR AVE. (43203)**, being 9.9± acres located at the southwest corner of Taylor Avenue and Leonard Avenue, **From:** CPD, Commercial Planned Development District and M-2, Manufacturing District, **To:** CPD, Commercial Planned Development District (Rezoning #Z22-025).

WHEREAS, application #Z22-025 is on file with the Department of Building and Zoning Services requesting rezoning of 9.9± acres from CPD, Commercial Planned Development District and M-2, Manufacturing District, 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 will permit a parking lot expansion for an existing medical clinic consistent with the *Near East Area Plan's* land use recommendation for "Office/Light Industrial/Mixed Use" at this location; 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:

543 TAYLOR AVE. (43203), being 9.9± acres located at the southwest corner of Taylor Avenue and Leonard Avenue, and being more particularly described as follows:

Subarea A:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, HALF SECTION 3, TOWNSHIP 5 NORTH, RANGE 22 WEST, REFUGEE LANDS AND BEING THE SAME 4.981 ACRES AS CONVEYED TO MID-CITY COMMUNITY URBAN REDEVELOPMENT CORPORATION OF RECORD IN OFFICIAL RECORDS VOLUME 13267, PAGE D10 (ALL DEED REFERENCES REFER TO THE RECORDS OF THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO) AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RELOCATED LEONARD AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF RELOCATED TAYLOR AVENUE AS SHOWN ON THE RIGHT-OF-WAY PLANS FOR FRA-670-3.93 1 THE CENTERLINE SURVEY PLAT OF WHICH IS RECORDED IN PLAT BOOK 64, PAGE 46;

THENCE SOUTH 04°22'34" WEST, WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID RELOCATED TAYLOR AVENUE A DISTANCE OF 132.15 FEET TO AN IRON PIN SET;

THENCE SOUTH 01°39'45" EAST, CONTINUING WITH SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 168.65 FEET TO AN IRON PIN SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF MARYLAND AVENUE AND THE SOUTHERLY LINE OF SAID HALF SECTION 3 AS THE SAME IS SHOWN IN THE PLAT OF THE HAYES ADDITION OF RECORD IN PLAT BOOK 5, PAGE 436;

THENCE NORTH 86°04'57" WEST, WITH SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 715.93 FEET TO AN IRON PIN SET AT AN ANGLE POINT IN SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE NORTH 04°48'37" EAST, CONTINUING WITH SAID RIGHT-OF-WAY LINE A DISTANCE OF 20.00 FEET TO AN IRON PIN FOUND BENT AND RESET IN SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE NORTH 86°04'57" WEST, CONTINUING WITH SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 20.10 FEET TO AN IRON PIN FOUND BENT AND RESET, SAID PIN BEING THE SOUTHEASTERLY CORNER OF A 2.57 ACRE TRACT AS CONVEYED TO THE STATE OF OHIO OF RECORD IN OFFICIAL RECORDS VOLUME 3812, PAGE F02;

THENCE NORTH 03°45'04" EAST PARTLY WITH THE EASTERLY LINE OF SAID 2.57 ACRE TRACT AND PARTLY WITH THE EASTERLY LINE OF A 3.706 ACRE P.C.C. & ST. L. R.R. CO. TRACT A DISTANCE OF 280.00 FEET TO AN IRON PIN SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID RELOCATED LEONARD AVENUE;

THENCE SOUTH 86°4'57" EAST, WITH SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 721.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.981 ACRES OF LAND, MORE OR LESS.

THIS DESCRIPTION WAS PREPARED BY CIVIL ENGINEERING ASSOCIATES, INC., COLUMBUS, OHIO FROM AN ACTUAL SURVEY. THE BASIS OF BEARING IS SOUTH 86°40'25" EAST, FOR THE CENTERLINE OF RELOCATED LEONARD AVE. AS SHOWN IN PLAT BOOK 64, PAGE 46.

Subarea C Tract I:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 3, Township 5, Range 22, Refugee Lands, and being part of that 4.804 acre tract conveyed as Parcel No. 104A-WL (FRA-670-3.93-I) Parcel III and that 2.57 acre tract conveyed as Parcel No. 104A-WL (FRA-670-3.93-I) Parcel IV to The State of Ohio by deed of record in Official Record 3812F02 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a 5/8 inch rebar capped "Krocka & Assoc." found at the intersection of the easterly right-of-way line of Champion Avenue (F.K.A. Hayes Avenue by Ordinance No. 29191) and Maryland Avenue (F.K.A. Home Avenue by Ordinance No. 25534), as dedicated in Plat Book 5, Page 434, and the northwesterly corner of Lot 1 of "Hayes Addition", a subdivision of record in Plat Book 5, Page 434;

Thence South 86° 04' 52" East, with said southerly right-of-way line, a distance of 29.83 feet to a point;

Thence North 03° 55' 08" East, across said Maryland Avenue and that 20 foot wide tract conveyed to The City of Columbus, Ohio, a municipal corporation, by deed of record in Deed Book 640, Page 6, a distance of 50.00 feet to an iron pin set at the intersection of the easterly right-of-way line of said Champion Avenue and the northerly right-of-way line of said Maryland Avenue, at the common corner of said Parcel III, 20 foot wide tract, and that tract conveyed to The Board of County Commissioners of Franklin County, Ohio by deed of record in Deed Book 278, Page 79, the TRUE POINT OF BEGINNING;

Thence North 03° 50' 10" East, with said easterly right-of-way line, a distance of 36.77 feet to an iron pin set in the southerly right-of-way line, of Leonard Avenue, as shown on right-of-way plan FRA-670-3.93-I, on file with the State of Ohio Department of Transportation, centerline plat of record in Plat Book 64, Page 46;

Thence across said Parcels III and IV, with said southerly right-of-way line, the following courses and distances:

North 78° 14' 35" East, a distance of 534.65 feet to an iron pin set (witness a 5/8 inch rebar in concrete found North 34° 01' 53" East, a distance of 64.07 feet, located 24.00 feet right of the centerline of said Leonard Avenue station 140+44.60);

North 82° 34' 35" East, a distance of 196.07 feet to an iron pin set; and

North 86° 49' 10" East, a distance of 246.35 feet to an iron pin set at the common corner of that 11.489 acre tract conveyed as Parcel No. 2011-WD (FRA-670-3.93 RR Conrail) to State of Ohio, Department of Transportation by deed of record in Official Record 24157C06, and that 0.238 acre tract conveyed as Parcel No. 2404-EL (FRA-670-3.93 RR Conrail) to State of Ohio, Department of Transportation by deed of record in Official Record 24157C06;

Thence South 72° 39' 08" East, with the southerly line of said 0.238 acre tract, a distance of 246.00 feet to an iron pin set in the westerly line of that 4.981 acre tract conveyed to The State of Ohio for the use and benefit of the Ohio State University by deed of record in Instrument Number 201008200107573 and at the southeasterly corner of said 0.238 acre tract;

Thence South 03° 45' 09" West, with said westerly line, a distance of 193.10 feet to a 3/4 inch iron pipe capped "CEA" found in the northerly line of said 20 foot tract and the northerly right-of-way line of said Maryland Avenue;

Thence North 86° 04' 52" West, with said northerly line and said northerly right-of-way line, a distance of 1191.25 feet to the TRUE POINT OF BEGINNING, containing 4.711 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on Ohio State Plane Coordinate System, South Zone, NAD83 (2007). The bearing of North 86° 04' 52" West for a portion of the northerly right-of-way line of Maryland Avenue is designated as the Basis of Bearings for this description.

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772, in August 2021.

Subarea C Tract II:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 3, Township 5, Range 22, Refugee Lands, and being all of that 0.238 acre tract conveyed as Parcel No. 2404-EL (FRA-670-3.93 RR Conrail) to State of Ohio, Department of Transportation by deed of record in Official Record 24157C06 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a 5/8 inch rebar capped "Krocka & Assoc." found at the intersection of the easterly right-of-way line of Champion Avenue (F.K.A. Hayes Avenue by Ordinance No. 29191) and Maryland Avenue (F.K.A. Home Avenue by Ordinance No. 25534), as dedicated in Plat Book 5, Page 434, and the northwesterly corner of Lot 1 of "Hayes Addition", a subdivision of record in Plat Book 5, Page 434;

Thence South 86° 04' 52" East, with said southerly right-of-way line, a distance of 29.83 feet to a point;

Thence North 03° 55' 08" East, across said Maryland Avenue and that 20 foot wide tract conveyed to The City of Columbus, Ohio, a municipal corporation, by deed of record in Deed Book 640, Page 6, a distance of 50.00 feet to the intersection of the easterly right-of-way line of said Champion Avenue and the northerly right-of-way line of said Maryland Avenue, at the common corner of that 4.804 acre tract conveyed as Parcel No. 104A-WL (FRA-670-3.93-I) Parcel III, said 20 foot wide tract, and that tract conveyed to The Board of County Commissioners of Franklin County,

Ohio by deed of record in Deed Book 278, Page 79;

Thence South 86° 04' 52" East, with the northerly line of said 20 foot wide tract, the southerly line of said 4.804 acre, that 2.57 acre tract conveyed as Parcel No. 104A-WL (FRA-670-3.93-I) Parcel IV to The State of Ohio by deed of record in Official Record 3812F02, and said northerly right-of-way line, a distance of 1191.25 feet to a 3/4 inch iron pipe capped "CEA" found at a southwesterly corner of that 4.981 acre tract conveyed to The State of Ohio for the use and benefit of the Ohio State University by deed of record in Instrument Number 201008200107573 and the southeasterly corner of said 2.57 acre tract;

Thence North 03° 45' 09" East, with the line common to said 2.57 and 4.981 acre tracts, a distance of 193.10 feet to an iron pin set at the southeast corner of said 0.238 acre tract and a northeasterly corner of said 2.57 acre tract, being the TRUE POINT OF BEGINNING;

Thence North 72° 39' 08" West, with the northerly line of said 2.57 acre tract, a distance of 246.00 feet to an iron pin set in the southerly right-of-way line of Leonard Avenue, as shown on right-of-way plan FRA-670-3.93-I, on file with the State of Ohio Department of Transportation, centerline plat of record in Plat Book 64, Page 46, at a southerly corner of that 11.489 acre tract conveyed as Parcel No. 2011-WD (FRA-670-3.93 RR Conrail) to State of Ohio, Department of Transportation by deed of record in Official Record 24157C06;

Thence North 86° 49' 10" East, with the southerly line of said 11.489 acre tract, a distance of 240.87 feet to a 3/4 inch iron pipe capped "CEA" found at the common corner of said 4.981, 0.238, and 11.489 acre tracts and that 1.714 acre tract conveyed as Parcel No. 3004-WD (FRA-670-3.93 RR Norfolk and Western) to State of Ohio, Department of Transportation by deed of record in Instrument Number 199707170049041;

Thence South 03° 45' 09" West, with the westerly line of said 4.981 acre tract, a distance of 86.90 feet to the TRUE POINT OF BEGINNING, containing 0.239 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on Ohio State Plane Coordinate System, South Zone, NAD83 (2007). The bearing of North 86° 04' 52" West for a portion of the northerly right-of-way line of Maryland Avenue is designated as the Basis of Bearings for this description.

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772, in August 2021.

To Rezone From: CPD, Commercial Planned Development District and M-2, Manufacturing District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of one-hundred & ten (110) 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, "**CAREPOINT EAST - WEST PARKING EXPANSION**," and text titled, "**TEXT**," both dated September 22, 2022, and signed by Jeffery L. Brown, Attorney for the Applicant, and the text reading as follows:

TEXT

PROPOSED DISTRICT: CPD
PROPERTY ADDRESS: 543 Taylor Avenue
OWNER: State of Ohio FBO Ohio State University et al.
APPLICANT: The Ohio State University
DATE OF TEXT: 9/22/22
APPLICATION: Z22-025

1. INTRODUCTION: The applicant wants to acquire additional ground to the west of the existing medical office building to use for parking and possible building expansion. In Z18-069 the applicant created two subareas. Subarea A was the existing medical office building and Subarea B was an area for additional parking. This application includes just Subarea A from Z18-069 and the parcel to the west of Subarea A, now called Subarea C.

2. PERMITTED USES:

Subarea A

(a) All those uses permitted in Chapter 3356 (C-4, Commercial District) of the Columbus City Code, with the option to sell gasoline, but excluding the following uses:

1. Automobile body or Repair Shop
2. Bars, except in conjunction with the ongoing operation of the Hotel or full service restaurant to be developed.
3. Tire Repair Shop
4. Used Car Dealer

Subarea C

(a) All those uses permitted in Chapter 3353 (C-2 Commercial District) of the Columbus City Code.

(b) Parking

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the submitted site plan, or in the written text, the applicable development standards shall be those standards contained in Chapter 3356 C-4 Commercial District of the City of Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements

1. Loading areas, dumpsters and satellite dishes and propane tanks shall be screened by structures and/or landscaping to a minimum height of six (6) feet.
2. No building shall exceed the thirty-five (35) foot height district, with the exception of a hotel or office building, which shall be permitted to develop at a maximum height of seventy-five (75) feet.
3. The parking setback along the south side of parcel 010-047041 shall be ten feet.

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

1. The curbcuts as shown on the submitted site plan may be modified with the review and approval of the City's Division of Traffic Management Department of Public Service.
2. At the proposed access point to Leonard Avenue, a 110 feet long westbound left turn lane (inclusive of a 60 foot diverging taper) will need to be provided through restriping of the existing striped median.
3. Upon development of Subarea A or upon redevelopment of the area currently described as Subarea B from rezoning application ~~Z19-069~~ **Z18-069**, applicant commits to review and modify access to Taylor Avenue from Subarea A as

approved by the Department of Public Service

4. The applicant shall install/maintain at least 20 bicycle spaces on the subject site. Bicycle spaces may be on either Subarea A or Subarea C or on both Subareas.

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

1. The existing parking area shown in Subarea A does not meet the internal parking lot tree requirement. The redevelopment of that parking area would require compliance with the internal parking lot requirement unless a variance request is approved.

2. The existing tree line within 10 feet of the south property line of parcel 010-047041 shall be maintained subject to the removal of dead and diseased trees and shrubbery

3. The applicant shall install street trees along Leonard Avenue, one tree for every 40 feet of frontage. These trees may be grouped or spaced evenly

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

N/A

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

1. Wiring within the Subject Site shall be underground except where above ground wires are presently permitted by legal easements to an electric or power concern, including the primary service lines from above ground wires.

2. There will be no search lights or flashing lights on subject property.

F. Graphics and Signage Commitments

1. The applicable graphics standards shall be those standards contained in Article 15 of the Columbus City Code as they apply to the C-4 Commercial District. There shall be no billboards or off-premise graphics permitted on the subject property. Requested variances shall be submitted to the Columbus Graphics Commission.

2. All ground-supported signage shall be brick, stone, granite, marble, metal or wood; provided, however, where such signage is not brick, stone, granite or marble, such ground supported signage shall be set in a black, brown or bronze frame with black, brown or bronze external signage supports.

3. The light source for any signage shall be screened from view from any public right-of-way and/or any residential property.

4. There shall be no flashing lights, projecting signs, co-op signs, rotating signs or trailer type signs.

G. Miscellaneous

The Property shall be developed in accordance with the Site Plan as it pertains to the setbacks and access points as shown in Subareas A and C; 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.

3. Modification of Code Standards:

3312.21 Landscaping and Screening - to eliminate interior and perimeter screening for any parking lot in Subarea C.

3312.25 Maneuvering - to allow maneuvering to cross tax parcel lines.

3312.29 Parking Space - to allow parking spaces to cross tax parcel lines.

3312.49 Minimum number of parking spaces required- to exceed the maximum number of parking spaces allowed (from 681 to 710).

4. CPD Requirements

A. Natural Environment: The site is developed with a medical office building and undeveloped ground to the west.

B. Existing Land Use: Office and undeveloped.

C. Transportation and Circulation: Access is from Taylor Avenue and Leonard Avenue.

D. Visual Form of the Environment: Where possible existing along the south side of Subarea C will be maintained subject to the right to remove dead or diseased trees and shrubbery.

E. View and Visibility: The applicant considered pedestrian and vehicular movement in layout the site.

F. Proposed Development: C-4, Commercial uses, C-2 Commercial uses and parking.

G. Behavior Patterns: The Property will help serve existing population in their health need.

H. Emissions: No adverse effect from emissions shall result from the proposed development.

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