



Legislation Text

File #: 1872-2018, **Version:** 1

Rezoning Application: Z18-009

APPLICANT: Avenue Partners; c/o Dave Perry, Agent; Dave Perry Company, Inc.; 411 East Town Street, First Floor; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

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

MILO GROGAN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of six parcels developed with a warehouse building and used for semi-trailer parking in the M, Manufacturing District. The applicant is requesting the L-AR-2, Limited Apartment Residential District to permit a multi-unit residential development consisting of 192 dwelling units. The development text includes limitations to the maximum number of dwelling units and building height, while including appropriate provisions regarding street trees, parkland dedication requirements, and traffic related commitments. The site is located within the planning area of the *Milo Grogan Neighborhood Plan* (2007), which recommends “commercial/multi-unit” land uses for this location. Staff finds the proposed L-AR-2, Limited Apartment Residential District to be consistent with the Plan’s land use recommendation. A concurrent Council Variance (Ordinance # 1873-2018; CV18-010) has been filed to reduce the minimum number of parking spaces required, vision clearance, building lines, and perimeter yard.

To rezone **819 CLEVELAND AVENUE (43201)**, being 5.4± acres located at the southwest corner of Cleveland Avenue and Reynolds Avenue, **From:** M, Manufacturing District, **To:** L-AR-2, Limited Apartment Residential District (Rezoning # Z18-009).

WHEREAS, application # Z18-009 is on file with the Department of Building and Zoning Services requesting rezoning of 5.4± acres from M, Manufacturing District, to the L-AR-2, Limited Apartment Residential District; and

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

WHEREAS, the Milo Grogan Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-AR-2, Limited Apartment Residential District is consistent with the *Milo Grogan Neighborhood Plan*’s recommendation of “commercial/multi-unit” land 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

819 CLEVELAND AVENUE (43201), being 5.4± acres located at the southwest corner of Cleveland Avenue and

Reynolds Avenue and being more particularly described as follows:

ZONING DESCRIPTION
5.2+/- ACRES

Situated in the State of Ohio, Franklin County, City of Columbus, Section 4, Township 5, Range 22, Refugee Lands, being portions of a acreage and all of Lots 1-2, and 31-44 of Terrace View Addition as shown on Plat Book 4 page 250, as conveyed to EJB Inc. in Official Record 13837 page E10, Deed Book 3280 page P 18, Deed Book 3439 page 352, Instrument No. 201006240079199, Deed Book 3439 page 352, Deed Book 3159 page 580, Deed Book 3162 page 611, Deed Book 3152 page 526, Deed Book 3160 page 699, Deed Book 3155 page 146, Deed Book 3242 page 143, Deed Book 3300 page 588, Deed Book 3397 page 116, Deed Book 3380 page 188, Deed Book 3320 page 362, Deed Book 3463 page 460, and Deed Book 3397 page 114, and a portion of Grant Avenue and alleys as vacated by the City of Columbus in Ordinance 209-82 and Ordinance 472-79, and being more particularly described as follows:

Beginning in the west line of Cleveland Avenue (60') at the northeast corner of said Lot 2 and the southeast corner of a portion of Lot 3 conveyed to the City of Columbus by Official Record 1504 page I14;

Thence, with the west line of said Cleveland Avenue, South 03° 26' 40" West, 45.7 feet to the southeast corner said Lot 1 and the northeast corner of a 0.0018 acre tract conveyed to City of Columbus by Official Record 33564, Page I07;

Thence, with the north line of said 0.0018 acre tract, North 86° 41' 11" West, 5.0 feet to the northeast corner of said 0.0018 acre tract;

Thence, with the west line of said 0.0018 acre tract and the west line of a 0.130 acre tract conveyed to State of Ohio by Official Record 16816 page B20, South 03° 27' 11" West, 123.9 feet;

Thence, continuing with said 0.130 acre tract, South 45° 05' 24" West a distance of 45.1 feet to the northeast corner of a 1.882 acre tract conveyed to State of Ohio by Instrument No. 199707170049041;

Thence, with the north line of said 1.882 acre tract North 87° 44' 51" West, 696.6 feet;

Thence continuing with the north line of said 1.882 acre tract with a curve to the right having a radius of 528.39 feet, an internal angle of 46° 56' 27", an arc length of 432.9 feet and the cord which bears North 63° 41' 53" West, 420.89 feet to the southwest corner of a 2.694 acre tract (Tract 2) conveyed to MYFLORI by Instrument Nos. 201301030001502, 201301030001503, 201301030001504, 201301030001505, 201301030001506, 201301030001507;

Thence, with the south line of said 2.694 acre tract, South 86° 24' 24" East, 373.0 feet to the centerline of and at the Western terminus of said vacated alley;

Thence, with the centerline of said vacated alley, South 86° 41' 11" East, 91.3 feet;

Thence, with the east line of said Lot 45 and its extension, North 03° 27' 11" East, 120.6 feet to the northwest corner of said Lot 45, the northeast corner of said Lot 44, and being in the south line of Reynolds Avenue (50');

Thence, with the south line of said Reynolds Avenue, South 86° 48' 38" East, 520.0 feet to a railroad spike set at the northeast corner of said Lot 30 and the northwest corner of a 15 foot alley;

Thence, with the east line of said Lot 30, South 03° 27' 11" West, 90.9 feet;

Thence, with the north line of said vacated alley, South 86° 41' 11" East, 15.0 feet;

Thence, with the east line of said 15 foot alley, North 03° 27' 11" East, 22.5 feet to the southwest corner of said Lot 3;

Thence, with the south line of said Lot 3 and the north line of said lot 2, South 86° 48' 38" East, 120.0 feet to the POINT OF BEGINNING, containing 5.2 acres more or less, and encompassing all of Parcel Nos. 010-000752, 010-014537, and 010-030456.

This description is based on Franklin County records and is intended for zoning purposes only and is not to be used for transfer of property.

ZONING DESCRIPTION

0.2 +/- ACRES

Situated in the State of Ohio, Franklin County, City of Columbus, Section 4, Township 5, Range 22 Refugee Lands, being part of Lot 3 of Terrace View Addition as shown on Plat Book 4 page 250 conveyed to EJB, Incorporated by Deed Book 3186 page 569 and all of Lots 4 and 5 of said subdivision conveyed to EJB, Incorporated by Official Record 1331 page D17, and being more particularly described as follows:

Beginning at the intersection of the west line of Cleveland Avenue (60') and the south line of Reynolds Avenue (50'), being at the northeast corner of Lot 5 of said Terrace View Addition;

Thence, with the west line of said Cleveland Avenue, South 03° 27' 11" West, 60.4 feet to the northeast corner of an 8 feet strip of the south side of Lot 3 of said Terrace View Addition conveyed to the City of Columbus by Official Record 1504 page I14;

Thence, along the north line of said 8 feet strip through Lot 3, North 86° 48' 38" West a distance of 120.0 feet to the east line of a 15 foot alley;

Thence, with the east line of said 15 foot alley, North 03° 27' 11" East, 60.4 feet to the northwest corner of said Lot 5, and being in the south line of said Reynolds Avenue;

Thence, with the south line of said Reynolds Ave. and the north line of said Lot 5, South 86° 48' 38" East, 120.0 feet to the **POINT OF BEGINNING**, containing 0.2 acres more or less, and encompassing all of Parcel Nos. 010-009716, 010-014476, and 010-014477.

This description is based on Franklin County records and is intended for zoning purposes only and is not to be used for transfer of property.

Parcel Numbers: 010-000752, 010-014537, 010-030456, 010-009716, 010-014476, and 010-014477

Property Address: 819 Cleveland Avenue, Columbus, OH 43201

To Rezone From: M, Manufacturing District

To: L-AR-2, Limited Apartment Residential District

SECTION 2. That a Height District of sixty (60) feet is hereby established on the L-AR-2, 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-AR-2, 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, "**DEVELOPMENT TEXT**," signed by David B. Perry, Agent for the Applicant and Donald Plank, Attorney for the Applicant, dated June 18, 2018,

and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING: M, Manufacturing District

PROPOSED DISTRICT: L-AR-2, Limited Apartment Residential District

PROPERTY ADDRESS: 819 Cleveland Avenue, Columbus, OH 43201

APPLICANT: Avenue Partners c/o Dave Perry, David Perry Company, Inc. 411 E Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215

OWNER: EJB, Inc. c/o R. C. Robinson, 805 Cleveland Avenue, Columbus, OH 43201

DATE OF TEXT: June 18, 2018

APPLICATION NUMBER: Z18-009

INTRODUCTION: The subject property is 5.4 +/- acres located on the west side of Cleveland Avenue and the south side of Reynolds Avenue. It is presently zoned M, Manufacturing. Applicant submits this rezoning application to rezone the property to the L-AR-2, Limited Apartment Residential Districts to build a 192 dwelling unit apartment complex. See also companion Council variance application CV18-010.

1. PERMITTED USES: Uses of Section 3333.025, AR-2, Apartment Residential District Use and accessory uses.

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards of Chapter 3333, Apartment Residential Districts, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards of the Columbus City Code shall apply.

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

1. There shall be a maximum of 192 dwelling units.
2. Height District shall be H-60.
3. Building height shall be a maximum of 40 feet, as measured in Section 3303.08, Letter H, "Height of any other building".

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

1. Vehicular access shall be as approved by the Department of Public Service.
2. Pavement marking and signage changes shall be made in Cleveland Avenue to mitigate the impacts of this proposed development, as approved by the Department of Public Service. The pavement marking and signage work noted in the preceding sentence may be a requirement of the developer to complete or the pavement marking and signage work may alternatively be fulfilled with payment of an appropriate fee in lieu of construction for the pavement and signage work, as determined by the Department of Public Service. The determination of whether the pavement marking and signage work is to be implemented by the developer or by the City of Columbus, Department of Public Service shall be solely determined by the Department of Public Service. Appropriate signage changes to modify on-street parking regulations shall be made within Reynolds Avenue to maintain sight distance at the site access points to Reynolds Avenue.
3. Ten (10) feet of right of way along and parallel to Cleveland Avenue shall be deeded to the City of Columbus in conjunction with the final Site Compliance Plan.

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

Street trees shall be provided on-site in the building setbacks along Cleveland Avenue and Reynolds Avenue at

approximately 50 feet on center. Spacing may be adjusted for driveways and required clear vision triangles.

D. Building design and/or Interior-Exterior treatment commitments.

N/A

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

N/A

F. Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the AR-2, Apartment Residential District. Any variance to the applicable sign requirements of the AR-2, Apartment Residential District shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous.

1. The developer shall comply with applicable requirements of Chapter 3318, Parkland Dedication, Columbus City Code.
2. See also CV18-010.

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