



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 2760-2018, **Version:** 2

Rezoning Application: Z18-033

APPLICANT: Campus Partners for Community Urban Redevelopment; c/o Eric J. Zartman, Atty., and Michael T. Shannon, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Mixed-use commercial and residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on August 9, 2018.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

UNIVERSITY IMPACT DISTRICT REVIEW BOARD RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site was zoned CPD, Commercial Planned Development District in 2015 (Ordinance #1941-2015; Z15-004). The applicant is requesting a new CPD district that incorporates additional property into Subarea 2C and updates development standards per subarea. The requested CPD district will allow redevelopment of the site with mixed commercial and residential uses known as the "Fifteenth and High" project, including up to 330 residential units, and between 100,000 and 300,000 square feet of office space. The site is located within the planning area of the *University District Plan* (2015), which recommends "Regional Mixed-Use" land uses along North High Street, "Higher Intensity Residential" land uses east of Pearl Alley, and "Institutional" land uses along part of East Sixteenth Avenue. The site is also located within the boundaries of the University District Zoning Overlay and the University Area Impact District which requires review by the University Impact District Review Board (UIDRB). The proposal establishes nine development subareas. The CPD text includes use restrictions and supplemental development standards that address setbacks, required yards, building height, parking ratios and shared parking, landscaping, building design, and graphics restrictions. Variances for building height, minimum number of parking spaces required, parking space size, and loading spaces are included in the development text. The proposed development will conform to the submitted Regulating Plan. The proposal includes the "Fifteenth Avenue & High Street Urban Framework Plan" which shall be utilized by the UIDRB during their review for Certificates of Approval. The requested CPD, Commercial Planned Development District will allow a mixed commercial and residential development that is consistent with the land use recommendations of the *University District Plan*, and continues the redevelopment pattern of this segment of North High Street.

To rezone **15 EAST FIFTEENTH AVENUE (43201)**, being 9.62± acres generally located on the east side of North High Street from East Seventeenth Avenue to East Fourteenth Avenue, **From:** CPD, Commercial Planned Development District and C-4, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning #Z18-033) **and to declare an emergency.**

WHEREAS, application #Z18-033 is on file with the Department of Building and Zoning Services requesting rezoning of 9.62± acres from CPD, Commercial Planned Development District and C-4, Commercial District, to the CPD, Commercial Planned Development District; and

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

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

WHEREAS, the University Impact District Review Board 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 allow mixed commercial and residential development that is consistent with the existing zoning and development pattern of the area, and continues the redevelopment pattern of this segment of North High Street. Additionally, this request is consistent with the land use recommendations of the *University District Plan*; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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:

15 EAST FIFTEENTH AVENUE (43201), being 9.62± acres generally located on the east side of North High Street from East Seventeenth Avenue to East Fourteenth Avenue and being more particularly described as follows:

SUBAREA 1
1.421 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, Lots 115 through 121, inclusive, of Indianola Forest Addition as recorded in Plat Book 8, Page 4A and described as follows:

Beginning at the northwesterly corner of said Lot 121, the same being the intersection of the southerly right-of-way line for East 17th Avenue with the easterly right-of-way for North High Street;

Thence North 81° 46' 30" East, along said southerly right-of-way line, being 25.00 feet from the centerline thereof, 187.50 feet to the northeasterly corner of said Lot 121, the same being the intersection of the southerly right-of-way line for said East 17th Avenue with the westerly right-of-way line for North Pearl Street;

Thence south 08° 15' 05" East, along said westerly right-of-way line, being 10.00 feet from the centerline thereof, 330.17 feet to the southeasterly corner of said Lot 115, the same being the intersection of the northerly right-of-way line for East 16th Avenue with the westerly right-of-way line for said North Pearl Street;

Thence south 81° 44' 07" West, along said northerly right-of-way line, being 30.00 feet from the centerline thereof, 187.50 feet to the southwest corner of said Lot 115, the same being the intersection of the northerly right-of-way line for said East 16th Avenue with the easterly right-of-way line for said North High Street;

Thence North 08° 15' 05" West, along said easterly right-of-way line, being 33.00 feet from the centerline thereof, 330.30 feet to the Point of Beginning. Containing 1.421 acres, more or less.

SUBAREA 2A
0.671 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being part of that subdivision entitled, "Indianola Farm", of record in Plat Book 3, Page

89, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING, at the right-of-way intersection of that southerly right-of-way line of East 16th Avenue and that easterly right-of-way line of North High Street;

Thence North 81° 44' 07" East, with said southerly right-of-way line, a distance of 185.00 feet to the right-of-way intersection of said southerly right-of-way and that proposed westerly right-of-way line of North Pearl Street;

Thence South 08° 15' 05" East, with said proposed westerly right-of-way line, a distance of 158.08 feet to a point:

Thence South 81° 44' 55" West, across said "Indianola Farm", a distance of 185.00 feet to a point in said easterly right-of-way line of said North High Street;

Thence North 08° 15' 05" West, with said easterly right-of-way line, a distance of 158.04 feet to the POINT OF BEGINNING, containing 0.671 acre, more or less.

SUBAREA 2B
0.647 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being part of that subdivision entitled, "Indianola Farm", of record in Plat Book 3, Page 89, (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 the right-of-way intersection of the northerly right-of-way line of East 14th Avenue and the easterly right-of-way line of North High Street;

Thence North 08° 15' 05" West, with said easterly right-of-way line, a distance of 170.76 feet to the TRUE POINT OF BEGINNING;

North 08° 15' 05" West, with said easterly right-of-way line, a distance of 150.71 feet to a point in the right-of-way intersection of said easterly right-of-way and that proposed southerly right-of-way line of East 15th Avenue;

Thence North 81° 44' 07" East, with said proposed southerly right-of-way line, a distance of 140.12 feet to a point;

Thence with said proposed southerly right-of-way line, with the arc of a curve to the right, having a central angle of 10° 06' 27", a radius of 270.00 feet, an arc length of 47.63 feet, a chord bearing of North 86° 47' 21" East and chord distance of 47.57 feet to a point in the right-of-way intersection of said proposed southerly right-of-way and that westerly right-of-way line of North Pearl Street;

Thence South 08° 15' 05" East, with said westerly right-of-way line, a distance of 146.57 feet to a point;

Thence South 81° 44' 55" West, across said "Indianola Farm", a distance of 187.50 feet to the TRUE POINT OF BEGINNING, containing 0.647 acre, more or less.

SUBAREA 2C
0.822 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being part of that subdivision entitled, "Indianola Farm", of record in Plat Book 3, Page 89, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly

described as follows:

BEGINNING, at the right-of-way intersection of the northerly right-of-way line of East 14th Avenue and the easterly right-of-way line of North High Street;

Thence North 08° 15' 05" West, with said easterly right-of-way line, a distance of 170.76 feet to a point;

Thence North 81° 44' 55" East, across said "Indianola Farm", a distance of 187.50 feet to a point in that westerly right-of-way line of North Pearl Street;

Thence South 08° 15' 05" East, with said westerly right-of-way line, a distance of 211.33 feet to a point in the right-of-way intersection of said westerly right-of-way line and said northerly right-of-way line of said East 14th Avenue;

Thence North 86° 02' 30" West, with said northerly right-of-way line, a distance of 191.84 feet to the POINT OF BEGINNING, containing 0.822 acre, more or less.

SUBAREA 3
0.442 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being part of that subdivision entitled, "Indianola Farm", of record in Plat Book 3, Page 89, (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 the right-of-way intersection of that southerly right-of-way line of East 16th Avenue and that easterly right-of-way of North High Street;

Thence South 08° 15' 05" East, with said easterly right-of-way line, a distance of 158.04 feet the TRUE POINT OF BEGINNING;

Thence North 81° 44' 55" East, across said "Indianola Farm", a distance of 185.00 feet to a point in the proposed westerly right-of-way line of that North Pearl Street;

Thence South 08° 15' 05" East, with said proposed westerly right-of-way line, a distance of 101.93 feet to a point;

Thence South 11° 20' 42" West, with said proposed westerly right-of-way line a distance of 5.76 feet to a point in the right-of-way intersection of said proposed westerly right-of-way line and the proposed northerly right-of-way line of East 15th Avenue;

Thence with said proposed northerly right-of-way line, with the arc of a curve to the left, having a central angle of 07° 28' 52", a radius of 330.00 feet, an arc length of 43.09 feet, a chord bearing of South 85° 28' 33" West and chord distance of 43.06 feet to a point;

Thence South 81° 44' 07" West, with said proposed northerly right-of-way line, a distance of 125.44 feet to a point;

Thence North 47° 08' 47" West, with said proposed northerly right-of-way line, a distance of 23.35 feet to a point in said easterly right-of-way line of said North High Street

North 08° 15' 05" West, with said easterly right-of-way line, a distance of 86.41 feet to the TRUE POINT OF BEGINNING, containing 0.442 acre, more or less.

SUBAREA 4

0.706 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being all of Lots 1, 9, 10 and part of Lots 2, 3, 11, 12 and part of a 20 foot Alley of that subdivision entitled, "Unola Addition", of record in Plat Book 7, Page 130, (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 the right-of-way intersection of that northerly right-of-way line of East 15th Avenue and that easterly right-of-way of North Pearl Street;

Thence South 86° 02' 30" East, with said northerly right-of-way line, a distance of 2.56 feet to the intersection of the proposed easterly right-of-way line of Pearl Street and the northerly right-of-way line of East 15th Avenue, being the TRUE POINT OF BEGINNING;

North 08° 15' 05" West, with that proposed easterly right-of-way line of said North Pearl Street, a distance of 270.13 feet to a point in the right-of-way intersection of said proposed easterly right-of-way line and that southerly right-of-way line of East 16th Avenue;

Thence with said southerly right-of-way line, with the arc of a curve to the left, having a central angle of 12° 17' 36", a radius of 321.50 feet, an arc length of 68.98 feet, a chord bearing of North 75° 02' 10" East and chord distance of 68.85 feet to a point;

Thence continuing with said southerly right-of-way line, with the arc of a curve to the right, having a central angle of 02° 17' 09", a radius of 981.50 feet, an arc length of 39.16 feet, a chord bearing of North 70° 01' 57" East and chord distance of 39.16 feet to a point;

Thence South 08° 16' 22" East, across said "Unola Addition", a distance of 309.24 feet to a point in said northerly right-of-way line of said East 15th Avenue;

Thence North 86° 02' 30" West, with said northerly right-of-way line, a distance of 109.30 feet to the TRUE POINT OF BEGINNING, containing 0.706 acre, more or less.

**SUBAREA 5
1.781 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being all of Lots 4, 5, 6, 13, 14, 15, 16 and parts of Lots 2, 3, 7, 11, 12, 17, 18 and part of a 20 foot Alley of that subdivision entitled, "Unola Addition", of record in Plat Book 7, Page 130, (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 the right-of-way intersection of that northerly right-of-way line of East 15th Avenue and that easterly right-of-way of North Pearl Street;

Thence South 86° 02' 30" East, with said northerly right-of-way line, a distance of 111.86 feet the TRUE POINT OF BEGINNING;

Thence North 08° 16' 22" West, across said "Unola Addition", a distance of 309.24 feet to a point in the southerly right-of-way line of East 16th Avenue;

Thence with said southerly right-of-way line, with the arc of a curve to the right, having a central angle of 12° 55' 34", a radius of 981.50 feet, an arc length of 221.43 feet, a chord bearing of North 77° 38' 19" East and chord distance of 220.96 feet to a point;

Thence across said "Unola Addition", the following courses and distances: South 06° 06' 50" East, a distance of 174.33 feet to a point; South 12° 17' 31" East, a distance of 75.52 feet to a point; South 86° 39' 56" East, a distance of 33.17 feet to a point; and South 03° 20' 04" West, a distance of 120.54 feet to a point in said northerly right-of-way line of East 15th Avenue;

Thence North 86° 02' 30" West, with said northerly right-of-way line, a distance of 232.64 feet to the TRUE POINT OF BEGINNING, containing 1.781 acres, more or less.

SUBAREA 6
0.455 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being all of Lot 19 and part of Lots 17, 18, 20 and part of a vacated 20 foot Alley of that subdivision entitled, "Unola Addition", of record in Plat Book 7, Page 130, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING, at the right-of-way intersection of that westerly right-of-way line of a 20 foot Alley and the southerly right-of-way line of East 16th Avenue;

Thence across said "Unola Addition", the following courses and distances: South 01° 45' 12" West, a distance of 199.22 feet to a point; South 87° 24' 08" West, a distance of 25.55 feet to a point; South 03° 20' 04" West, a distance of 54.06 feet to a point; North 86° 39' 56" West, a distance of 33.17 feet to a point; North 12° 17' 31" West, a distance of 75.52 feet to a point; and North 06° 06' 50" West, a distance of 174.33 feet to a point in said southerly right-of-way line of said East 16th Avenue;

Thence with said southerly right-of-way line, with the arc of a curve to the right, having a central angle of 05° 59' 42", a radius of 981.50 feet, an arc length of 102.70 feet, a chord bearing of North 87° 05' 57" East and chord distance of 102.65 feet to the POINT OF BEGINNING, containing 0.455 acre, more or less.

SUBAREA 7A
0.904 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18 of the United States Military Lands and being on, over and across those tracts conveyed to Redstone Realty Company LLC by deed of record in Instrument Number 201412110164513 and those tracts conveyed to Beta Nu Building Association by deeds of record in Deed Book 2321, Page 626 and Deed Book 2454, Page 523 (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 the intersection of the northerly right-of-way line of East 14th Avenue and the easterly right-of-way line of North Pearl Street;

Thence South 86° 02' 30" East, with said northerly right-of-way line, a distance of 79.35 feet to the southwesterly corner of said Beta Nu (D.B. 2454, P. 253) tract and the southeasterly corner of that tract conveyed to Redstone Realty Company LLC by deed of record in Instrument Number 201308020130945, being the TRUE POINT OF BEGINNING;

Thence North 03° 27' 25" East, with a line common to said Beta Nu (D.B. 2454, P. 253) tract and said Redstone Realty tract, a distance of 175.00 feet to a common corner thereof and in the southerly line of that tract conveyed to Beta Nu Building Association by deed of record in Deed Book 1272, Page 464;

Thence South 86° 02' 30" East, with the northerly line of said Beta Nu (D.B. 2454, P. 253 and D.B. 2321, P. 626) tracts and said Redstone Realty tracts and the southerly line of said Beta Nu (D.B. 1272, P. 464) tract, that tract conveyed to The

Beta Phi Chapter of Delta Tau Delta House Association by deed of record in Deed Book 1283, Page 217, and that tract conveyed to Buck Pi Housing Association by deed of record in Instrument Number 201201050001717, a distance of 225.00 feet to a northeasterly corner of said Redstone Realty tracts;

Thence South 03° 27' 25" West, with the line common to said Redstone Realty tracts and that tract conveyed to University Manors, Ltd. By deed of record in Instrument Number 200107060153352, a distance of 175.00 feet to the northerly right-of-way line of East 14th Avenue;

Thence North 86° 02' 30" West, with said northerly right-of-way line, a distance of 225.00 feet to the TRUE POINT OF BEGINNING, containing 0.904 acre, more or less, being part of Auditor's Parcel Numbers 010-007570 and 010-002965 and all of Auditor's Parcel Number 010-053518, 010-019083, and 010-022795.

SUBARE 7B
0.402 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Indianola Farm as recorded in Plat Book 3, Page 89 and described as follows:

Beginning, for reference, at the intersection of the southerly right-of-way line for East 15th Avenue with the easterly right-of-way line for North Pearl Street;

Thence South 86° 02' 30" East, along said southerly right-of-way line, being 30.00 feet from the centerline thereof, 132.02 feet to the True Point of Beginning;

Thence South 86° 02' 30" East, along said southerly right-of-way line, being 30.00 feet from the centerline thereof, 100.00 feet;

Thence across said Indianola Farms, the following courses and distances: South 03° 27' 25" West, 175.00 feet; North 86° 02' 30" West, 100.00 feet; and North 03° 27' 25" East, 175.00 feet to the True Point of Beginning. Containing 0.402 acre, more or less.

SUBAREA 8
0.721 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Indianola Forest Addition as recorded in Plat Book 8, Page 4-A and described as follows:

Beginning at the intersection of the northerly right-of-way line for East 16th Avenue with the easterly right-of-way line for North Pearl Street;

Thence North 08° 15' 05" West, along said easterly right-of-way line, being 10.00 feet from the centerline thereof, 175.16 feet to the intersection of the easterly right-of-way line for said North Pearl Street with the southerly right-of-way line for a 15-foot Alley;

Thence North 81° 45' 30" East, along said southerly right-of-way line, being 7.50 feet from the centerline thereof, 246.76 feet to the intersection of the southerly right-of-way line for said 15-foot Alley with the northwesterly right-of-way line for Waldeck Avenue;

Thence with said northwesterly right-of-way line, being 30.00 feet from the centerline thereof, with a curve to the right, (delta= 00° 41' 29", radius= 1352.53 feet, arc=16.32 feet) a chord bearing and chord distance of South 14° 55' 29" West, 16.32 feet;

Thence with said northwesterly and northerly right-of-way lines, being 30.00 feet from the centerlines thereof, with a curve to the right, (delta= 67° 01' 19", radius= 261.50 feet; arc= 305.89 feet) a chord bearing and chord distance of South 48° 05' 23" West, 288.75 feet to the Point of Beginning. Containing 0.721 acre, more or less.

SUBAREA 9
0.647 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18 of the United States Military Lands and being on, over and across those tracts conveyed to Redstone Realty Company LLC by deed of record in Instrument Number 201412110164513 and Instrument Number 201308020130945 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of East 14th Avenue (60 foot right-of-way width) with the easterly right-of-way line of North Pearl Street (20 foot right-of-way width), also being the southwesterly corner of said Redstone Realty tract;

Thence North 08° 15' 05" West, with said easterly right-of-way line, a distance of 358.09 feet to the intersection of said easterly right-of-way line with the southerly right-of-way line of East 15th Avenue (60 foot right-of-way width), also being the northwesterly corner of said Redstone Realty tract;

Thence South 86° 02' 30" East, with said southerly right-of-way line, a distance of 74.52 feet to a corner common to said Redstone Realty tract and that tract conveyed to 43 E. 15th, LLC by deed of record in 200707110121364;

Thence South 01° 16' 33" East, with the line common to said Redstone Realty tract and said 43 E. 15th tract, a distance of 175.73 feet to a common corner thereof and in the northerly line of said Redstone Realty tract;

Thence South 86° 02' 30" East, with a line common to said Redstone Realty tract and said 43 E. 15th tract and a line common to said Redstone Realty tract and that tract conveyed to Beta Nu Building Association by deed of record in Deed Book 1272, Page 464, a distance of 63.00 feet to a northeasterly corner of said Redstone Realty tract a northwesterly corner of that tract conveyed to Beta Nu Building Association by deed of record in Deed Book 2454, Page 253;

Thence South 03° 27' 25" West, with a line common to said Redstone Realty tract and Beta Nu tract, a distance of 175.00 feet to a common corner thereof in the northerly right-of-way line of East 14th Avenue;

Thence North 86° 02' 30" West, with said northerly right-of-way line, a distance of 79.35 feet to the POINT OF BEGINNING, containing 0.647 acre, more or less, being all of Auditor's Parcel Number 010-040615 and Auditor's Parcel Number 010-005252.

Property Address: 15 East Fifteenth Avenue, Columbus, OH 43201.

To Rezone From: CPD, Commercial Planned Development District and C-4, Commercial District.

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of one hundred and 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, "**REGULATING PLAN PROPOSED CONDITIONS**," dated September 26, 2018 and signed by Eric J. Zartman, Attorney for the Applicant, and

text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," dated August 1, 2018, and supporting documentation titled, "**FIFTEENTH AVENUE & HIGH STREET URBAN FRAMEWORK PLAN**," dated September 21, 2018, and both signed by Michael T. Shannon, Attorney for the Applicant, and the text reading as follows:

SEE ATTACHMENT FILE ORD2760-2018_COMMERCIAL_PLANNED_DEVELOPMENT_TEXT

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**