



## Legislation Text

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**File #:** 3330-2019, **Version:** 1

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### **Rezoning Application Z19-067**

**APPLICANT:** Leslie Thompson; c/o Ashley Ingram, Atty.; 98 Hamilton Avenue; Columbus, OH 43203.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on November 14, 2019.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a portion of a parcel that is undeveloped and zoned in the ARLD, Apartment Residential District. The western portion of the parcel is developed with a commercial building that is already zoned in the C-3, Commercial District. The requested rezoning will establish the C-3, Commercial District on the entire parcel thereby permitting a parking lot on the subject site and expansion and conversion of the existing building into an eating and drinking establishment. The site is within the boundaries of the *Near East Area Plan* (2005), which recommends higher density residential and mixed-use development along this portion of Mt. Vernon Avenue. The site is also subject to the Mt. Vernon Urban Commercial Overlay. The requested zoning district is consistent with the *Near East Area Plan's* land use recommendation and with the established development pattern along Mt. Vernon Avenue. A concurrent Council Variance (Ordinance #3331-2019; CV19-089) has been filed to reduce the minimum number of parking spaces required for the proposed eating and drinking establishment.

To rezone **1194 MT. VERNON AVE. (43203)**, being 0.21± acres located on the north side of Mt. Vernon Avenue, 90± feet west of North Ohio Avenue, **From:** ARLD, Apartment Residential District, **To:** C-3, Commercial District (Rezoning #Z19-067).

**WHEREAS**, application #Z19-067 is on file with the Department of Building and Zoning Services requesting rezoning of 0.21± acres from ARLD, Apartment Residential District, to the C-3, Commercial 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 because the proposed C-3, Commercial District is consistent with the *Near East Area Plan's* land use recommendation for mixed-use development along this portion of the Mt. Vernon Avenue corridor; 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:

**1194 MT. VERNON AVE. (43203)**, being 0.21± acres located on the north side of Mt. Vernon Avenue, 90± feet west of North Ohio Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 12 as shown and delineated upon the plat “Robert Armstrong’s Subdivision” of record in Plat Book 1, Page 315, all of Lot 1 as shown and delineated upon the plat “Joseph Bennett’s Subdivision” of record in Plat Book 1, Page 325, and a portion of a Vacated Alley by City of Columbus Ordinance No. 871-71, Recorder’s Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the northerly right of way line of Mt. Vernon Avenue (width varies) at the southwesterly corner of said Lot 12 and the southeasterly corner of Lot 19 as shown and delineated upon the plat “Able Hildreth’s Subdivision” of record in Plat Book 3, Page 183;

Thence North 12°31’14” West, along the common line to said Lots 12 and 19, a distance of 118.50 feet to a point at the northeasterly corner of said Lot 19 in the southerly line of a 16 foot alley;

Thence North 77°15’46” East, along said southerly line, a distance of 66.00 feet to a point in the westerly line of said Lot 1;

Thence North 12°31’14” West, along said westerly line and the westerly terminus of said vacated alley, a distance of 43.50 feet to a point at the southwesterly corner of Lot 5 as shown and delineated upon the plat “Joseph Bennett’s Subdivision” of record in Plat Book 1, Page 325;

Thence North 77°15’46” East, along the southerly line of said Lot 5 and the northerly line of said vacated alley a distance of 30.00 feet to a point;

Thence South 12°31’14” East, through said vacated alley and along the easterly line of said Lot 1, a distance of 170.00 feet to a point in the northerly right-of-way line of Mt. Vernon Avenue at the southeasterly corner of said Lot 1;

Thence along the northerly right-of-way line of Mt. Vernon Avenue the following courses:

1. South 77°15’46” West, a distance of 30.00 feet to a point; 2. North 12°31’14” West, a distance of 8.00 feet to a point; 3. South 77°15’46” West, a distance of 66.00 feet to the place of beginning and containing 0.297 acre of land.

Excluding 33’ off the west side of the above described portion of Lot 12.

Bearings herein are based GPS observations, utilizing the Ohio State Plane Coordinate System, South Zone, Nad 83 (2011) which establishes a bearing of South 77°15’46” West for Mt. Vernon Avenue.

**To Rezone From:** ARLD, Apartment Residential District.

**To:** C-3, Commercial District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the C-3, Commercial 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.