



Legislation Text

File #: 1494-2020, **Version:** 2

Rezoning Application Z18-069

APPLICANT: The Ohio State University, Physical Planning and Real Estate; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Parking lot expansion for medical clinic.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on February 26, 2020.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a medical clinic building zoned in the CPD, Commercial Planned Development District, and three parcels developed with single-unit dwellings zoned in the R-3, Residential District. The applicant proposes the CPD, Commercial Planned Development District to permit a parking lot expansion for the medical office, with one dwelling to be maintained in the R-3 district on a smaller lot. The current CPD district is included to remove landscaping requirements along its southern boundary where the parking lot expansion will occur. The CPD district is comprised of two subareas with Subarea A located in the existing CPD district, and Subarea B only being for the expanded parking lot. The text commits to use restrictions, and provisions addressing lot coverage, access, landscaping, and graphics controls. Variances are included to permit parcel lines to divide maneuvering areas and parking spaces. The site is within the boundaries of the *Near East Area Plan* (2005), which recommends "Office/Light Industrial/Mixed Uses" for the medical clinic portion of the site, and "Lower and Medium Density Residential" for the expanded parking lot area. Deviation from the land use recommendation is supported for the parking lot expansion because sufficient landscaping and screening have been incorporated into the CPD Plan.

To rezone **543 TAYLOR AVE. (43203)**, being 6.82± acres located at the northwest and southwest corners of Taylor Avenue and Maryland Avenue, **From:** R-3, Residential and CPD, Commercial Planned Development districts, **To:** CPD, Commercial Planned Development District (Rezoning #Z18-069).

WHEREAS, application #Z18-069 is on file with the Department of Building and Zoning Services requesting rezoning of 6.82± acres from the R-3, Residential and CPD, Commercial Planned Development districts, 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 which will permit a parking lot expansion for an existing medical clinic remains consistent with the *Near East Area Plan*'s recommendation for "Office/Light Industrial/Mixed Uses," with deviation from the Plan's residential land use recommendation supported for the parking lot expansion area based on the landscaping and screening that have been incorporated into the CPD Plan; 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:

543 TAYLOR AVE. (43203), being 6.82± acres located at the northwest and southwest corners of Taylor Avenue and Maryland Avenue:

SUBAREA A (4.981 ACRES):

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.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SUBAREA B (1.843 ACRES):

Tract 1; 1.60 Acres:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 14, Township 5, Range 22 in the Refugee Lands, also being part of Reserve "A" of the Hayes Addition (Plat Book 5, Page 437), also being ~~part~~ **0.236-acre portion** of the right of way of Maryland Avenue (30' Wide) as conveyed by the City of Columbus ~~into~~ **Blueprint Community Development LLC by Instrument Number (To Be Recorded) 201812070165752 (see ordinance number 2337-2018 passed 9/27/18)** and being part of an original 2.139 acre tract conveyed to Blueprint Community Development LLC by Instrument Number 201710100141228 and being further described as follows:

Commencing at a cut limestone found in the southerly line of Lot 272 in said Hayes Addition, being in the northerly right of way of Atcheson Street (50' Wide) and also being 27.32 feet southwesterly of the northeasterly corner of said Lot 272;

Thence along the northerly right of way of Atcheson Street **North 53°03'34" East**, a distance of **288.40 feet** to a 5/8" diameter iron pin found at an angle, said point being the southwesterly corner of the portion of Atcheson Street vacated by Ordinance 22872 and being the ***True Point of Beginning***;

Thence **North 03°06'51" East**, a distance of **18.43 feet** across the grantor's property to a 5/8" iron pin set;

Thence **North 33°52'16" West**, a distance of **78.03 feet** across the grantor's property to a 5/8" iron pin set;

Thence **North 03°48'18" East**, a distance of **71.73 feet** across the grantor's property to a 5/8" iron pin set;

Thence **North 86°10'20" West**, a distance of **145.44 feet** across the grantor's property to a 5/8" iron pin set on the easterly right of way line of Johnson Street (50' Wide);

Thence along the easterly right of way line of Johnson Street **North 03°49'40" East**, a distance of **123.40 feet** to a 5/8" iron pin found on the southerly line of a 4.981 acre tract conveyed to The State of Ohio for the use and benefit of The Ohio State University by Instrument Number 201008200107573, said point also being the northwesterly corner of the **0.236-acre** portion of Maryland Avenue right of way, said portion being conveyed to Blueprint Community Development LLC by **City of Columbus, (see ordinance number 2337-2018 passed 9/27/18) and as recorded in** Instrument Number ~~(To Be Recorded)~~ **201812070165752**;

Thence continuing along the southerly line of said 4.981-acre tract and the northerly **0.236-acre portion of** right of way line of Maryland Avenue **South 86°04'52" East**, a distance of **343.31 feet** to a 5/8" iron pin found on the westerly right of way of Taylor Avenue (Width Varies) as described in deed to The Board of Commissioners of Franklin County in Deed Book 435, Page 435;

Thence along the westerly right of way of Taylor Avenue, the westerly line of said Board of Commissioners of Franklin County tract, and the westerly line of a 0.600 acre tract conveyed to The Board of Commissioners of Franklin County in Deed Book 431, Page 496, **South 04°02'16" West**, a distance of **272.90 feet** to a point on the current northerly right of way of Atcheson Street, referenced by a 5/8" iron pin found bearing North 56°18'32" East at a distance of 1.05 feet;

Thence along the northerly right of way of Atcheson Street and said 0.600-acre tract **North 86°53'09" West**, a distance of **148.90 feet** to the **TRUE POINT OF BEGINNING** and containing 1.600 acres, more or less, and subject to all other legal easements and rights of way.

Of the above described tract, 0.217 acres, more or less, is located within Auditor's Parcel Number 010-039612, 0.753 acres, more or less, is located within Auditor's Parcel Number 010-039613, 0.394 acres, more or less, is located within Auditor's Parcel Number 010-276677, and 0.236 acres more or less is located within Auditor's Parcel Number 010-299045 (vacated Maryland Avenue right-of-way).

The basis of bearing of North 03°49'40" East on the easterly right of way line of Johnson Street is referenced to the State Plane Coordinate System South Zone NAD 83 (NSRS 2007).

Iron pins set are 5/8"x30" rebar topped by an orange cap stamped "KNE PS No. 7799."

This description was prepared by Tony W. Meacham, Ohio Professional Surveyor No. 7799 from an actual field survey performed in 2018 by Korda/Nemeth Engineering, Inc.

Tract 2 (Vacated Taylor Avenue Right-of-Way); 0.243 Acres:

Situated in the State of Ohio, Franklin County, City of Columbus, Half Section 10, Township 5, Range 22, Refugee Lands and being part of Reserve "A", a portion of Maryland Avenue, 30 feet in width, originally dedicated as Home Avenue and a portion of Atcheson Street, 25 feet in width, vacated by the City of Columbus in Ordinance Number 22872, as delineated in the plat of Hayes Addition Plat Book 5, Page 437 and also being part of a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 435, Page 435 and part of a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 431, Page 496.

Commencing at a survey nail set at the northeast corner of Half Section 10, Township 5, Range 22, Refugee Lands, said point also being the intersection of the centerline of Taylor Avenue with the centerline of Maryland Avenue, originally dedicated as Atcheson Street, Plat Book 2, Page 132;

Thence along the north line of said Half Section 10 and the Hayes Addition **North 86° 04' 50" West** for a distance of **43.35 feet** to an iron pin set at the **True Point of Beginning**;

Thence across Maryland Avenue and a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 435, Page 435, **South 02° 13' 08" East** a distance of **76.91 feet** to an iron pin set;

Thence continuing across said Board of Commissioners of Franklin County tract, across a vacated portion of Atcheson Avenue (vacated by Ordinance Number 22872) and a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 431, Page 496, **South 04° 02' 16" West** a distance of **195.87 feet** to an iron pin set in an extension of the current northerly line of Atcheson Street (50' wide);

Thence continuing through said Board of Commissioners of Franklin County tract and along the extension of the northerly line of Atcheson Street **North 86° 53' 03" West** a distance of **40.01 feet** to the southeasterly corner of a 2.139 acre tract owned by the Blueprint Community Development LLC, described in Instrument Number 201710100141228, said point also being the intersection of the current northerly line of Atcheson Street with the current westerly line of Taylor Avenue (width varies);

Thence along the westerly line of Taylor Avenue and the easterly line of said Blueprint Community Development LLC tract **North 04° 02' 15" East** for a distance of **272.90 feet** (passing a point at 192.47 feet that is referenced by a 5/8" iron pin found bearing South 55° 15' 55" East at a distance of 0.84 feet and a point on the southerly line of the former Maryland Avenue at 242.51 feet, said point being referenced by a 5/8 inch diameter iron pin found bearing South 60° 21' 16" East at a distance of 0.89 feet) to an iron pin set on the northerly line of Half Section 10, in the northerly line of the former Maryland Avenue, and in the southerly line of a 4.981 acre tract of land conveyed to The Ohio State University by deed of record in Instrument Number 201008200107573;

Thence along the northerly line of Half Section 10, the northerly line of former Maryland Avenue, the southerly line of

said Ohio State University tract and the southerly line of a 0.355 acre tract of land conveyed to the State of Ohio by Ordinance 9254, Page J12 and Ordinance 9370, Page E06 (Parcel 104B-WL) **South 86° 04' 57" East** for a distance of **31.62 feet** (passing a 5/8" iron pin at a distance of 2.08 feet) to the **True Point of Beginning**, and containing **0.243 acres**, more or less, subject however to all other legal rights of way, easements and agreements of record. Said 0.243 acres fully resides in the present right of way of Taylor Avenue.

The bearing **North 04° 02' 15" East** on the westerly existing right of way line of Taylor Avenue is referenced to the State Plane Coordinate System, Ohio South NAD 83 (NSRS 2007).

Iron pins set are 5/8"x30" rebar topped by an orange plastic identification cap, stamped "KNE PS No. 7803".

To Rezone From: R-3, Residential 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 District on Subarea A of this property. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on **Subarea B** of 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 site plan being titled, "**OSU CAREPOINT EAST - DEVELOPMENT PLAN**," and text titled, "**CPD TEXT**," both dated June 13, 2020, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD

PROPERTY ADDRESS: 543 Taylor Avenue

OWNER: Blueprint Community Development LLC et al.

APPLICANT: The Ohio State University

DATE OF TEXT: 6/13/2020

APPLICATION: Z18-069

1. INTRODUCTION: The applicant needs to increase the amount of parking that is available to the existing medical office building. In Z92-012A which covers the medical office site, a landscape buffer was created along the south property line. The applicant has acquired additional ground to the south of the medical office building that it wants to incorporate into its existing parking area.

The property included in Z92-012A needs to be rezoned so that the landscape buffer may be eliminated to increase the parking area. The development standards have also been updated to reflect current city code and requirements. Subarea A is the existing development; Subarea B is the new parking area.

2. PERMITTED USES:

Subarea A

(a) All those uses permitted 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 B

(a) Parking lot

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. Setbacks are as shown on the site plan.
2. No building shall exceed the thirty-five (35) foot height district, with the exception of a hotel, which shall be permitted to develop at a maximum height of seventy-five (75) feet.

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

There will be two curbcuts to Taylor Avenue and one curbcut to Atcheson Street as shown on the submitted site plan. 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 of the Department of Public Service.

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

1. Parking lot screening shall be provided along the perimeter of Subarea B as shown on the submitted site plan. This landscaping buffer shall meet the City's requirement for parking lot screening.
2. 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.
3. 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.

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 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.

G. Miscellaneous

1. The Property shall be developed in accordance with the Site Plan titled “OSU Carepoint East - Development Plan,” as it pertains to the landscape buffer as shown in Subarea B, and the setbacks and access points as shown in Subareas A and B; 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. Variance:

3312.25 Maneuvering - to allow maneuvering to cross tax parcel lines

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

4. CPD Requirements

A. Natural Environment: The site is developed with a medical office building and the additional ground has three structures that will be removable to accommodate the new parking.

B. Existing Land Use: Office and residential

C. Transportation and Circulation: Access is from Taylor Avenue and Atcheson Street.

D. Visual Form of the Environment: Appropriate landscaping will be added to the new parking area.

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

F. Proposed Development: C-4, Commercial uses.

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.