



City of Columbus

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

Legislation Text

File #: 1672-2020, **Version:** 1

Rezoning Application: Z20-042

APPLICANT: Kelley Companies; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Michael Kelley, Atty.; 175 S. Third Street, Ste. 1020; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on June 11, 2020.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of twelve parcels developed with a parking lot and single-unit dwelling in the R-2F, Residential District. The requested AR-1, Apartment Residential District will permit a new multi-unit residential development. Concurrent Council variance (Ordinance #1651-2020; CV20-048) proposes a 31-unit apartment building, and includes variances for reduced parking lot landscaping and screening, parking setback, and side yards. The site is located within the boundaries of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location. The Plan does support the development of new infill housing that contributes to a walkable and diverse neighborhood that is compatible with existing architecture in the area and with the Plan's housing design guidelines. As such, the Planning Division has reviewed building elevations for the concurrent Council variance, and has determined they are in accordance with these guidelines. The requested AR-1, Apartment Residential District will allow a multi-unit residential development that is reflective of recent urban infill developments in the area that is compatible with the surrounding residential uses.

To rezone **762 MT. VERNON AVE. (43203)**, being 0.81± acres located at the northeast corner of Mt. Vernon Avenue and Hamilton Avenue, **From:** R-2F, Residential District, **To:** AR-1, Apartment Residential District (Rezoning #Z20-042).

WHEREAS, application #Z20-042 is on file with the Department of Building and Zoning Services requesting rezoning of 0.81± acres from R-2F, Residential District, to AR-1, Apartment Residential 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 proposed AR-1, Apartment Residential District will allow multi-unit residential development that is reflective of recent urban infill developments in the area, compatible with the surrounding residential uses, and is consistent with the *Near East Area Plan's* design guidelines; 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:

762 MT. VERNON AVE. (43203), being 0.81± acres located at the northeast corner of Mt. Vernon Avenue and Hamilton Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Franklin County Parcel number 010-042630 as conveyed to City of Columbus, Ohio by the instrument filed as Deed Book volume 2579, page 214, all of Franklin County Parcel number 010-026619 as conveyed to Shiloh Baptist Church by the instrument filed as Deed Book volume 3769, page 343, all of Franklin County Parcel number 010-012095 as conveyed to Shiloh Baptist Church by the instrument filed as Official Record volume 03460, page C11, all of Franklin County Parcel number 010-002725 as conveyed to Shiloh Baptist Church by the instrument filed as Official Record volume 03460, page C13, all of Franklin County Parcel number 010-013996 as conveyed to Shiloh Baptist Church by the instrument filed as Official Record volume 03314, page J06, all of Franklin County Parcel number 010-013997 as conveyed to Shiloh Baptist Church by the instrument filed as Official Record volume 03460, page C12, all of Franklin County Parcel number 010-019877 as conveyed to Shiloh Baptist Church by the instrument filed as Deed Book volume 3563, page 679, all of Franklin County Parcel number 010-056520 as conveyed to Trustees of Shiloh Baptist Church by the instrument filed as Deed Book volume 3340, page 536, all of Franklin County Parcel number 010-018631 as conveyed to Shiloh Baptist Church by the instrument filed as Official Record volume 34781, page G11, all of Franklin County Parcel number 010-033094 as conveyed to Shiloh Baptist Church of Columbus by the instrument filed as Official Record volume 30568, page G06, all of Franklin County Parcel number 010-013244 as conveyed to Shiloh Baptist Church of Columbus, Ohio by the instrument filed as Official Record volume 28639, page H19, and all of Franklin County Parcel number 010-057071 as conveyed to Shiloh Baptist Church by the instrument filed as Deed Book volume 3214, page 634, (all deed references refer to the records of the Recorder's Office Franklin County Ohio) and described as follows:

BEGINNING at the southwesterly corner of the said City of Columbus, Ohio parcel, being at the intersection of the easterly right-of-way line of Hamilton Avenue and the northerly right-of-way line of Mt. Vernon Avenue, the said point being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence along the westerly line of the said City of Columbus, Ohio parcel and along the said easterly right-of-way line, North 04 degrees 16 minutes 59 seconds East for a distance of 140.59 feet to a point at the northwesterly corner of the said City of Columbus, Ohio parcel and on the southerly right-of-way line of Edward Street;

Thence along the said southerly right-of-way line, partially along the northerly line of the said City of Columbus, Ohio parcel, and partially along the northerly line of the said Shiloh Baptist Church parcel, North 78 degrees 28 minutes 47 seconds East for a distance of 297.90 to a point at the northeasterly corner of the said Shiloh Baptist Church parcel and at the northwesterly corner of a parcel conveyed to E & D Properties by the instrument filed as Instrument Number 200006060111556;

Thence along the easterly line of the said Shiloh Baptist Church parcel, partially along the westerly line of the said E & D Properties parcel, and partially along the westerly line of a parcel conveyed to William T. Parker (1/6 interest) by the instrument filed as Official Record volume 09413, page D10 and Pride of West, No. 5, Knights of Pythias (5/6 interest) by the instrument filed as Official Record volume 12795, page J02, South 04 degrees 41 minutes 37 seconds West for a distance of 140.70 to a point at the southeasterly corner of the said Shiloh Baptist Church parcel, at the southwesterly corner of the said Parker/Pride parcel, and on the northerly right-of-way line of said Mt. Vernon Avenue;

Thence along the said northerly right-of-way line and along the southerly line of the said Shiloh Baptist Church parcel, South 78 degrees 26 minutes 48 seconds West for a distance of 166.05 to the southeasterly corner of a parcel conveyed to First National Cash Refund, Inc. by the instrument filed as Instrument Number 200504010060470;

Thence along the westerly line of the said Shiloh Baptist Church parcel and along the easterly line of the said First National Cash Refund, Inc. parcel, North 04 degrees 35 minutes 38 seconds East for a distance of 84.07 feet to a point at an interior corner of the said Shiloh Baptist Church parcel and at the northeasterly corner of the said First National Cash

Refund, Inc. parcel;

Thence along the southerly line of the said Shiloh Baptist Church parcel and along the northerly line of the said First National Cash Refund, Inc. parcel, South 77 degrees 45 minutes 08 seconds West for a distance of 70.76 feet to a point at an interior corner of the said Shiloh Baptist Church parcel and at the northwesterly corner of the said First National Cash Refund, Inc. parcel;

Thence along the easterly line of the said Shiloh Baptist Church parcel and along the westerly line of the said First National Cash Refund, Inc. parcel, South 11 degrees 25 minutes 18 seconds East for a distance of 79.90 feet to a point at an interior corner of the said Shiloh Baptist Church parcel, at the southwesterly corner of the said First National Cash Refund, Inc. parcel, and on the northerly right-of-way line of said Mt. Vernon Avenue;

Thence along the said northerly right-of-way line and along the southerly line of the said Shiloh Baptist Church parcel, South 78 degrees 26 minutes 48 seconds West for a distance of 83.29 feet to the TRUE POINT OF BEGINNING, containing 0.814 acres, more or less.

To Rezone From: R-2F, Residential District,

To: AR-1, Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the AR-1, 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 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.