



City of Columbus

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

Legislation Text

File #: 0611-2021, **Version:** 1

Rezoning Application: Z20-091

APPLICANT: JDS Companies; c/o Michael Shannon, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 11, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.62± acre site consists one parcel developed with a partially-constructed building in the M, Manufacturing District. The site was subject of setback and parking variances approved by the Board of Zoning Adjustment in 2015 and 2017 for a proposed 29-unit extended-stay hotel with 1,741 of eating and drinking establishment space, but that project never came to fruition. The requested AR-3, Apartment Residential District will allow the partially-constructed building to be completed as an apartment building. The site is located within the boundaries of the *Harrison West Plan* (2005), which recommends "Office/Commercial" land uses for this location. Though the proposal is not consistent with these recommendations, given the changing nature of land uses in the immediate area and the fact that the building is under construction, multi-unit residential development is consistent with the mixed use typology of the area and is supported. Planning Division staff notes that the proposal is located in an area that is walkable and used by pedestrians and bicyclists, and has reviewed building elevations and a revised site plan that includes additional bicycle parking and parking lot screening for the concurrent Council variance (Ordinance #0612-2021; CV20-105) which has been filed to reduce the required number of parking spaces and parking and building setback line requirements.

To rezone **840 MICHIGAN AVE. (43215)**, being 0.62± acres located at the northeast corner of Michigan Avenue and Buttles Avenue, **From:** M, Manufacturing District, **To:** AR-3, Apartment Residential District (Rezoning #Z20-091).

WHEREAS, application #Z20-091 is on file with the Department of Building and Zoning Services requesting rezoning of 0.62± acres from M, Manufacturing District, to the AR-3, Apartment Residential District; and

WHEREAS, the Development Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change, because although the requested AR-3, Apartment Residential District is not consistent with the "Office/Commercial" land use recommendation of the *Harrison West Plan*, staff recognizes that current market conditions and trends in Harrison West support residential development, and therefore supports the proposal as it is consistent with and enhances the neighborhood character; 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:

840 MICHIGAN AVE. (43215), being 0.62± acres located at the northeast corner of Michigan Avenue and Buttles

Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and described further as follows:

Being all of Lots 421 through 425 and part of Lot 420 of R.E. Neils Eighth Addition as the plat of same is shown of record in Plat Book 2, Page 183, Recorder's Office, Franklin County, Ohio, together with part of a vacated alley (as said alley was vacated by Ordinance No. 827-62 of the City of Columbus, Ohio enacted May 7, 1952), within that above named subdivision lying adjacent to the north line of the above named lots, and being a part of Disposal Block "B-1" of the Goodale Slum Clearance Area and being more particularly bounded and described as follows:

Beginning at the southwesterly corner of said Lot 425, said southwesterly corner being the intersection of the easterly line of Michigan Avenue with the Northerly line of Buttles Avenue;

Thence along the easterly line of Michigan Avenue being the westerly line of Lot 425, North 2° 45' 27" East, a distance of 150.00 feet to an iron pin;

Thence South 87° 11' 03" East a distance of 180.51 feet to an iron pin on the westerly line of Thurber Drive West;

Thence South 2° 46' 27" West along the westerly line of Thurber Drive (which is a line parallel to, and 12.5 feet west of the east line of Lot 420) a distance of 140.00 feet to the point of curvature of the intersection curve connecting the westerly line of proposed Thurber Drive, west with the northerly line of Buttles Avenue;

Thence along the arc of said curve (radius 10 feet delta 90° 03' 30" tangent 10.01 feet) the chord of which bears south 47° 47' 10.5" west a distance of 14.15 feet to the point of tangency of said curve in the northerly line of Buttles

Thence along the northerly line of Buttles Avenue, being the southerly line of Lots 421 through 425 and part of Lot 420 North 87° 11' 03" west a distance of 170.50 feet to the place of beginning, containing approximately 27,000 square feet, more or less.

LESS AND EXCEPTING therefrom the following 56.67 square foot tract as conveyed by 840 Michigan Avenue, LLC to the City of Columbus, Ohio by document recorded on February 26, 2016 of record in Instrument No. 201602260023019.

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of that tract of land conveyed to 840 Michigan Avenue, LLC, of record in Instrument No. 201507080092015, said tract also being Parcel B-1 as shown upon the recorded plat for the Re-Subdivision of Goodale urban Renewal Plat Number 1 or record in Plat Book 37, page 19A and described as follows:

Beginning, for reference, at a 5/8" rebar found in concrete at the southwest corner of said Parcel B-1, said corner also being at the right of way intersection of the easterly right of way line of Michigan Avenue (60') and northerly right of way line of Buttles Avenue (70');

Thence with the southerly line of said Parcel B-1 and the northerly right of way line of said Buttles Avenue (70'), S 88° 51' 03" E, 157.02 feet to an iron pin set at the True Point of Beginning;

Thence across said Parcel B-1 the following five (5) courses and distances:

N 03° 08' 57" E, 0.22 feet to an iron pin set;

S. 86° 49' 07" E. 6.97 feet to an iron pin set at a point of curvature;

with a curve to the left having a central angle of 90° 05' 03" and radius of 15.50 feet, an arc length of 24.37 feet and a chord bearing and distance of N 48° 08' 22" E. 21.94 feet to an iron pin set at a point of tangency;

N 03° 03' 58" E, 5.96 feet to an iron pin set;

S 86° 54' 33" E. 1.00 feet to an iron pin set in the easterly line of said Parcel B-1 and the westerly right of way line of Thurber Drive West (50');

Thence with the easterly and southerly lines of said Parcel B-1, the westerly right of way line of said Thurber Drive West (50') and the northerly right of way line of said Buttles Avenue (70') the following three (3) courses and distances:

S 03° 05' 27" W, 11.58 feet to an iron pin set at a point of curvature;

with a curve to the right having a central angle of 90° 03' 30" and a radius of 10.00 feet, an arc length of 15.72 feet and a chord bearing and distance of S 48° 07' 12" W, 14.15 feet to an iron pin set at a point of tangency;

N 86° 51' 03" W, 13.48 feet to the True Point of Beginning.

Containing 56.67 Square Feet, more or less. The above description was prepared by Advanced Civil Design on January 21, 2019 and is based on existing Franklin County records and an actual field survey performed in September of 2015. A drawing of the above description is attached hereto and made a part thereof.

Bearings are based on the Ohio State Plane Coordinate System South Zone, NAD83 NSRS 2007. A bearing of S 03° 05' 27" W was established by GPS for the easterly right of way line of Michigan Avenue (60' R/W) between two 5/8" rebar found in concrete.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

Parcel No. 010-140800

Address: 840 Michigan Avenue, Columbus, OH 43215

Prior Instrument Reference No.: General Warranty Deed filed July 8, 2015, as Instrument No. 201507080092015, Recorder's Office, Franklin County Ohio.

From: M, Manufacturing District.

To: AR-3, Apartment Residential District.

SECTION 2. That a Height District of sixty (60) feet is hereby established on the AR-3, 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.