



Legislation Text

File #: 2801-2020, **Version:** 1

Rezoning Application: Z19-099

APPLICANT: Metropolitan Holdings; c/o David Hodge, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Mixed-use development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (2-1-1) on November 12, 2020.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of 12 parcels which are primarily developed with a religious facility and parking lot in the ARLD, Apartment Residential, CPD, Commercial Planned Development, and R-3, Residential Districts. The applicant proposes the CPD, Commercial Planned Development District, to permit construction of a mixed-use development with a maximum of 122 apartment units and 3,000 square feet of commercial space. The development text commits to a site plan and building elevations, and includes development standards addressing setbacks, site access, landscaping, and graphics provisions. Variances to landscaping and screening, maneuvering, parking setback line, parking space, vision clearance, and building lines are included in this request. 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 recommend that commercial development be directed to the existing historic commercial districts. The Plan also includes guidelines that new buildings “echo and/or complement nearby historic buildings.” Planning staff recognizes that although this site is not specifically identified in the plan as a historic commercial district node, there is existing commercial present at this intersection. Planning staff also notes that the applicant introduced a residential townhome typology on Oak Street adjacent to the commercial space, and provided screening for the first floor garage consistent with the Plan’s guidance and best practices as requested. The overall materials shown are also consistent with the Plan’s recommendations. Additionally, with regard to parking, the proposal provides for screening and an analysis has been submitted that appropriately addresses the site’s impacts on adjacent properties. A concurrent Council variance (Ordinance #2802-2020; CV19-136) has been filed to permit ground-floor dwelling units and associated residential uses within the development.

To rezone **80 S. 18th ST. (43205)**, being 2.43± acres located at the northeast corner of South Eighteenth Street and Oak Street, From: ARLD, Apartment Residential District, CPD, Commercial Planned Development District, and R-3, Residential District, To: CPD, Commercial Planned Development District (Rezoning #Z19-099).

WHEREAS, application #Z19-099 is on file with the Department of Building and Zoning Services requesting rezoning of 2.43± acres from ARLD, Apartment Residential District, CPD, Commercial Planned Development District, and R-3, Residential District, 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 will allow a mixed-use development that is consistent with the design guideline recommendations of the *Near East Area 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

80 S. 18th ST. (43205), being 2.43± acres located at the northeast corner of South Eighteenth Street and Oak Street, and being more particularly described as follows:

Subarea A

Situated in the State of Ohio, County of Franklin and in the City of Columbus, being part of a 15 foot vacated alley as shown in Official Record 17703 Page H20, being Lots Nos. 3 and 4 and part of Lot Nos. 5, 6, and 7 of Joseph F. Firestone and Others Subdivision, of record in Plat Book 5, Page 262. All records refer to the Records Office of Franklin County, Ohio and more particularly described as follows:

Beginning at the southeasterly corner of said Lot No. 7, being the intersection of the northerly Right of Way line of Oak Street (50' R/W) and the westerly Right of Way line of Hoffman Avenue (50' R/W), and being the TRUE PLACE OF BEGINNING for the tract of land herein described:

Thence North 86°43'54" West, with said northerly Right of Way line and the southerly line of said Lot No. 7, a distance of 86.80 feet, to the southeasterly corner of a tract of land in the name of Kelly Sayers as described in Instrument Number 201705300072204;

Thence North 03°13'29" East, with the easterly line of said Sayers tract and through said Lot Nos. 6 and 7, a distance of 60.27 feet to a point.

Thence with the northerly line of said Sayers tract and through said Lot No. 6 the following two courses:

1. North 41°46'35" West, a distance of 37.86 feet to a point;
2. North 86°43'54" West, a distance of 31.93 feet to a point at the northwesterly corner of said Sayers tract and being in the centerline of said vacated Alley;

Thence South 03°13'19" West, with said centerline and the westerly line of said Sayers tract, a distance of 87.02 feet to a point in said northerly Right of Way line of Oak Street;

Thence North 86°43'54" West, with said northerly Right of Way line, a distance of 7.50 feet to a point at the intersection of said northerly Right of Way line and the westerly line of said vacated alley, being the easterly line of Lot No. 31 of Mitchell, Watson & Morrison's Addition as numbered and delineated upon the recorded plat thereof record in Plat Book 2, Page 9;

Thence North 03°13'19" East, with the westerly line of said vacated alley and the easterly line of said Lot No. 31, a distance of 214.49 feet to a point at the northeasterly corner of said Lot No. 31, being the intersection of the westerly line of said vacated alley and the southerly Right of Way line of Agate Alley (20' R/W).

Thence North 81°27'38" East, with said southerly Right of Way line and its easterly extension thereof, a distance of 15.32 feet to a point in the westerly line of said Lot No. 4;

Thence North 03°13'19" East, with the westerly line of said Lot Nos. 3 and 4, being the easterly Right of Way of 19th

Street (5' R/W), a distance of 70.57 feet to a point at the northwesterly corner of said Lot No. 3;

Thence South 86°44'00" East, with the northerly line of said Lot No. 3, a distance of 138.23 feet to a point in said westerly right of way line of Hoffman Avenue;

Thence South 03°16'01" West, with said westerly Right of Way line and the easterly lines of said Lot Nos. 3-7, a distance of 288.19 feet to the TRUE PLACE OF BEGINNING, containing 0.879 acres more or less.

The bearings shown are based on a centerline bearing for Oak Street of South 86°43'54" East from a GPS survey using Ohio State Plane Coordinates, South Zone, NAD 83 (2011 Adjustment).

Subarea B

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Sections 13 & 24, Township 5, Range 22, Refugee Tract:

Being all of Lots Twenty-Four (24), Twenty-Five (25), Twenty-Six (26) and Twenty-Seven (27) in Mitchell, Watson and Morrison's Addition to the City of Columbus as numbered and delineated on the recorded plat thereof, of record in Plat Book 2, Page 164, in the name of Allegheny West Conference Corporation/Seventh Day Adventist as described in Official Record 5758 F13, also being part of Lots Twenty-Eight (28), Twenty-Nine (29), Thirty (30) and Thirty-One (31) of said Mitchell, Watson and Morrison's Addition in the name of Columbus Area Chapter of the American Red Cross as described in Official Record 14071 G04, and part of Lots Twenty-Eight (28), Twenty-Nine (29), Thirty (30) and Thirty-One (31) of said Mitchell, Watson and Morrison's Addition in the name of The American National Red Cross as described in Official Record 20886 G03, all references are on file with the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pipe set in the northerly right-of-way line of Oak Street (50' R/W) and the easterly right-of-way line of 18th Street (50' R/W) also being the southwesterly corner of said Lot Twenty-Four (24);

Thence North 03°39'45" East, with said easterly line being the westerly line of said Lot Twenty-Four (24) a distance of 148.47 feet to an iron pipe set at the southeasterly corner of Agate Alley (20 R/W) being the northwesterly corner of said Lot Twenty-Four (24);

Thence North 81°27'38" East, with the southerly line of said Alley being the northerly lines of said Lots Twenty-Four (24), Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27), Twenty-Eight (28), Twenty-Nine (29), Thirty (30) and Thirty-One (31) a distance of 322.64 feet to an iron pipe set at the northeasterly corner of said Lot thirty-one (31) also being the northwesterly corner of a tract of land being a roadway vacation in the name of Greater Columbus Chapter of the American Red Cross by City of Columbus Ordinance 787-91;

Thence South 03°13'19" West, with the easterly line of said Lot Thirty-One (31) being the westerly line of said Greater Columbus Chapter of the American Red Cross tract a distance of 214.49 feet to an iron pipe set in the northerly line of said Oak Street being the southeasterly corner of said Lot Thirty-One (31);

Thence North 86°43'54" West, with said northerly line, being the southerly lines of said Lots Twenty-Four (24), Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27), Twenty-Eight (28), Twenty-Nine (29), Thirty (30) and Thirty-One (31) a distance of 317.01 feet to the True Place of Beginning, containing 1.318 acres more or less, subject to all legal highways, easements, leases, and restriction of record and of records in the respective utility offices.

Iron pipes set are 30" long, ¾" inside diameter iron pipes with a yellow cap stamped "OHM"

Bearings for this description are based on the Ohio State Plane Coordinate System, NAD83, South Zone, NSRS 2011 Adjustment holding the northerly right of way line of said Oak Street as being North 86°43'54" West.

Subarea C

Situated in the State of Ohio, County of Franklin and in the City of Columbus: Being Lot Number 16 of the Outhwaite and Hoffman's Subdivision of Lots Number 8 to 23 both inclusive, of Mitchell, Watson and Hoffman's Amended Subdivision of Mitchell, Watson and Morrison's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 117, Recorder's Office, Franklin County, Ohio, EXCEPTING a strip 97 feet in depth off of the northwardly end Lot 16, the southwardly line of which strip is parallel to Madison Avenue. The part of said Lot 16 hereby granted, being 48.3 feet on 18th Street and 67.33 feet in the alley South of said Lot, (also known as 64 S. 18th Street).

Subarea D

Situated in the City of Columbus, Franklin County, Ohio: Being Lot Number 21 and part of Lot Number 22 in Outhwaite and Hoffman's Subdivision as said lots are numbered and delineated upon the recorded plat thereof of record in Plat Book 3, page 117, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows: Beginning at a stake in the northwest corner of said Lot 21, thence southerly along the west line of said Lot 144.81 feet to a stake at the southwest corner thereof; thence in an easterly direction along the south line of said lots numbers 21 and 22, the distance of 53 feet to a stake; thence in a northerly direction 144.81 feet to a stake in the north line of Lot Number 22; thence in a westerly direction along the northline of said Lots Numbers 21 and 22 a distance of 53.50 feet to the place of beginning.

To Rezone From: ARLD, Apartment Residential District, CPD, Commercial Planned Development District, and R-3, Residential District.

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of sixty (60) 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 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 plans being titled, "**ZONING PLAN**," "**ZONING PLAN - PARKING EXHIBIT**," "**LANDSCAPE PLAN**," elevations titled "**ELEVATIONS, SHEETS 1-8**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," all dated November 19, 2020, and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

Application: Z19-099

Address: 80 South 18th Street

Parcels: 010-019959, 010-037821, 010-062814, 010-052300, 010-052303, 010-019254, 010-002948, 010-055146, 010-22076, 010-001837, 010-019106, 010-005390

Property Size: +/- 2.43 Acres

Current District: CPD, ARLD, and R-3

Proposed District: CPD

Area Commission: Near East Area Commission

Owners: Columbus Area Chapter of the American Red Cross, et al. (See Project Disclosure)

Applicant: Metropolitan Holdings

Attorney: David Hodge

Date: November 19, 2020

I. Introduction.

The subject property ("Site") is approximately 2.43 acres and located at the northeast corner of South 18th Street and Oak Street. The Site is currently zoned R-3, ARLD, and CPD. The R-3 area is used for a religious institution. The ARLD area is vacant. The CPD area is part of an area which was rezoned from L-P-1 to CPD by Ordinance 675-95 (Z95-020). The purpose of Ord. 675-95 was to rezone certain property for use as a parking lot to be shared by adjacent religious institutions and the American Red Cross located at the southeast corner of East Broad Street and Hoffman Avenue.

The Site is bordered by ARLD on the north and west, CPD and R-3 on the east, and R-3 on the south. The site is not subject to a commercial overlay nor a planning overlay and it is not a historic site. The site is within District 3 of the Near East Area Commission and subject to the Near East Area Plan. The Plan does not recommend a specific use for this site.

The Applicant proposes redevelopment of the northeast corner of South 18th Street and Oak Street with a mixed-use development. The development will provide approximately 3,000 square feet of commercial use and 122 dwelling units.

Below are the permitted uses and development standards to accommodate the proposed development and ensure that it is appropriate for the area.

II. Permitted Uses:

The permitted uses shall be those uses contained in Section 3356.03, C-4, Permitted Uses of the Columbus City Code. First floor residential or residential supporting uses shall be permitted in Subarea B, per Council Variance CV19-136. Use in Subareas A, C, and D shall be limited to parking.

III. Development Standards:

Except as otherwise listed herein or depicted on the CPD Plan, the development standards shall be those contained in Chapter 3356, C-4, Regional Scale Commercial District shall apply.

A. Density, Height, Lot and/or Setback Requirements:

1. The minimum building setback shall be zero feet from South 18th Street and Oak Street.
2. The minimum parking setback shall be 2 feet from South 18th Street and 6 feet from Hoffman Avenue.
3. A maximum of 122 dwelling units shall be permitted.
4. A maximum of 3,000 square feet of commercial use may be permitted.

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

1. Access shall be as shown on the CPD Plan.
2. Stacked parking spaces shall be permitted and count toward the minimum parking requirement.
3. Stacked parking spaces shall be allowed to maneuver though other parking spaces. Stacked parking spaces shall be assigned to specific residential units and each pair of stacked parking spaces shall be assigned to the same residential unit.
4. Parking spaces shall be allowed to maneuver into Agate Alley.
5. Parking spaces shall be allowed to maneuver across property lines.
6. Subarea A shall provide a minimum of 104 parking spaces. Subarea B shall provide a minimum of 158 parking spaces.

Subarea C shall provide a minimum of 9 parking spaces including compact parking spaces. Subarea D shall provide a minimum of 11 parking spaces.

7. Minimum required clear vision triangles at the driveways to 18th Street and Oak Street shall be reduced as depicted on the Site Plan.

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

1. Interior parking lot landscaping shall not be required.
2. Perimeter parking lot screening shall not be required on the perimeters of Subarea C and Subarea D.

D. Building, Design and/or Interior-Exterior Treatment Commitments:

The architectural style and massing of the building shall be designed in substantial conformance with the submitted Elevations, Sheets 1-8.

E. Dumpsters, Lighting, Outdoor Areas and/or other Environmental Commitments: N/A

F. Graphic and Signage Commitments:

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applicable to the C4, Commercial District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

The Site shall be developed in accordance with the submitted plans titled, “Zoning Plan,” “Zoning Plan-Parking Exhibit,” and “Landscape Plan” and the renderings titled “Oak and 18th Street Elevations, Sheets 1-8,” signed and dated November 19, 2020. These plans may be slightly adjusted to engineering, topographical, or other site development data developed at the time the development and engineering plans are completed. Any slight adjustment to the plans shall be subject to review and approval by the Director of Building and Zoning Services or a designee, upon submission of appropriate data regarding the proposed adjustment.

H. Modification of Code Standards:

1. 3312.21(A). To eliminate interior parking lot landscaping.
2. 3312.21(B). To eliminate perimeter parking lot landscaping on the perimeters of Subarea C and Subarea D.
3. 3312.25. To allow maneuvering for stacked parking spaces and into Agate Alley and across property lines.
4. 3312.27(4). To reduce the minimum parking setback line from 10 feet to 2 feet from South 18th Street and 6 feet from Hoffman Avenue.
5. 3312.49. To reduce the minimum parking requirement of Subarea B from 224 to 158. Subarea B uses may utilize excess parking in other subareas.
5. 3312.29. To allow stacked parking spaces in Subarea B and for those stacked parking spaces to count toward the required minimum amount of parking to be provided.
6. 3321.05(A)(1). To reduce minimum required clear vision triangles at the driveway to Oak Street, as depicted on the

Site Plan

7. 3321.05(B)(1). To reduce clear vision triangle on south side of intersection of South 18th Street and Agate Alley in Subarea B, as depicted on the Site Plan.

8. 3356.11(A)(3). To reduce the minimum building line from 25 feet to zero feet from South 18th Street and Oak Street.

I. CPD Criteria:

Natural Environment. The Site is located at the northeast corner of South 18th Street and Oak Street. The Site is currently zoned R-3, ARLD, and CPD. The Site is bordered by ARLD on the north and west, CPD and R-3 on the east, and R-3 on the south.

Existing Land Use. The R-3 area is used for a religious institution. The ARLD area is vacant. The CPD area is part of an area which was rezoned from L-P-1 to CPD by Ordinance 675-95 (Z95-020). The purpose of Ord. 675-95 was to rezone certain property for use as a parking lot to be shared by adjacent religious institutions and the American Red Cross located at the southeast corner of East Broad Street and Hoffman Avenue.

Transpiration and Circulation. The Site is accessed via curb cut on South 18th Street, Oak Street, Hoffman Avenue, and Agate Alley.

Visual Form of the Environment. The site is currently developed as a religious institution and parking lot. Except for the proposed building in Subarea B, the visual form of Subareas A, C, and D will remain largely the same.

View and Visibility. Consideration shall be given to the visibility and safety of motorists in the development of the area and location of buildings and access points.

Proposed Development. The Applicant proposes redevelopment of the northeast corner of South 18th Street and Oak Street with a mixed-use development. The development will provide approximately of 3,000 square feet of commercial use and 122 dwelling units.

Behavior Patterns. This neighborhood of the Near East area is known as Old Towne East. This neighborhood has recently seen a growing amount of mixed-use development.

Emission. 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.