



City of Columbus

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

Legislation Text

File #: 1850-2022, **Version:** 1

Rezoning Application Z22-026

APPLICANT: Kelley Companies; c/o Dave Perry, Agent; 411 East Town Street, 1st Floor; Columbus, OH 43201; and Michael Kelley, Atty.; 175 South Third Avenue, Suite 1020; Columbus, OH 43215.

PROPOSED USE: Mixed-use development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-2) on June 9, 2022.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.94± acre site consists of three parcels developed with a funeral home and associated parking lots in the CPD, Commercial Planned Development District. The funeral home parcel is also within the East Long Street Urban Commercial Overlay (UCO). The requested CPD, Commercial Planned Development District will permit redevelopment of the site within three areas: Area A will be redeveloped with a mixed-use building containing 90 apartment units, 5,500 square feet of eating and drinking establishment space with 450 square feet of accessory outdoor dining, and 50 enclosed parking spaces; Area B will be a 23- or 25-space parking lot; and Area C will be a 24-space parking lot. The parking spaces within Areas B and C are solely for those uses occurring within Area A. The CPD text proposes C-4, Commercial District uses with two private parking lots, and supplemental development standards addressing building height, building and parking setbacks, right-of-way dedication, traffic access, pedestrian connectivity, landscaping, fencing, and building materials. Code modifications to interior parking lot landscaping, parking setbacks, C-4 development limitations, maneuvering, parking space size, vision clearance, and a parking space reduction from 185 required to 99 (or 97) provided spaces are included in the request. The proposed uses are consistent with the *Near East Area Plan* (2005), which recommends "High Density Residential / Mixed-use" land uses at this location. The requested CPD district includes a commitment to develop the site in accordance with the submitted site plan which provides fencing adjacent to properties to the north, pedestrian connectivity between Area A and Areas B and C, traffic access to Area A moved to Keifer Avenue, adequate vision clearance and right-of-way dedication in Area A, and activation of the ground floor corner of Area A at East Long Street and Hamilton Avenue, with commercial and outdoor patio uses. A parking study was completed and reviewed to the satisfaction of the Department of Public Service. The requested CPD district is consistent with other urban mixed-use developments along historic commercial corridors, and includes appropriate use restrictions and development standards.

To rezone **720 E. LONG ST. (43203)**, being 0.94± acres located at the northwest corner of East Long Street and Hamilton Avenue, and the east and west sides of Hamilton Avenue, 170± feet north of East Long Street, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District (Rezoning #Z22-026).

WHEREAS, application #Z22-026 is on file with the Department of Building and Zoning Services requesting rezoning of 0.94± acres from CPD, Commercial Planned Development 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 is consistent other urban mixed-use developments along historic commercial corridors and includes appropriate use restrictions, supplemental development standards, and code modifications and reflected in the development text and submitted site 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:

720 E. LONG ST. (43203), being 0.94± acres located at the northwest corner of East Long Street and Hamilton Avenue, and the east and west sides of Hamilton Avenue, 170± feet north of East Long Street and being more particularly described as follows:

AREA “A” - 0.485+ ACRES

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being all of Lots 124, 125 and 126 of the East Park Place Addition as recorded in Plat Book 2, pg. 61, as conveyed to Richard J. Diehl in Deed Book (DB) 3502, Pg. 55, Franklin County Recorder’s Office;

TO FIND the place of beginning, COMMENCE at the intersection of Long St. (75 feet wide) and Hamilton Ave. (70 feet wide), as shown on the said E. Park Place Addition plat;

THENCE North 0 degrees 02’ 24” East, a distance of 39.98 feet, along the centerline of the said Hamilton Ave., to a point;

THENCE North 89 degrees 57’ 36” West, a distance of 35.00 feet to an iron pin set, being the southeast corner of the said Lot 124 and the intersection of the west line of said Hamilton Ave. and the north line of said Long St. for the TRUE PLACE OF BEGINNING;

THENCE Due West, a distance of 141.98 feet, along the south line of the said Lots 124, 125, and 126, and the north line of said Long St., to an iron pin set, being the southeast corner of Lot 127 as conveyed to the City of Columbus in OR 6738 A04, and being the southwest corner of said Lot 126;

THENCE North 00 degrees 02’24” East, a distance of 148.84 feet, along the east line of said Lot 126, being the west line of said Lot 127, to an iron pin set, said iron pin being the northwest corner of said Lot 126, being the northeast corner of said Lot 127, and being in the south line of Kiefer Ave. (19 feet wide);

THENCE Due East, a distance of 141.98 feet, along the north line of the said Lots 126, 125, and 124, and the south line of said Kiefer Ave., to a PK Nail set, in the west line of said Hamilton Ave., and being the northeast corner of said Lot 124;

THENCE South 0 degrees 02’24” West, a distance of 148.84 feet, along the east line of said Lot 124, along the west line of said Hamilton Ave., to the TRUE PLACE OF BEGINNING containing 21131 square feet or 0.485 acres, according to a survey by Paul K. Moore and Assocs. On December 31, 1996;

Franklin County Auditor Parcel: 010-001222

AREA “B” - 0.217+ ACRES

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being a part of Lots 149 and 152 of the East Park Place Addition as recorded in Plat Book 2, pg. 61, and being all of that part of Lot 149 conveyed to Richard J. Diehl in Official Record (OR) 32901 G-03 and all of that part of Lot 152 conveyed to Richard J. Diehl in Deed Book (DB) 3798, pg. 51, Franklin County Recorders Office;

TO FIND the place of beginning, COMMENCE at the intersection of Long St. (75 feet wide) and Hamilton Ave. (70 feet wide), as shown on the said E. Park Place Addition plat;

THENCE North 0 degrees 02' 24" East, a distance of 207.81 feet, along the centerline of the said Hamilton Ave., to a point;

THENCE North 89 degrees 57' 36" West, a distance of 35.00 feet to an iron pin set, being the southeast corner of the said Lot 149 and the intersection of the west line of the said Hamilton Ave. and the north line of Kiefer Ave. (19 feet wide) for the TRUE PLACE OF BEGINNING;

THENCE Due West, a distance of 133.46 feet, along the south line of the said Lot 149 and the north line of said Kiefer Ave., to an iron pin set, being the southeast corner of a 943 sq. ft. tract conveyed to the City of Columbus in DB 2325, pg. 65 and being the intersection of the north line of said Kiefer Ave. and the east line of an alley (width variable);

THENCE North 3 degrees 14' 34" West, a distance of 69.85 feet, crossing the said Lots 149 and 152, along the east line of said alley, the east line of the said 943 sq. ft. tract, and the east line of a 873 sq. ft. tract conveyed to the City of Columbus in DB 2320, pg. 498, to an iron pin set in the north line of said Lot 152 and in the south line of Lot 161 of the said E. Park Place Addition, and being the northeast corner of the said 873 sq. ft. tract;

THENCE Due East, a distance of 137.46 feet, along the north line of the said Lot 152 and the south line of the said Lot 161, to a 3/4" pinch top iron pin found in the west line of said Hamilton Ave., and being the northeast corner of said Lot 152 and the southeast corner of the said Lot 161;

THENCE South 0 degrees 02' 24" West, a distance of 69.74 feet, along the east lines of said Lots 152 and 149, and along the west line of said Hamilton Ave., to the TRUE PLACE OF BEGINNING containing 9450 square feet or 0.217 acres, according to a survey by Paul K. Moore and Assocs. On December 31, 1996;

Franklin County Auditor Parcel: 010-015970

AREA "C" - 0.233+ ACRES

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being all of Lots 150, and 151 of the East Park Place Addition as recorded in Plat Book 2, pg. 61, said Lot 150 being conveyed to Richard J. Diehl in Official Record (OR) 329901 G06, said Lot 151 being conveyed to Richard J. Diehl in OR 32901 G05, Franklin County Recorders Office;

TO FIND the place of beginning, COMMENCE at the intersection of Long St. (75 feet wide) and Hamilton Ave. (70 feet wide), as shown on the said E. Park Place Addition plat;

THENCE North 0 degrees 02' 24" East, a distance of 209.02 feet, along the centerline of the said Hamilton Ave., to a point;

THENCE South 89 degrees 57' 36" East, a distance of 35.00 feet to a PK Nail set, being the southeast corner of the said Lot 150 and the intersection of the east line of said Hamilton Ave., and the north line of Keifer Ave. (19 feet wide) for the TRUE PLACE OF BEGINNING;

THENCE North 0 degrees 02' 24" East, a distance of 69.74 feet, along the west line of said Lots 150, and 151 along the

east line of said Hamilton Ave., to a iron pin set, said iron pin being the northwest corner of said Lot 151, and being the southwest corner of Lot 162, the west 95' of which is conveyed to James E. & Charlene Davis, as recorded in DB 3530, Pg. 957;

THENCE South 89 degrees 30' 56" East, a distance of 153.89 feet, along the south line of the said Lot 162, and the north line of said Lot 151, to a iron pin set, being the southeast corner of said Lot 162 as conveyed to William C. Hutchins in DB 3550, Pg. 653, and being the northeast corner of said Lot 151, said iron pin being in the west line of Laurel Alley (20 feet wide);

THENCE South 11 degrees 53' 29" West, a distance of 69.94 feet, along the east line of said Lots 151, and 150, being the west line of said Laurel Alley, to a PK Nail set, said PK Nail being the southeast corner of said Lot 150, being the intersection of the west line of said Laurel Alley with the north line of said Kiefer Ave.;

THENCE Due West, a distance of 139.52 feet, along the south line of the said Lot 150, and the north line of said Kiefer Ave., to the TRUE PLACE OF BEGINNING containing 10140 square feet or 0.233 acres.
Property Address: 720 E. Long St., Columbus, OH 43203

Franklin County Auditor Parcel: 010-008381

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of one hundred and ten (110) feet is hereby established on Area A, and that a Height District of thirty-five (35) feet is hereby established on Areas B and C, 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 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, "**DIEHL 720 E LONG STREET**," and text titled, "**CPD, COMMERCIAL PLANNED DEVELOPMENT**," both dated June 15, 2022, and signed by David B. Perry, Agent for the Applicant, and Michael Kelley, Attorney for the Applicant, and the text reading as follows:

CPD, COMMERCIAL PLANNED DEVELOPMENT

EXISTING ZONING: CPD, Commercial Planned Development District

PROPOSED ZONING: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 720 E. Long Street, Columbus, OH 43203

AREA: 0.94 +/- acres

APPLICANT: Kelley Companies c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Michael Kelley, Attorney, Kelley Companies, 175 S. 3rd Street, Suite 1020, Columbus, OH 43215.

PROPERTY OWNER: REIA / Diehl, LLC c/o Estelle Diehl, 720 E. Long Street, Columbus, OH 43203

DATE OF TEXT: June 15, 2022

APPLICATION NUMBER: Z22-026

1. INTRODUCTION: The 0.94 +/- acre site (PID: 010-001222, 010-015970, and 010-008381) is located at the northwest corner of E. Long Street and Hamilton Avenue (Area A) and the west and east sides of Hamilton Avenue, 170' +/- north of E. Long Street (Area B and Area C). The site is zoned CPD (Z97-001), which limits use of the site to uses of the I, Institutional District (Area A), presently used as a funeral home, and off-site parking lots (Areas B and C) for the

funeral home. Applicant proposes to redevelop Area A with a 5 story residential building with 90 dwelling units (max.) and commercial uses with 50 enclosed parking spaces. Part of the building will have a mezzanine level above the 5th floor. Areas B and C are off-site of Area A, and are exclusively off-site parking for Area A. The parking lots are existing from construction of the parking lots for the funeral home use. Area A is in the E. Long Street Urban Commercial Overlay (UCO). The site plan titled “Diehl - 720 E Long Street”, hereafter “Site Plan”, depicting the proposed site development, is submitted as the site development plan

AREA A

2. PERMITTED USES: All uses of Chapter 3356, C-4, Commercial District.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan or in this written text, those standards contained in Chapter 3312, Off-Street Parking and Loading and 3356, C-4, Commercial District, of the Columbus City Code shall apply.

A.) Density, Height, Lot and/or Setback Commitments.

- 1). Height District shall be H-110 with height limited to 80’.
- 2). There shall be a maximum of 90 dwelling units, 5,050 SF of commercial use and 50 parking spaces on Area A.
- 3). Building setbacks shall be as follows and as noted on the Site Plan: E. Long Street, 0’, Hamilton Avenue, 0’, Keifer Street, 0’ and west property line, 0’.

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

- 1). Development of the site shall be as depicted on the submitted Site Plan. Vehicular access to on-site parking shall be from a full-turning movement curbcut on Keifer Street (alley), abutting the north side of Area A.
- 2). On-site parking is reduced to 50 spaces. Additional parking is provided on Area B and Area C.
- 3). Hamilton Avenue right of way totaling 36.5’ from C/L shall be conveyed to the City of Columbus prior to approval of the Final Site Compliance Plan.

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

N/A.

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

Primary exterior building materials shall be fiber cement panels and a masonry base.

E.) Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments.

Refuse collection shall be private service.

F.) Graphics and Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applies to the C-4, Commercial District. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

G.) Other CPD Requirements.

- 1). Natural Environment: Area A is developed with a funeral home and parking lot. The site will be redeveloped for the proposed use. There is extensive commercial and residential use in all directions.
- 2). Existing Land Use: Area A is developed with a funeral home and parking lot.
- 3). Circulation: All vehicular access to the Site for parking shall be from Hamilton Avenue for on-site parking. Refuse shall be accessed from Keifer Street (alley).
- 4). Visual Form of the Environment: E. Long Street, Hamilton Avenue and the area are extensively developed with commercial and residential uses.
- 5). Visibility: The site will be visible from E. Long Street and Hamilton Avenue.
- 6). Proposed Development: Five (5) story mixed use building with 90 dwelling units (max), 5,050 SF of commercial use and 50 on-site parking spaces.
- 7). Behavior Patterns: All vehicular access to the Site for parking shall be from Hamilton Avenue.
- 8). Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H.) Modification of Code Standards.

- 1). Section 3312.25, Maneuvering, to permit two (2) stacked parking spaces, thereby permitting two (2) parking spaces to be located in the maneuvering area of another parking space, subject to assignment of both spaces to the same dwelling unit.
- 2). Section 3312.29, Parking Space, to reduce the width of parking spaces from 9' wide to 8.5' wide, as noted on the Site Plan.
- 3). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 185 spaces to 99 spaces (Areas A, B, C), except if an additional transformer is located in Area B, in which case parking in Area B may be reduced to 23 spaces and total parking reduced to 97 spaces (Areas A, B, C).
- 4). Section 3321.05, Vision Clearance, to reduce the vision clearance triangle at the northeast corner of Area A from 10'x10' to 5'x5'.
- 5). Section 3356.05(F)(2), C-4 District Development Limitations, to permit the proposed mixed use building with a maximum of 90 dwelling units, an accessory leasing office and lobby and 5,050 SF (total) of commercial space, with the E. Long Street commercial space being approximately 60% +/- of the E. Long Street building frontage rather than 100% of the E. Long Street building frontage, with the remaining E. Long Street building frontage being the lobby for the residential use.

AREA B and AREA C:

2. PERMITTED USES: The use of Area B and Area C are limited to parking lots for Area A. Areas B and C are existing parking lots for the funeral home established with the CPD/Z97-001 rezoning.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan or in this written text, those standards contained in Chapter 3312, Off-Street Parking and Loading and 3356, C-4, Commercial District, of the Columbus City

Code shall apply.

A.) Density, Height, Lot and/or Setback Commitments.

- 1). Parking setbacks shall be as depicted on the Site Plan.
- 2). Area B and Area C have 25 and 24 parking spaces, respectively, subject to Area B being reduced to 23 parking spaces if an additional transformer needs to be located in Area B, as noted on the Site Plan.

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

- 1). Vehicular access to Area B and Area C shall be from the alley west of Area B and the alley east of Area C. Development of the site shall be as depicted on the submitted Site Plan, subject to modification of Area B parking if an additional transformer needs to be located in Area B, as noted on the Site Plan.
- 2). Sidewalk will be provided on Areas B and C to connect to the Hamilton Avenue sidewalks.

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

- 1). Trees and other landscaping shall be provided in the existing Hamilton Avenue parking setbacks of the existing parking lots to meet headlight screening of 3' height and 75% opacity.
- 2). The existing 5' opaque screen fence along the north side of both Area B and Area C shall be retained or replaced with comparable screening.

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

N/A.

E.) Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments.

N/A.

F.) Graphics and Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applies to the C-4, Commercial District Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

G.) Other CPD Requirements.

- 1). Natural Environment: Area B and Area C are existing parking lots. There is extensive commercial and residential use in all directions.
- 2). Existing Land Use: Parking lots.
- 3). Circulation: Vehicular access to Area B and Area C shall be from the alley west of Area B and the alley east of Area C. Development of the site shall be as depicted on the submitted Site Plan.
- 4). Visual Form of the Environment: There is extensive commercial and residential use in all directions.
- 5). Visibility: The site will be visible from Hamilton Avenue.

- 6). Proposed Development: None. Area B and Area C are existing parking lots.
- 7). Behavior Patterns: Vehicular access to Area B and Area C shall be from the alley west of Area B and the alley east of Area C. Development of the site shall be as depicted on the submitted Site Plan.
- 8). Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H.) Modification of Code Standards.

- 1). Section 3312.21(A)(3),(D)(1), Landscaping and Screening to place parking lot trees in the existing Area B and Area C parking lots in the Hamilton Avenue setback rather than uniformly spaced in the existing parking lots, and to reduce the 4' wide landscaped buffer strip along the north side of Area C to the existing 3'.
- 2). Section 3312.27, Parking Setback Line, to reduce the parking setback line for pavement for a transformer pad in the Hamilton Avenue parking setback, as depicted on the Site Plan. The transformer shall be screened with plant material to a height of 3', as depicted on the Site Plan.
- 3). Section 3312.29, Parking Space, to reduce the width of parking spaces from 9' wide to 8.5' wide on Area B, as noted on the Site Plan.

G.) Miscellaneous Commitments - Areas A, B and C.

Development of the site shall be in accordance with the Site Plan titled "Diehl - 720 E Long Street", dated 06/15/2022, and signed by David B. Perry, Agent for Applicant, and Michael Kelley, Attorney for Applicant. These plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.