

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
MAY 12, 2011**

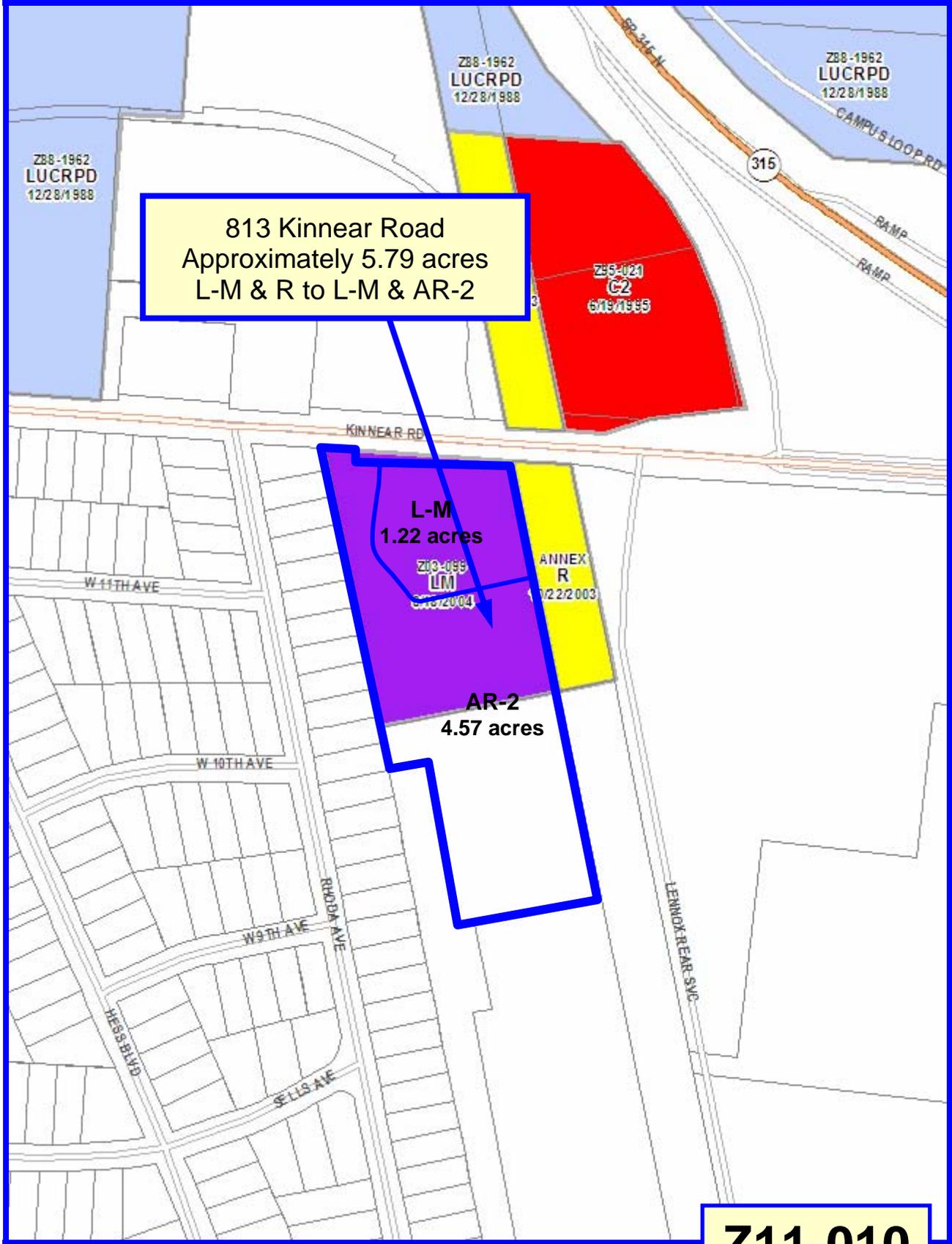
- 5. APPLICATION: Z11-010 (11335-00000-00129)**  
**Location:** **813 KINNEAR ROAD (43212)**, being 5.79± acres located on the south side of Kinnear Road, 120± feet east of Rhonda Avenue (420-268862 & 130-011852).  
**Existing Zoning:** L-M, Limited Manufacturing, and R, Rural (pending annexation) Districts.  
**Request:** L-M, Limited Manufacturing, and AR-2, Apartment Residential Districts.  
**Proposed Use:** Limited industrial and multi-unit residential development.  
**Applicant(s):** Kinnear Road Redevelopment LLC; c/o Dave Perry, The David Perry Co.; 145 East Rich Street, 3<sup>rd</sup> Floor; Columbus, OH 43215.  
**Property Owner(s):** Julia E. Pfeifer and Nittany Lions LTD; c/o Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3<sup>rd</sup> Floor; Columbus, OH 43215.  
**Planner:** Shannon Pine; 645-2208; [spine@columbus.gov](mailto:spine@columbus.gov).

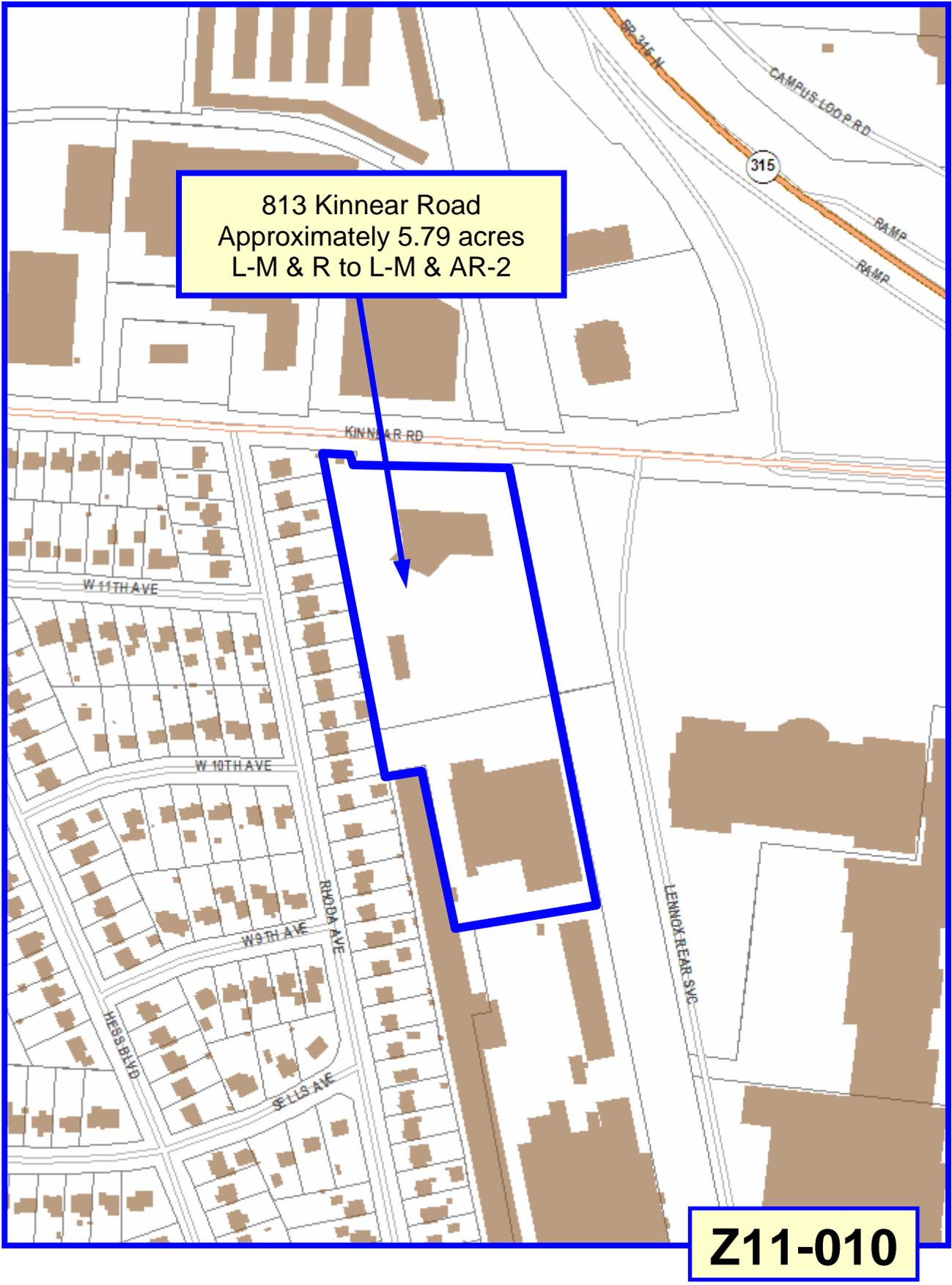
**BACKGROUND:**

- The 5.79± acre site is developed with an office building zoned L-M, Limited Manufacturing District, and a vacant industrial complex pending annexation from Clinton Township. The applicant requests the L-M, Limited Manufacturing District to remove buffering requirements for the existing L-M District which will be reduced in size from 3.75 acres to 1.22 acres. The remainder of the site is proposed as AR-2, Apartment Residential District to allow multi-unit residential development.
- The site is surrounded by industrial uses to the north and south, CSX railroad tracks and a shopping center/movie theater to the east, and single-unit residential development to the west, all in Clinton Township. A portion of the railroad tracks to the east are zoned in the R, Rural District.
- The limitation text carries over current use restrictions, and the buffering changes are supported because the L-M District will no longer border the single-unit dwellings in Clinton Township.
- A companion Council variance has been requested (CV11-008) to allow vehicular access through the AR-2 District for the L-M property, a perimeter yard reduction, maneuvering over the property line for the L-M District development, and a parking space reduction for the multi-unit residential development. The variance includes commitment to a site plan which proposes 188 apartment units, and will contain Healthy Places recommendations for safe pedestrian means throughout the development, and the construction of a sidewalk along the Kinnear Road frontage.
- The *Columbus Thoroughfare Plan* identifies Kinnear Road as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

**CITY DEPARTMENTS RECOMMENDATION:** Approval.

The requested L-M, Limited Manufacturing and AR-2, Apartment Residential Districts provide a transition from the commercial uses to the east and the single-unit residential development to the west. The request is compatible with development in the area.





813 Kinnear Road  
Approximately 5.79 acres  
L-M & R to L-M & AR-2

**Z11-010**



**L-M, Limited Manufacturing District  
813 Kinnear Road,  
Columbus, OH 43212**

**PROPOSED DISTRICT:** L-M, Limited Manufacturing District  
**EXISTING DISTRICT:** L-M, Limited Manufacturing (Z03-099)  
**ACRES:** 1.22 +/- acres  
**PROPERTY ADDRESS:** 813 Kinnear Road Columbus, OH 43212  
**OWNER(S):** Nittany Lions LTD c/o Donald Plank,  
Plank Law Firm, 145 East Rich Street, 3<sup>rd</sup> Fl.  
Columbus, OH 43215  
**APPLICANT:** Kinnear Road Redevelopment LLC c/o Dave  
Perry, David Perry Co., Inc., 145 East Rich  
Street, 3<sup>rd</sup> Fl., Columbus, OH 43215 and  
**DATE OF TEXT:** April 5, 2011  
**APPLICATION NUMBER:** Z11-010

**INTRODUCTION:** The subject property is located south of Kinnear Road, east of Rhoda Avenue and west of Lennox Town Center. The property (3.75 +/- acres) was rezoned in 2004 after annexation from Clinton Township (LI, Limited Industrial District) as a comparable zoning (Z03-099, Ordinance 1283-2004, passed July 19, 2004) to the City of Columbus L-M, Limited Manufacturing District (Z03-099, Ordinance 1283-2004). In conjunction with the current rezoning request to rezone from L-M to L-M, applicant is rezoning 4.57 +/- acres to the AR-2, Apartment Residential District, including part of the L-M area established by Ordinance 1283-2004, which, with Kinnear Road right of way dedication in 2004, results in the net area of the L-M district being 1.22 +/- acres. The L-M area is being rezoned solely to remove a provision of the current L-M text (Section 2. Development Standards, C. Buffering, Landscaping, Open Space and/or Screening Requirements, Sub-paragraph 2), which requires certain buffer requirements where adjacent to residential uses. At the time of the Z03-099 rezoning, the only adjacency of the site to residential uses was along the west property line of 807 Kinnear Road (PID: 420-268862). In conjunction with this application, applicant also proposes to rezone a portion of the L-M, including where presently contiguous to Clinton Township residential uses west of the current west property line of 807 Kinnear Road to the AR-2, Apartment Residential District. The intent of the buffer language was to buffer the Clinton Township residential uses, which will no longer be applicable to the L-M, 1.22 +/- acre area.

**1. PERMITTED USES:** Those uses permitted in C.C. 3363.01, Manufacturing Districts, C.C. 3363.02 through 3363.08, Warehouse, storage and sales establishment – Less Objectionable Uses, and 3363.175, Telecommunications Antennas. Telecommunication antennas shall be restricted to the southeast quadrant of the site. The following uses are prohibited: Adult entertainment establishment; Adult Store; Automobile and Light Truck Dealers; Automotive Sales, Leasing and Rental; Bars, Cabarets and Nightclubs; Blood and Organ Banks; Check Cashing and Loans; Community Food Pantry; Missions/Temporary Shelters; Motorcycle, Boat and Other Motor Vehicle Dealers; Motor Vehicle Accessories and Parts Dealers; Outdoor Power Equipment Sales; Pawn Brokers; Recreational Vehicle Dealers; Truck, Utility Trailer and RV (Recreational Vehicle) Sales, Rental and Leasing; Warehouse Clubs and Super Centers; Drive-in Motion Picture Theaters; Farm Equipment and Supply Stores; Garden, Landscaping and

Nursery Centers and Sales; Hospitals; Lawn and Garden Equipment and Supplies Stores; Performing Arts, Spectator Sports and Related Industries; Animal Shelter; Halfway House; Veterinarians (Unlimited practice); Coin-operated Laundries; Repossession Services; Display Advertising; Armored Car, Investigation Guard and Security Services; Astrology, Fortune Telling and Palm Reading; Butcher Shops, Fish, Meat and Seafood Markets (Unlimited size); Parking Garages; Crematory.

**2. DEVELOPMENT STANDARDS:** Unless otherwise indicated, the applicable development standards are contained in Chapter 3363, n, Manufacturing District of the Columbus City Code.

**A. Density, Lot and/or Setback Commitments.** N/A

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

All circulation, curb cuts and access points shall be subject to the approval of the Public Service Department.

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

Landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced at the next planting season or within six (6) months.

**D. Building Interior-Exterior Commitments.** N/A

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.** N/A

**F. Graphics and/or Signage Commitments.**

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, as it applies to the M, Manufacturing District and any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

Existing conditions are recognized as legal and non-conforming to the extent that they do not meet the standards set forth in Chapters 3363, 3312 and 3321, inclusive, of the Columbus City Code.

*The undersigned, being the owner and/or applicant or owner's and/or applicant's representatives in the subject application, does hereby agree singularly and collectively for himself, his heirs, successors and assigns, to abide by above restrictions, conditions,*

*and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.*

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David B. Perry, Agent for Applicant

Date

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Donald Plank, Attorney for Applicant and Property Owner

Date