



Legislation Details (With Text)

File #: 1261-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/21/2020 **In control:** Zoning Committee

On agenda: 6/15/2020 **Final action:** 6/18/2020

Title: To rezone 1535 N. CASSADY AVE. (43219), being 9.95± acres located on the west side of North Cassady Avenue, 950± feet north of Airport Drive, From: CPD, Commercial Planned Development District, To: L-AR-1, Limited Apartment Residential District (Rezoning #Z20-010).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1261-2020.Attachments, 2. ORD1261-2020.Labels

Date	Ver.	Action By	Action	Result
6/18/2020	1	CITY CLERK	Attest	
6/17/2020	1	MAYOR	Signed	
6/15/2020	1	COUNCIL PRESIDENT	Signed	
6/15/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
6/15/2020	1	Zoning Committee	Approved	Pass

Rezoning Application: Z20-010

APPLICANT: Metro Development LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 14, 2020.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the CPD, Commercial Planned Development District as Subarea A of Ordinance #1953-2019 (Z18-006) which permitted office commercial and institutional uses, along with hotels, motels, and extended stay hotels. An extended-stay hotel development had been planned for this site. The requested L-AR-1, Limited Apartment Residential District will instead permit multi-unit residential development with a maximum of 240 dwelling units (24.12 du/AC). A concurrent Council variance (Ordinance #1262-2020; CV20-015) has been submitted to vary the perimeter yard setback. The property is within the boundaries of the *Northeast Area Plan* (2007) which recommends "Airport Related" uses at this location, including office, retail, airport service, light industrial, and other uses that are compatible with and supportive of Port Columbus. The site is also within the boundaries of the *Port Columbus Joint Economic Development Strategy* (2008), which recommends "Office" and "Residential" uses for this location. The limitation text commits to a site plan, and includes provisions for traffic commitments and landscaping. Planning Division Staff notes that this proposal is a conversion from an extended-stay hotel development to an apartment complex that otherwise is largely consistent with the previous proposal, and along with the remainder of the CPD, Commercial Planned Development District, is consistent

with the *Northeast Area Plan's* land use recommendation for Airport Related uses.

To rezone **1535 N. CASSADY AVE. (43219)**, being 9.95± acres located on the west side of North Cassady Avenue, 950± feet north of Airport Drive, **From:** CPD, Commercial Planned Development District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z20-010).

WHEREAS, application #Z20-010 is on file with the Department of Building and Zoning Services requesting rezoning of 9.95± acres from CPD, Commercial Planned Development District, to L-AR-1, Limited Apartment Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Northeast Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed L-AR-1, Limited Apartment Residential District is largely consistent with the previous extended-stay hotel proposal, and along with the remainder of the property subject to the CPD, Commercial Planned Development District, is consistent with the *Northeast Area Plan's* land use recommendation for Airport Related uses; and

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:

1535 N. CASSADY AVE. (43219), being 9.95± acres located on the west side of North Cassady Avenue, 950± feet north of Airport Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 17, United States Military District, being a 10.077 acre tract of land, said 10.077 acre tract being part of a 30.908 acre tract of land, all of a 0.070 tract of land and part of a 0.669 acre tract of land, all being conveyed to Only Just LLC of record in Instrument Number 200312230402074, and being more particularly described as follows:

Beginning, at a pk nail set at northeasterly corner of said 30.908 acre tract, at a southeasterly corner of a 0.086 acre tract of land as conveyed to the City of Columbus, Ohio of record in Instrument Number 200903100033148, in a westerly line of a 1.385 acre tract of land conveyed to the City of Columbus, Ohio of record in Instrument Number 200407140163519 and being in the centerline of Cassady Avenue (R/W-Varies);

Thence **S 03° 09' 45" W**, along the easterly line of said 30.908 acre tract and said 0.070 acre tract, along the westerly line of said 1.385 acre tract and along the centerline of said Cassady Avenue (R/W-Varies), **55.70 feet** to a pk nail set at the southeasterly corner of said 0.070 acre tract and also being a northeasterly corner of a 0.854 acre tract of land conveyed to Cassady Retail Investors LLC of record in Instrument Number 201811080152814;

Thence **N 87° 20' 19" W**, along the southerly line of said 0.070 acre tract, along the northerly line of said 0.854 acre tract, along the northerly line of a 2.109 acre tract of land conveyed to Shivji Hospitality LLC of record in Instrument Number 201606270081707 and leaving said centerline, **534.45 feet** to a 3/4" iron rod found with a plastic cap inscribed "Woolpert" at the southwesterly corner of said 0.070 acre tract, at the northwesterly corner of said 2.109 acre tract and being in a easterly line of said 30.908 acre tract;

Thence **S 04° 33' 39" W**, along the westerly line of said 2.109 acre tract, along the westerly line of a 3.785 acre tract of land conveyed to Friendly Inc. of record in Instrument Number 201106270079769, along a portion of the westerly line of a 1.805 acre tract of land conveyed to CNI THL Propco FE LLC of record in Instrument Number 201711170163360 and

along the easterly line of said 30.908 acre tract, **744.53 feet** to an iron pipe found at a southeasterly corner of said 30.908 acre tract and the northeasterly corner of a 2.145 acre tract of land conveyed to GH Columbus Hotel Partners LLC of record in Instrument Number 201511180162859 (passing an iron rod found "damaged" at 315.14 feet);

Thence **N 86° 35' 17" W**, along the southerly line of said 30.908 acre tract and along the northerly line of said 2.145 acre tract, **378.46 feet** to an iron pipe found at a common corner thereof and being in the easterly line of a 6.453 acre tract of land conveyed to Airport Core Hotel LLC of record in Instrument Number 201411240156996;

Thence **N 04° 21' 46" E**, along the westerly line of said 30.908 acre tract and along the easterly line of said 6.453 acre tract, **49.50 feet** to an iron pipe found with a plastic cap inscribed "EP Faris" at a common corner thereof;

Thence across said 30.908 acre tract, the following three (3) courses;
 N 04° 12' 51" E, 50.00 feet to an iron pin set at an angle point;
 S 85° 29' 20" E, 20.37 feet to an iron pin set at an angle point;
 N 04° 31' 13" E, 836.62 feet to an iron pin set at an angle point;

Thence **S 87° 20' 19" E**, continuing across said 30.908 acre tract, along the northerly line of said 0.669 acre tract, along the southerly line of a 0.110 acre tract of land conveyed to Investment Land Holdings Inc. of record in Instrument Number 199903100060293, and along the southerly line of a 0.863 acre tract of land conveyed to One More LLC of record in Instrument Number 200312230402066, **888.94 feet** to a pk nail set at a common corner of said 0.669 acre tract and said 0.863 acre tract, in a westerly line of said 1.385 acre tract and being in the centerline of said Cassady Avenue (R/W-Varies) (passing an iron pin found at 623.94 feet);

Thence **S 03° 09' 45" W**, along the easterly line of said 0.669 acre tract, along the westerly line of said 1.385 acre tract and along said centerline, **64.89 feet** to a pk nail set at the southeasterly corner of said 0.669 acre tract and a northeasterly corner of said 0.086 acre tract;

Thence **N 87° 20' 19" W**, along the southerly line of said 0.669 acre tract and along the northerly line of said 0.086 acre tract, **50.00 feet** to an iron pin set at a common corner thereof;

Thence **S 03° 09' 45" W**, along the easterly line of said 0.669 acre tract and the westerly line of said 0.086 acre tract, **75.23 feet** to an iron pin set at a common corner thereof and being in the northerly line of said 30.908 acre tract;

Thence **S 87° 20' 19" E**, along the southerly line of said 0.086 acre tract and the northerly line of said 30.908 acre tract, **50.00 feet** to the **True Point of Beginning**. Containing about **10.077 acres**, more or less, of which 9.338 acres of land is out of APN: 010-258021 of which 0.034 acre is in the present right-of-way, 0.669 acre out of APN: 010-258019 of which 0.037 acre is in the present right-of-way and 0.070 acre out of APN: 010-220385 of which 0.004 acre is in the present right-of-way;

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on May 16, 2019 and is based on existing records from the Franklin County Auditor's and Recorder's Office and an actual field survey in January of 2018.

All iron pins set are 5/8" diameter, 30" long rebar with plastic cap inscribed "Advanced 7661". Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (NSRS2007). Said bearings were derived from GPS observation.

EXCEPTING THEREFROM:

Beginning for Reference, at a pk nail set at a northeasterly corner of said 10.077 acre tract, also being a southeasterly corner of a 0.086 acre tract of land conveyed to the City of Columbus, Ohio of record in Instrument Number 200903100033148, also being in the westerly line of that 1.385 acre tract of land conveyed to the City of Columbus, Ohio of record in Instrument Number 200407140163519 and being in the centerline of Cassady Avenue (R/W-Varies);

Thence N 03° 09' 45" E, along the easterly line of said 0.086 acre tract, along the westerly line of said 1.385 acre tract and along said centerline, **75.23 feet** to a pk nail set at the northeasterly corner of said 0.086 acre tract and a common corner thereof, the **True Point of Beginning**;

Thence N 87° 20' 19" W, along a southerly line of said 10.077 acre tract, along the northerly line of said 0.086 acre tract and leaving said centerline, **50.00 feet** to a 5/8-inch rebar set at the northwesterly corner of said 0.086 acre tract and a southeasterly corner of said 10.007 acre tract;

Thence N 03° 09' 45" E, across said 10.077 acre tract, **64.89 feet** to an 5/8-inch rebar set in a northerly of said 10.077 acre tract and being in the southerly line of a 0.863 acre tract of land conveyed to One More LLC of record in Instrument Number 200312230402066;

Thence S 87° 20' 19" E, along the northerly line of said 10.077 acre tract and the southerly line of said 0.863 acre tract, **50.00 feet** to a pk nail set at a northeasterly corner of said 10.077 acre tract, the southeasterly corner of said 0.863 acre tract and being in said centerline;

Thence S 03° 09' 45" W, along the easterly line of said 10.077 acre, along the westerly line of said 1.385 acre tract and along said centerline, **64.89 feet** to the **True Point of Beginning**.

Containing about **0.074 acres**, more or less, of which 0.037 acre is in the present right-of-way;

FURTHER EXCEPTING THEREFROM:

Beginning, at a pk nail set at a northeasterly corner of said 10.077 acre tract, also being a southeasterly corner of a 0.086 acre tract of land conveyed to the City of Columbus, Ohio of record in Instrument Number 200903100033148, also being in the westerly line of that 1.385 acre tract of land conveyed to the City of Columbus, Ohio of record in Instrument Number 200407140163519 and being in the centerline of Cassady Avenue (R/W-Varies);

Thence S 03° 09' 45" W, along the easterly line of said 10.077 acre, along the westerly line of said 1.385 acre tract and along the centerline of said Cassady Avenue (R/W-Varies), **55.70 feet** to a pk nail set at a southeasterly corner of said 10.077 acre tract and also being a northeasterly corner of a 0.854 acre tract of land conveyed to Shivji Hospitality LLC of record in Instrument Number 201606270081708;

Thence N 87° 20' 19" W, along a southerly line of said 10.077 acre tract, along the northerly line of said 0.854 acre tract and leaving said centerline, **50.00 feet** to a 5/8-inch rebar set;

Thence N 03° 09' 45" E, across said 10.077 acre tract, **55.70 feet** to an 5/8-inch rebar set at a northeasterly corner of said 10.077 acre tract, also being the southwest corner of said 0.086 acre tract

Thence S 87° 20' 19" E, along the northerly line of said 10.077 acre tract and the southerly line of said 0.086 acre tract, **50.00 feet** to the **True Point of Beginning**.

Containing about **0.064 acres**, more or less, of which 0.038 acre is in the present right-of-way;

Overall parcel containing 9.95 +/- Acres.

To Rezone From: CPD, Commercial Planned Development District.

To: L-AR-1, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-1, Limited 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 and shall register a copies of the approved L-AR-1, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Sections 3370.03 of the Columbus City Codes; said site plan being titled, "**DEVELOPMENT PLAN, WOODFIELD PARK,**" and said text being titled, "**DEVELOPMENT TEXT,**" both dated May 18, 2020, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

Address: 1535 Cassady
Owner: Woodfield Park LLC
Applicant: Metro Development LLC
Zoning Districts: L-AR-1
Date of Text: 5/18/20
Application: Z20-010

1. Introduction: The site was part of a larger zoning that City Council approved in 2019 (Z18-006). The proposed use was an extended stay. The applicant is proposing a multi-family development with the same number of units.

2. Permitted Uses: Those uses permitted in Section 3333.02 AR-12, ARLD and AR-1 apartment residential district use of the Columbus City Code.

3. Development Standards: Except as otherwise noted herein or on the submitted drawing, the applicable development standards of Chapter 3333 Apartment Districts of the Columbus City Code shall apply to this site. See Council Variance CV20-015

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

Maximum number of dwelling units shall be 240.

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

1. A traffic study has been completed for this site as part of Z18-006. As a result of the traffic study the following improvement shall be made:

a. The developer shall improve the intersection of the proposed access point with Plaza Properties Boulevard by making the site access three lanes: an eastbound (outbound) shared through right, an eastbound (outbound) left turn lane, and a westbound (inbound) lane. The site access shall align with the existing east leg, and existing traffic signal shall be modified as needed to accommodate the west leg of the intersection. The existing two-way left turn lane and striped median areas shall be restriped to provide a northbound left turn lane.

b. The City has agreed to accept a cash contribution of \$250,380 from the developer for future improvements to the Airport Drive intersection with Cassady Avenue.

2. A cross access easement shall be provided to the following parcels 010-296191, 010-296192, 010-211800 and 010-253470 to access the full access driveway shown on the submitted site plan which lines up with Plaza Properties Boulevard. The easement shall split the cost of the driveway, traffic signal modification and maintenance cost between the parcels have access to said driveway.

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

1. Street trees shall be installed at a minimum of forty feet on center along the west side of Cassady Avenue.

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

N/A

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

N/A

F. Graphics and/or Signage Commitments.

Any variance to the standards of Columbus City Code shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments.

1. The developer shall comply with the parkland dedication ordinance.
2. The proposed development shall be developed in general conformance with the submitted Site Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any adjustment to the Site Plan shall be reviewed and may be approved by the City's Director of the Department of Building & 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.