



## Legislation Details (With Text)

**File #:** 1511-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/17/2024      **In control:** Zoning Committee

**On agenda:** 6/3/2024      **Final action:** 6/3/2024

**Title:** To rezone 2005 DEMOREST RD. (43123), being 8.79± acres located on the west side of Demorest Road, 90± feet north of Demorest Highlands Lane, From: R, Rural District, To: L-AR-1, Limited Apartment Residential District (Rezoning #Z24-001).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1511-2024\_Attachments, 2. ORD1511-2024\_Labels

Date	Ver.	Action By	Action	Result
6/5/2024	1	CITY CLERK	Attest	
6/4/2024	1	ACTING MAYOR	Signed	
6/3/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/3/2024	1	Zoning Committee	Waive the 2nd Reading	Pass
6/3/2024	1	Zoning Committee	Approved	Pass

### Rezoning Application: Z24-001

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

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on April 11, 2024.

**WESTLAND AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-1, Limited Apartment Residential District will allow the site to be developed with a 166-unit apartment complex in accordance with the submitted site plan. Although the proposed use is inconsistent with the *Westland Area Plan's* (1994) land use recommendation of "Residential 3-5 Units Per Acre" at this location, staff notes the presence of existing residential uses in the vicinity as a mitigating factor in considering support for this request. Commitments found within the limitation text, site plan, and building elevations provide additional grounds for support. Additionally, this request will not add incompatible uses to the area. A concurrent Council variance (Ordinance #1514-2024; CV24-001) has been filed to reduce the required building lines and increase the detached garage height.

To rezone **2005 DEMOREST RD. (43123)**, being 8.79± acres located on the west side of Demorest Road, 90± feet north of Demorest Highlands Lane, **From:** R, Rural District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z24-001).

**WHEREAS**, application #Z24-001 is on file with the Department of Building and Zoning Services requesting rezoning of 8.79± acres from R, Rural District, to L-AR-1, Limited Apartment Residential District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-AR-1, Limited Apartment Residential District will permit multi-unit residential development that is consistent with the surrounding zoning and development pattern and aligns with the City's objective of including more housing, and supported by commitments found within the limitation text, site plan, and building elevations; 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:

**2005 DEMOREST RD. (43123)**, being 8.79± acres located on the west side of Demorest Road, 90± feet north of Demorest Highlands Lane, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Jackson, being part of Survey No. 1389 of the Virginia Military Survey and containing 8.79± acres, said 8.79± acres being part of that 0.87 acre tract of land described as Parcel 1 and conveyed to Jackie Lee McNabb by Affidavit of record in Instrument No. 202311220122737, Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 2833, P. 258, part of that 6.487 acre tract of land described as Parcel 2 and conveyed to Jackie Lee McNabb by Affidavit of record in Instrument No. 202311220122737, Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 3263, P. 526, part of that 1.0677 acre tract of land described as Parcel 3 and conveyed to Jackie Lee McNabb by Affidavit of record in Instrument No. 202311220122737, Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Instrument No. 201110110129182, part of that 0.8726 acre tract of land described as Parcel 4 and conveyed to Jackie Lee McNabb by Affidavit of record in Instrument No. 202311220122737, Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 3266, P. 331, and being more particularly described as follows;

**Beginning for Reference**, at Franklin County Monument "FCGS 0069" being in the centerline of Demorest Road and being S 02°02'16" W, 477.8±' from a found Franklin County Monument "FCGS 6012" in the centerline of said Demorest Road, said beginning point also being the southeasterly corner of said Parcel 3, the northeasterly corner of said Parcel 4, the northwesterly corner of that 0.277 acre tract of land as conveyed to the City of Columbus of record in Official Record 26839, Page J17 and the southwest corner of that 0.11 acre tract of land described as Parcel III and conveyed to Faith Community Church of God of record in Instrument No. 200509010181173;

Thence **S 01°09'27" W**, with a westerly line of said 0.277 acre tract, easterly lines of said Parcel 4, Parcel 1 and Parcel 2, and along said centerline, **401.9± feet** to a southeasterly corner of said Parcel 2;

Thence **N 88°43'58" W**, across the right-of-way of said Demorest Road and with a southerly line of said Parcel 2, **40.0± feet** to a northeasterly corner of Lot 1 of Demorest Highlands of record in Plat Book 74, Page 69, also being the **True Point of Beginning**;

Thence **N 88°43'58" W**, with a southerly line of said Parcel 2, with a northerly line of Lots 1 through 17, inclusive, of Demorest Highlands of record in Plat Book 74, Page 69, **1304.5± feet** to a southwesterly corner of said Parcel 2, a northwesterly corner of said Lot 17 and in the easterly line of Lot 144 as numbered and delineated upon the record plat of Alkire Village, Section 2 Part 2, of record in Plat Book 96, Page 59;

Thence **N 01°32'10" E**, with a westerly line of said Parcel 2 and an easterly line of said Lot 144, **17.7± feet** to a northwesterly corner of said Parcel 2 and a southwesterly corner of Lot 1 as numbered and delineated upon the record plat of Salem Heights of record in Plat Book 26, Page 29;

Thence **S 89°06'50" E**, with a northerly line of said Parcel 2 and a southerly line of said Lot 1, **81.8± feet** to an angle point;

Thence **N 65°29'08" E**, continuing with a northerly line of said Parcel 2, a northerly line of said Parcel 3, a southerly line of Lots 1 through 11, inclusive, of said Salem Heights, partially with the southerly line of that 0.57 acre tract of land described as Parcel 24A-WL as conveyed to the State of Ohio of record in Deed Book 2822, Page 681 and partially along the limited access right-of-way of I-270, **1301.8± feet** to a northerly corner of said Parcel 3 and a westerly corner of that 0.15 acre tract of land described as Parcel 24-WL as conveyed to the State of Ohio of record in Deed Book 2818, Page 215;

Thence **S 43°33'51" E**, with a northeasterly line of said Parcel 3, southwesterly line of said Parcel 24-WL and along said limited access right-of-way line, **72.8± feet** to a point;

Thence across said Parcel 3, Parcel 4, Parcel 1 and Parcel 2, the following two (2) courses and distances: **S 02°02'16" W, 130.7± feet; S 01°09'26" W, 402.1± feet** to the **True Point of Beginning**, containing **8.79± acres** more or less.

Parcel No.: 160-000126, 160-002175, 160-002146, and 160-000228

Property Address: 2005 Demorest Rd., Columbus, OH 43123.

**To Rezone From:** R, Rural 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 change on the said original zoning map and shall register a copy of the approved L-AR-1, Limited Apartment District, and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**DEVELOPMENT PLAN**," and said text being titled, "**LIMITATION TEXT**" both dated April 22, 2024, and signed by Jeff Brown, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings 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 a designee, upon submission of the appropriate data regarding the proposed adjustment.

## **LIMITATION TEXT**

**PROPOSED DISTRICT:** L-AR-1, Limited Apartment District

**PROPERTY ADDRESS:** 2005 Demorest Road

**OWNER:** Jackie Lee McNabb

**APPLICANT:** Metro Development LLC

**DATE OF TEXT:** 4/3/2024

**APPLICATION NUMBER:** Z24-001

**1. INTRODUCTION:** The site is on the west side of Demorest Road south of Alkire Road. The site is being annexed into the City of Columbus. There is an existing house along with out buildings on the site. There are existing single-unit dwellings north and south of the site with multi-unit residential development across from the site on the east side of Demorest Road.

**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:** Unless otherwise indicated in the submitted text or drawing the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. The maximum number of dwelling units shall be 166.
2. The height of the garages is increased from 15 to 16 feet (see CV24-001).
3. The building setback from Demorest Road is reduced from 40 to 25 feet (see CV24-001).

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

1. The applicant shall install a shared use path along its Demorest Road frontage and extend such facility to the northwest corner of Demorest Road and Demorest Highland Lane.
2. The applicant shall install a 235-foot (inclusive of a 60 foot diverging taper) northbound left turn lane and a 225-foot (inclusive of a 50 foot diverging taper ) southbound right turn lane on Demorest Road at the site's entrance.
3. The applicant shall include in its stormwater drainage calculation and provide onsite storage for the area of a shared use path to connect from the north end of this site to the existing sidewalk at the intersection of Demorest Road and Alkire Road as approved by the Division of Sewerage and Drainage during review of the stormwater drainage (storm CC) plan.

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

The applicant shall install the perimeter screening and fencing as shown on the submitted site plan.

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

The buildings shall be constructed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

E. 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 AR-1 zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan 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.