



Legislation Details (With Text)

File #: 2845-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/27/2020 **In control:** Zoning Committee

On agenda: 12/14/2020 **Final action:** 12/17/2020

Title: To rezone 2685 E. LIVINGSTON AVE. (43209), being 4.94± acres located at the southeast and southwest corners of East Livingston Avenue and Brookwood Road, From: R-3, Residential District, To: AR-O, Apartment Office District (Rezoning #Z20-054).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#2845-2020_Attachments, 2. ORD#2845-2020_Labels

Date	Ver.	Action By	Action	Result
12/17/2020	1	CITY CLERK	Attest	
12/16/2020	1	MAYOR	Signed	
12/14/2020	1	COUNCIL PRESIDENT	Signed	
12/14/2020	1	Zoning Committee	Approved	Pass
12/7/2020	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z20-054

APPLICANT: National Church Residences, c/o Matthew Bierlein, Atty.; 2335 North Bank Drive; Columbus, OH 43220.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on November 12, 2020.

MIDEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 4.94± acre site consists of six parcels developed with a vacant religious facility and undeveloped land zoned in the R-3, Residential District. The applicant requests the AR-O, Apartment Office District to permit multi-unit residential development. The site is within the boundaries of the *Livingston East Area Plan* (2009), and is within an area that has adopted the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). While the Plan recommends institutional and single-unit residential uses at this location, C2P2 guiding principles support mixed-use and high density residential infill development at this location along a primary corridor. A concurrent Council Variance (Ordinance #2846-2020; CV20-058) has been filed to reduce the minimum number of parking spaces required, building lines, and parking setback for a senior housing development.

To rezone **2685 E. LIVINGSTON AVE. (43209)**, being 4.94± acres located at the southeast and southwest corners of East Livingston Avenue and Brookwood Road, **From:** R-3, Residential District, **To:** AR-O, Apartment Office District (Rezoning #Z20-054).

WHEREAS, application #Z20-054 is on file with the Department of Building and Zoning Services requesting rezoning of 4.94± acres from the R-3, Residential District, to the AR-O, Apartment Office District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed AR-O, Apartment Office District is compatible with the *Livingston East Area Plan's* land use recommendations and C2P2 guiding principles which support mixed-use and high density residential infill development along the Livingston Avenue corridor; 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:

2685 E. LIVINGSTON AVE. (43209), being 4.94± acres located at the southeast and southwest corners of East Livingston Avenue and Brookwood Road, and being more particularly described as follows:

The Land referred to herein below is situated in the County of Franklin, City of Columbus, State of Ohio, and is described as follows:

TRACT I:

Being Lot Number Two Hundred Thirty (230), Lot Number Two Hundred Thirty-one (231), Lot Number Two Hundred Thirty-two (232) and Lot Number Two Hundred Thirty-three (233), Berwick subdivision, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 19, Pages 25, 26 and 27, Recorder's Office, Franklin County, Ohio.

Part of Parcel Number 010-087759-00.

TRACT II:

Being Lots Nos. 210, 211, 212, 224, 225, 226, 227, 228, 259, 260, 261 and 262, Berwick Addition, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 19, Pages 25, 26 and 27, Recorder's Office, Franklin County, Ohio.

Parcel Number 010-087745-00 (Lot 210)

Parcel Number 010-087746-00 (Lot 211)

Parcel Number 010-087747-00 (Lot 212)

Part of Parcel Number 010-087759 (Lots 224-228) and (Lots 259-262)

TRACT III:

Being part of Berwick Park, the same being part of Berwick Subdivision, as the same is shown of record in Plat Book 19, Pages 25, 26 and 27, Recorder's Office, Franklin County, Ohio and being particularly described as follows:

Beginning at an iron pin in the southerly line of Livingston Avenue, at the northwesterly corner of said Berwick Park, same point also being the northeast corner of Lot No. 228 of said Berwick Subdivision; Thence from said beginning point, South 89° 55' East, along the northerly line of Berwick Park and along the southerly line of Livingston Avenue, a

distance of 106.0 ft. to an iron pin at the northeasterly corner of said Berwick Park and the northwesterly corner of Lot No. 230 of said Berwick Subdivision;

Thence South 70° 29' West, along the westerly line of Lots Nos. 230, 231, 232 and 233, a distance of 298.50 ft. to a point at the southwesterly corner of said Lot No. 233, same point being witnessed by an iron pin 1.0 ft. Southerly;

Thence North 81° 40' West on a line of the southerly line of Lot No. 233, produced Westerly; a distance of 34.72 ft. to an iron pin in the center line of a ravine;

Thence South 16°07' West, along the center line of said ravine, a distance of 71.22 ft. to an iron pin at an angle in said ravine;

Thence South 49° 00' West and continuing along the center line of said ravine, a distance of 218.25 ft. to an iron pin in the line of the southerly line of Lot No. 259 of said Berwick Subdivision, produced Southeasterly, to the center line of said ravine;

Thence North 53° 43' West, along the line of the southerly line of Lot No. 259, produced Easterly, a distance of 63.44 ft. to an iron pin at the southeasterly corner of said Lot No. 259; Thence North 29° 25' East, along the easterly line of Lots Nos. 259, 260, 261, 262 and 228, a distance of 413.32 ft., more or less, to an iron pin at an angle point in the easterly line of said Lot No. 228;

Thence North 00° 05' East and continuing along the easterly line of said Lot No. 228, a distance of 105 ft. to the point of beginning, containing 1.374 Acres; subject to all easements and restrictions shown of record.

Part of Parcel No. 010-087759

TRACT IV:

Situate in the State of Ohio, County of Franklin, City of Columbus and being part of Berwick Par, Berwick, of record in Plat Book 19, Pages 25, 26 and 27; also being part of the same tract as conveyed to Walnut Hill Golf Club, Inc. by deed of record in Deed Book 2044 , Page 258; both of the foregoing records being in the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

TRACT V:

Beginning at the northwesterly corner of Lot No. 234, Berwick, of record in Plat Book 19, Pages 25, 26 and 27;

Thence from said point of beginning, South 7° 29' 56" West, along the westerly line of said Lot No. 234, a distance of 45 ft. to the southwesterly corner of Lot No. 234;

Thence North 75° 02' 12" West, with the westerly extension of the southerly line of said Lot No. 234, a distance of 41.15 ft. to a point;

Thence North 16° 7' East, a distance of 41.03 ft. to a point; Thence South 81° 41' East, along the northerly line of said Lot No. 234 , extended Westerly, a distance of 34.72 ft. to the place of beginning; subject to all easements and restrictions shown of record.

TRACT VI:

Beginning at the northwesterly corner of Lot No. 235 Berwick, of record in Plat Book 19, Pages 25, 26 and 27; Thence from said point of beginning, South 7° 29' 56" West, along the westerly line of said Lot No. 235, a distance of 45 ft. to the southwesterly corner of Lot No. 235;

Thence North 66° 20' 30" West, along the southerly line of said Lot No. 235, extended Westerly, a distance of 52.31 ft. to a point;

Thence North 48° 57' 25" East, a distance of 7.33 ft. to a point;

Thence North 16° 7' East, a distance of 30.19 ft. to a point;

Thence South 75° 02' 12" East, along the northerly line of said Lot No. 235, extended Westerly, a distance of 41.15 ft. to the place of beginning; subject to all easements and restrictions shown of record.

Parcel No. 010-092531 (as to 0.039 acres)

Parcel No. 010-092757 (as to 0.044 acres)

The property described above is the same property that is described in Schedule A of First American Title Insurance Company Commitment No. NCS-966168-COL, having an effective date of July 5, 2019.

*SCRIVENOR'S ERROR: Should Read "Thence South 7° 29' West, along the westerly line of Lots Nos. 230, 231, 232 and 233, a distance of 298.80 ft."

To Rezone From: R-3, Residential District

To: AR-O, Apartment Office District

SECTION 2. That a Height District of sixty (60) feet is hereby established on the AR-O, Apartment Office 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 in the office of the Department of Building and Zoning Services.

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