Rezoning Application Z20-086

APPLICANT: Parallel Company; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 11, 2021.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

UNIVERSITY IMPACT DISTRICT REVIEW BOARD RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of nine parcels developed with single-unit, two-unit, and four-unit dwellings in the R-4, Residential District, and four undeveloped parcels in the CPD, Commercial Planned Development District. The applicant requests the AR-3, Apartment Residential District to permit a 143-unit apartment building. The request is consistent with the *University District Plan's* (2015) land use recommendation for "Higher Intensity Residential" uses at this location. Additionally, the request is compatible to adjacent multi-unit residential development and will not add incompatible uses to the area. A concurrent Council Variance (Ordinance #0741-2021; CV20-101) has been filed for variances to residential trees, density, landscaping area and treatment, lot coverage, parking, building lines, building size, maximum floor area ratio (FAR), and building height.

To rezone **88 E. 9TH AVE. (43201)**, being 1.20± acres located at the northwest corner of East Ninth Avenue and Section Alley, **From:** R-4, Residential District and CPD, Commercial Planned Development District, **To:** AR-3, Apartment Residential District (Rezoning #Z20-086).

WHEREAS, application #Z20-086 is on file with the Department of Building and Zoning Services requesting rezoning of 1.20± acres from R-4, Residential District and CPD, Commercial Planned Development District, to AR-3, Apartment Residential District; and

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

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

WHEREAS, the University Impact District Review Board recommends approval of said zoning change, and

WHEREAS, the City Departments recommend approval of said zoning change because AR-3, Apartment Residential District uses are appropriate and consistent with the adjacent zoning and development pattern and with the *University District Plan's* recommendation for "High Intensity Residential" land uses at this location; 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:

88 E. 9TH AVE. (43201), being 1.20± acres located at the northwest corner of East Ninth Avenue and Section Alley, and being more particularly described as follows:

LEGAL DESCRIPTION 1.2± ACRE:

Situated in the State of Ohio, County of Franklin, in the City of Columbus, and being in Quarter Township 3, Township 1, Range 18, United States Military Lands, being all of the east-west alley (11') as acquired by Ordinance 37033, dated April 5, 1926, as delineated in Fisher's North High Street Addition in Plat Book 2, Page 194, being all of Lot 5 as delineated in South Campus Gateway, of record in Plat Book 103, Page 58, as conveyed to Sliver, LTD. in Instrument Number 201710110142001 (0.026 acre tract, 0.051 acre tract, 0.028 acre tract, and 0.039 acre tract), being part of the north south alley (20') as delineated in said South Campus Gateway, being part of Lot 38, all of Lot 42, and all of Lot 43 of Fisher's North High St. Addition, of record in Plat Book 2, Page 194, as conveyed to Michael Hassey, Trustee of the Hassey Family Preservation Trust Dated May 31, 2016, in Instrument Number 201607180091694 (Lot 42), and as conveyed to Community Housing Network, Inc. in Official Record Volume 15880, Page G05 (Lot 43), and as conveyed to Sliver, LTD. in Instrument Number 201905280062083 (Lot 38), also being all of Lot 1, Lot 2, and Lot 3 and part of Lot 4, Lot 5, and Lot 6 of Josephine Walsh Administratrix Subdivision of Lots 34, 35, 36, 37, 39, 40, and 41, and 10 feet off from the West Side of Lot 38 of said Fishers North High Street Addition, of record in Volume 52 of the Complete Record of Probate Court of Franklin County, Ohio, at Page 487, in Case No. 14793, Josephine Walsh, Administratrix vs. Francis B. Hord, et al., as conveyed to Michael Hassey, Trustee of the Hassey Family Preservation Trust Dated May 31, 2016, in Instrument Number 201607180091694 (Lot 1, Lot 2, and the east half of Lot 3), as conveyed to 84 E Ninth, LLC in Instrument Number 200803050033696 (west half of Lot 3), as conveyed to Sliver, LTD. in Instrument Number 201705220068208 (Lot 4), and as conveyed to Sliver, LTD. in Instrument Number 201808150109811 (Lot 5 and Lot 6), all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at the southeasterly corner of said Lot 43, also being the intersection of the westerly line of Section Alley (18') right-of-way (as acquired by Ordinance 37033, dated April 5, 1926) and the northerly right-of-way line of East Ninth Avenue (60'), both as delineated in said Plat Book 2, Page 194;

Thence along the northerly right-of-way line of said East Ninth Avenue, along the southerly lines of said Lot 6, Lot 5, Lot 4, Lot 38, Lot 3, Lot 2, Lot 1, Lot 42, and Lot 43, North 86°53'16" West, 277.12 feet to a point, being the southeasterly corner of Lot 4 of said South Campus Gateway, as conveyed to the Board of Trustees of the Ohio State University in Instrument Number 200312300405732;

Thence along the easterly line of said Lot 4 of said South Campus Gateway, being the westerly line of the remainder of said Lot 6 of said Josephine Walsh's Administratrix Subdivision, North 03°06'44" East, 93.63 feet to a point;

Thence along the southerly line of said Lot 4 of said South Campus Gateway, across said Lot 4 through 6, inclusive, of said Josephine Walsh's Administratrix Subdivision, South 86°53'16" East, 56.89 feet to a point, being on the westerly line of said Lot 38 and being a southeasterly corner of said Lot 4 of said South Campus Gateway;

Thence along the easterly line of said Lot 4 of said South Campus Gateway, along the westerly line of said Lot 38, North 03°06'44" East, 79.43 feet to a point, being the northwesterly corner of said Lot 38, a northeasterly corner of said Lot 4 of said South Campus Gateway, and being on the southerly line of said east-west alley;

Thence along the northerly line of said Lot 4 of said South Campus Gateway, along the southerly line of said east-west alley, and along the southerly line of said north-south alley, North 86°14'39" West, 25.57 feet to a point;

Thence along the centerline of said north-south alley, North 03°45'52" East, 37.58 feet to a point;

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Thence across said north-south alley, along the northerly line of said Lot 5 of said South Campus Gateway and the southerly line of East Tenth Avenue (20') as delineated in Plat Book 3, Page 50, South 86°15'23" East, 245.38 feet to a point, being the northeasterly corner of said Lot 5 of said South Campus Gateway, and being the intersection of the southerly right-of-way line of said East Tenth Avenue and the westerly right-of-way line of said Section Alley;

Thence along the easterly line of said Lot 5 of said South Campus Gateway, along the easterly terminus of said east-west alley, along the easterly line of said Lot 43, and along the westerly line of said Section Alley, South 03°06'44" West, 208.22 feet to the POINT OF BEGINNING, containing 1.2 acres, more or less.

Known as: 88 E. 9th Ave., Columbus, Ohio 43201.

To Rezone From: R-4, Residential District and CPD, Commercial Planned Development District.

To: AR-3, Apartment Residential District.

SECTION 2. That a Height District of sixty (60) feet is hereby established on the AR-3, 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 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.