



Legislation Text

File #: 0882-2021, **Version:** 1

Rezoning Application: Z20-110

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 March 11, 2021.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two undeveloped parcels zoned in the AR-12, and ARLD, Apartment Residential districts. The requested L-AR-1, Limited Apartment Residential District will permit multi-unit residential development with a maximum of 264 dwelling units at a density of 22.96 units per acre. A concurrent Council variance (Ordinance #0883-2021; CV20-124) has been submitted to vary the building setback. The property is within the boundaries of the *Northeast Area Plan* (2007) which recommends "Mixed Use Neighborhood Center" and "Agler Cassady Mixed-Use Center" at this location, and supports medium to high density residential land uses within new neighborhood centers. The limitation text commits to a site plan and elevations which demonstrate compatibility with the design recommendations of the Plan, and includes provisions for internal connectivity, tree preservation, reduced surface parking impact, and the use of natural building materials. The requested zoning district is compatible with the Plan's land use recommendation, and does not represent an introduction of an incompatible use to the surrounding neighborhood.

To rezone **2337 N. CASSADY AVE. (43219)**, being 11.46± acres located on the west side of North Cassady Avenue, 560± feet south of Agler Road, **From:** AR-12, and ARLD, Apartment Residential districts, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z20-110).

WHEREAS, application #Z20-110 is on file with the Department of Building and Zoning Services requesting rezoning of 11.46± acres from AR-12, and ARLD, Apartment Residential districts, 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 consistent with the *Northeast Area Plan's* land use and design recommendations, and does not represent an incompatible use to the surrounding neighborhood; 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:

2337 N. CASSADY AVE. (43219), being 11.46± acres located on the west side of North Cassady Avenue, 560± feet south of Agler Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 17 in the United States Military Lands, also being in a 11.458 acre tract as conveyed to Thomas D. Phillips, III in Official Record 27296H09, and being more particularly described as follows;

Commencing in the centerline of Cassady Avenue as created in Road Record 13, Page 161, the southeast corner of said 11.458 acre tract, and the northeast corner of a 5.001 acre tract as conveyed to Advent United Church of Christ in Instrument Number 201506150079456 and being the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence with the north line of said 5.001 acre tract and the south line of said 11.458 acre tract, **N 86° 13' 49" W, 670.3 feet ±** to the northwest corner of said 5.001 acre tract and an angle point in the south line of said 11.458 acre tract;

Thence with the west line of said 5.001 acre tract and the south line of said 11.458 acre tract, **S 03° 06' 41" W, 325.0 feet ±** to an angle point in the south line of said 11.458 acre tract, the southwest corner of said 5.001 acre tract, and being in the north line of a 5.000 acre tract as conveyed to Charles P. Cook in Instrument Number 200807010100917;

Thence with the north line of said 5.000 acre tract and the south line of said 11.458 acre tract, **N 86° 18' 19" W, 341.2 feet ±** to the southwest corner of said 11.458 acre tract and the southeast corner of a 0.380 acre tract as conveyed to Beverly Vaughn in Instrument Number 201504100045989;

Thence with the east line of said 0.380 acre tract and the west line of said 11.458 acre tract, **N 01° 17' 31" E, 167.5 feet ±** to the northeast corner of said 0.380 acre tract and the southeast corner of a 1.2282 acre tract as conveyed to Bertha L. Powell in Instrument Number 200203180069409;

Thence with the east line of said 1.2282 acre tract, the west line of said 11.458 acre tract, the east line of a 0.627 acre tract as conveyed to David M. Phinney in Instrument Number 202007210105005, the east line of a 0.275 acre tract as conveyed to Pamela E. Harris in Official Record 23935J14, and the east line of a 0.888 acre tract as conveyed to Mary Jane Hinson in Instrument Number 201301180010298, **N 01° 15' 41" E, 533.7 feet ±** to the northwest corner of said 11.458 acre tract, the northeast corner of said 0.888 acre tract, and being in the south line of a 3 acre tract conveyed to Agler Joint Venture LLC in Instrument Number 202012140198390;

Thence with the north line of said 11.458 acre tract, the south line of said 3 acre tract, and the south line of a 5.136 acre tract as conveyed to Agler Joint Venture in Instrument Number 202012140198390, **S 86° 19' 19" E, 1034.0 feet ±** to the northeast corner of said 11.458 acre tract, the southeast corner of said 5.136 acre tract, and being in the center line of Cassady Avenue;

Thence with the centerline of Cassady Avenue and the east line of said 11.458 acre tract, **S 03° 06' 41" W, 376.8 feet ±** to the **TRUE POINT OF BEGINNING**, containing **11.46 ± acres**, more or less.

The above description was prepared by Advanced Civil Design Inc. and based on existing Franklin County records. A drawing of the above description is attached hereto and made a part thereof.

All references used in this description can be found at the Recorder's Office Franklin County, Ohio.

To Rezone From: AR-12, and ARLD, Apartment Residential districts.

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 plans being titled, "**DEVELOPMENT PLAN, CASSADY AVENUE MULTIFAMILY,**" "**BUILDING, CLUBHOUSE AND MISC. ELEVATIONS CASSADY AVENUE MULTIFAMILY,**" and "**BUILDING 1 ELEVATION CASSADY AVENUE MULTIFAMILY**," dated March 16, 2021, and said text being titled, "**LIMITATION TEXT,**" dated March 11, 2021, and all signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-1 Limited Apartment District

PROPERTY ADDRESS: 2337 North Cassady Ave.

OWNER: Thomas d. Phillips III

APPLICANT: Metro Development LLC

DATE OF TEXT: 3/11/21

APPLICATION NUMBER: Z20-110

1. INTRODUCTION: These parcels were zoned for multifamily development in 1971. The site is on the west side of Cassady Ave. south of Agler Rd. To the north is a proposed distribution center, to the east across Cassady Ave. is a church, to the south is a church and multifamily. The applicant is requesting a rezoning so that it can build its current development unit type. The site is currently undeveloped.

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 the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. CV20-124 reduces the building setback as shown on the submitted site plan.

2. The maximum number of dwelling units shall be 264.

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

1. The applicant shall install a north bound left turn lane plus taper (as determined by the City approved traffic study) on Cassady Ave. at the site's access point.

2. The applicant shall install a sidewalk /shared used path as determined by the City from its south property line to the north side of the existing driveway on Parcel 010-181412 provided that the City or the owner of Parcel 010-233703 to the south has agreed to extend the sidewalk /shared use path from the northern property line of Parcel 010-233703 to the south side of the existing driveway on Parcel 010-181412.

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

1. The landscaping and the pond are shown on the submitted site plan.

2. The tree preservation areas are shown on the submitted site plan. The existing trees shall be maintained subject to the removal of dead and diseased trees and shrubbery and utility crossings.

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.