



## Legislation Text

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**File #:** 3042-2022, **Version:** 1

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**Rezoning Application: Z22-040**

**APPLICANT:** The Robert Weiler Company; c/o Michael Shannon, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on October 13, 2022.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 5.0± acre site consists of one parcel developed with a single-unit dwelling in the R, Rural District. The requested L-AR-1, Limited Apartment Residential District will permit a multi-unit residential development with a maximum of 96 units, developed in accordance with the submitted site plan, landscape plan, and building elevations. The proposed density is consistent with the adjacent extended stay hotel, and is also appropriate per the "Neighborhood Center" recommendation of the *Rocky Fork-Blacklick Accord* (2003), and the area's emerging development patterns. The request incorporates street trees, pedestrian connectivity, building design, increased landscaping along Central College Road, and fencing commitments along the southern and western property lines. A concurrent Council variance (Ordinance #3043-2022; CV22-054) has been filed to reduce the perimeter yard along the eastern property line, adjacent to the extended stay hotel development.

To rezone **5159 CENTRAL COLLEGE RD. (43081)**, being 5.0± acres located on the south side of Central College Road, 660± feet west of North Hamilton Road, **From:** R, Rural District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z22-040).

**WHEREAS**, application #Z22-040 is on file with the Department of Building and Zoning Services requesting rezoning of 5.0± acres from R, Rural District, to the L-AR-1, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of the zoning change because the requested L-AR-1, Limited Apartment Residential District will permit a multi-unit residential development at a consistent density to the neighboring extended stay hotel and with the area's emerging development pattern. The request is also consistent with the land use recommendations of the *Rocky Fork-Blacklick Accord*; 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:

**5159 CENTRAL COLLEGE RD. (43081)**, being 5.0± acres located on the south side of Central College Road, 660± feet west of North Hamilton Road, and being more particularly described as follows:

**Zoning Description 5.0± Acres:**

Situated in the State of Ohio, Plain Township, Franklin County, being part of the East half of the Northwest quarter of Section 15, Township 2, Range 16, United States Military Survey, being a 5.00± acre tract of land conveyed to Marjorie G. Bevelhmer in Instrument Number 200005120093584, and being more particularly described as follows;

**Beginning for reference**, at the southeast corner of a 9.003 acre tract as conveyed to Fenimore LTD in Instrument Number 201801220008916, the northeast corner of a 0.060 acre tract of land conveyed to Albany Reserve, LP in Instrument Number 201409120120752, being in the westerly right-of-way line of Hamilton Road (100' R/W) as dedicated in P.B. 100, Pg. 03;

Thence **N 85°36'46" W**, with the south line of said 9.003 acre tract, the north line of said 0.060 acre tract, the north line of The Albany Reserve Condominium Community Ninth Amendment as numbered and delineated in C.P.B. 248, Pg. 82, **681.09 feet ±** to the **True Point of Beginning**, being in the east line of the parcel herein described;

Thence **S 03°35'14" W**, with the west line of said Ninth Amendment, the west line of The Albany Reserve Condominium Community Eighth Amendment as numbered and delineated in C.P.B. 244, Pg. 95, a portion of the west line of the Albany Reserve Condominium Community Seventh Amendment as numbered and delineated in C.P.B. 239, Pg. 56, **276.79 feet ±** to a point at a northeasterly corner of a 0.857 acre tract as dedicated in P.B. 106, Pg. 65 as Reserve "P-1";

Thence **N 85°37'19" W**, with a northerly line of said Reserve "P-1", **210.00 feet ±** to an angle point;

Thence **N 03°35'06" E**, with an easterly line of said Reserve "P-1", the east line of a 0.378 acre tract as dedicated in P.B. 116, Pg. 41 as Reserve "TT", an east line of a 3.366 acre tract as dedicated in P.B. 116, Pg. 43 as Reserve "WW", the east line of a 0.689 acre tract conveyed to Carrie McMillan in Instrument Number 200912150180920, **1036.78 feet ±** to the northeast corner of said 0.689 acre tract, the centerline of said Central College Road (R/W Varies), the south line of a 5.001 acre tract as conveyed to Aleks Babamovski in Instrument Number 201710260149962, being in the north line of Section 15 and the south line of Section 6;

Thence **S 85°37'19" E**, with the centerline of said Central College Road, the south lines of said 5.001 acre tract, a 0.172 acre tract as conveyed to the City of Columbus in Instrument Number 200712180215640, with the north line of said Section 15 and the south line of said Section 6, **210.00 feet ±** to a point in the centerline of said Central College Road, the southeast corner of said 0.172 acre tract, the southwest corner of a 3.00 acre tract as conveyed to Steven L. Dunbar and Cindy L. Ward, in Official Record 16550E06;

Thence **S 03°34'48" W**, across the right-of-way of said Central College Road, **50.01 feet ±** to the northwest corner of said 9.003 acre tract;

Thence **S 03°35'04" W**, with the west line of said 9.003 acre tract, **709.98 feet ±** to the **True Point of Beginning**, containing **5.00 ±** acres more or less.

Property Parcel: 010-249597

Property Address: 5159 Central College Rd., Columbus, OH (43081).

**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 Residential 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 site plans titled, “**PRELIMINARY SITE COMPLIANCE PLAN SHEETS 1-3,**” and “**CONCEPT PLAN,**” and building elevations titled, “**ELEVATIONS SHEETS 1 -3,**” all dated October 26, 2022, signed by Eric Zartman, Attorney for the Applicant, and said text titled, “**LIMITATION TEXT,**” all dated October 26, 2022, and signed Michael T. Shannon, Attorney for the Applicant, the text reading as follows:

### **LIMITATION TEXT**

Application: Z22-040

Location: 5159 CENTRAL COLLEGE ROAD (43081), being 5.0± acres (010-249597; Rocky Fork Blacklick Accord Panel).

Existing Zoning: R, Rural District.

Proposed Zoning: L-AR-1 (H-35).

Proposed Use: Multi-unit residential use.

Applicant(s): The Robert Weiler Company, 10 North High Street, Suite 401, Columbus, Ohio 43215; and Michael Shannon, Atty.; Underhill and Hodge; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

Property Owner(s): Marjorie Bevelhymer Tr., 5159 Central College Road, Westerville, Ohio 43081.

Date: October 26, 2022

### **I. Introduction:**

The Applicant proposes development of the property for multi-unit residential use. The site is a single parcel which is approximately 5.0 acres in area. The site is currently zoned R, Rural District and is used for single-unit residential use. This development is proposed to be a sister development of the adjacent Fenimore Apartments to the east. This development will provide similar design and cross access.

The site is bordered by property zoned L-C-4 (Fenimore Apartments) and L-AR-12 on the east, and NE and NG on the west and south. The site is within the boundary the Rocky Fork Blacklick Accord. The site is also within the boundary of the *Rocky Fork Blacklick Accord Community Plan* which recommends neighborhood center uses.

The Applicant proposes development of the site with 96 dwelling units on +/- 5.0 acres. The Applicant is committed to design standards set forth by the Rocky Fork Blacklick Accord Community Plan design standards.

### **II. Permitted Uses:**

A. Those uses permitted by Section 3333.02, AR-1 Apartment Residential district, of the Columbus City Zoning Code shall be permitted.

### **III. Development Standards:**

Unless otherwise indicated in this text or Zoning Exhibit, the applicable development standards are contained in Chapter 3333, Apartment Districts of the Columbus City Code.

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

1. The minimum building setback from Central College Road shall be 50 feet.
2. The minimum parking setback from Central College Road shall be 25 feet.

3. The maximum density shall be 96 dwelling units.

**B. Access, Loading, Parking and/or other Traffic Related Commitments:**

1. The site shall have access through the adjacent property on the west (PID: 010-297985) as depicted on the Preliminary Site Compliance Plan, subject to review and approval by the Division of Traffic Management.

2. Right-of-way dedication of 50' from centerline along the Central College Road frontage shall be dedicated to the appropriate jurisdiction.

3. The Developer shall install a westbound left turn lane on Central College Road, subject to review and approval by the Department of Public Service, Division of Traffic Management.

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

1. The site's perimeter and internal landscaping shall generally conform to the landscaping depicted on the Concept Plan.

2. The stream corridor protection zone shall be preserved, as depicted on the Preliminary Site Compliance Plan.

3. The site shall provide a six-foot board on board privacy fence along the southern and western property lines to a distance greater than the length and width of "Building 3", as depicted on the Preliminary Site Compliance Plan.

**D. Building Design and/or Exterior Treatment Commitments:**

The building design and exterior treatments shall generally conform to the submitted Elevations.

**E. Lighting and/or other Environmental Commitments:**

Lighting type and locations shall be as shown and described in the Preliminary Site Compliance Plan.

**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 Apartment Residential District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments:**

The site shall be developed in accordance with the submitted a site plan titled "Preliminary Site Compliance Plan" signed and dated October 26, 2022, a landscape plan titled "Concept Plan" signed and dated October 26, 2022, and elevations titled "Elevations" signed and dated October 26, 2022. The plans and elevations may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plans or elevations shall be reviewed and may be approved by the Director of the Department of Building and 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.