



## Legislation Details (With Text)

**File #:** 0376-2016      **Version:** 2

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

**File created:** 2/2/2016      **In control:** Zoning Committee

**On agenda:** 2/29/2016      **Final action:** 3/2/2016

**Title:** To rezone 5372 CENTRAL COLLEGE ROAD (43081), being 85.4± acres located on the north side of Central College Road, 3,040± feet west of Harlem Road; From: NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts, To: NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts (Rezoning # Z15-034).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0376-2016 Amended Attachments, 2. ORD0376-2016Attachments, 3. ORD0376-2016Labels

Date	Ver.	Action By	Action	Result
3/2/2016	2	CITY CLERK	Attest	
3/1/2016	2	MAYOR	Signed	
2/29/2016	2	COUNCIL PRESIDENT	Signed	
2/29/2016	1	Zoning Committee	Approved as Amended	Pass
2/29/2016	1	Zoning Committee	Amended to Emergency	Pass
2/22/2016	1	Columbus City Council	Read for the First Time	

**Rezoning Application: Z15-034**

**APPLICANT:** M/I Homes of Central Ohio; c/o Laura MacGregor Comek, Atty.; 300 East Broad Street, Suite 450; Columbus, OH 43215.

**PROPOSED USE:** Single- and multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on October 8, 2015.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped and zoned in the NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts. This request will reallocate the zoning districts with an increase in land zoned in the NE, Neighborhood Edge District, and decreases land zoned in the NG, Neighborhood General, and NC, Neighborhood Center Districts. The reallocation of the current Traditional Neighborhood Development (TND) districts will not negatively impact the existing surroundings, and will allow the applicant to pursue their marketing and design objectives while maintaining the goals of TND. The proposed TND commits to a maximum of 482 residential units, which results in an overall decrease of 26 units with a density change from 5.94 units/acre to 5.64 units/acre, and an increase of open space of 0.24± acres for a total of 22.6± acres. The proposal remains consistent with the land use recommendations of the *Rocky Fork/Blacklick Accord (2003)*, for Traditional Neighborhood Development, and is compatible with the zoning and development patterns of the area. The Rocky Fork - Blacklick Accord Panel recommended approval of this request at their August 20, 2015 meeting. Concurrent Council variance Ordinance No. 0377-2016 (CV15-039) is also under consideration to vary some of the development standards of the proposed TND districts, including the administrative requirement to permit more than fifty

percent of the acreage of the TND project area to be in the NE, Neighborhood Edge District.

To rezone **5372 CENTRAL COLLEGE ROAD (43081)**, being 85.4± acres located on the north side of Central College Road, 3,040± feet west of Harlem Road; **From:** NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts, **To:** NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts (Rezoning # Z15-034).

**WHEREAS**, application No. Z15-034 is on file with the Department of Building and Zoning Services requesting rezoning of 85.4± acres from NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts to NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the reallocation of the TND Districts will not negatively impact the existing surroundings, is consistent with the land use recommendations of the *Rocky Fork/Blacklick Accord* for Traditional Neighborhood Development, and is compatible with the zoning and development pattern of the area; 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:

**5372 CENTRAL COLLEGE ROAD (43081)**, being 85.4± acres located on the north side of Central College Road, 3,040± feet west of Harlem Road, and being more particularly described as follows:

**NEIGHBORHOOD EDGE - 34.41 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 2, Range 16, United States Military Lands and being 30.71 acres out of that land conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Central College Road;

thence with the centerline of said Central College Road the following courses and distances:

South 85° 37' 16" East, a distance of 366.06 feet to a point;

South 84° 56' 41" East, a distance of 274.89 feet to a point the southeast corner of that 0.582 acre tract conveyed to Lloyd R. and Beatrice Carlyle by deed of record in Deed Book 3004, Page 94, the southwest corner of that 0.862 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828, the TRUE POINT OF BEGINNING;

thence North 05° 04' 10" East, with the westerly line of said 0.862 acre tract, a distance of 248.74 feet to a point on the southerly line of "Jo-El Acres" as recorded in Plat Book 46, Page 6;

thence North 85° 16' 57" West, with said southerly line, a distance of 431.88 feet to a point;

thence across said "Jo-El Acres", the following courses and distances:

North 34° 29' 08" East, a distance of 163.20 feet to a point on the arc of a curve;

with the arc of a curve to the right, having a central angle of 60° 09' 52", a radius of 151.00 feet, an arc length of 158.56 feet, a chord bearing of North 25° 25' 56" West and chord distance of 151.38 feet to a point of tangency;

North 04° 39' 00" East, a distance of 181.78 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 19° 32' 20", a radius of 376.00 feet, an arc length of 128.22 feet, a chord bearing of North 14° 25' 10" East and chord distance of 127.60 feet to a point;

South 65° 48' 40" East, a distance of 185.86 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 46.00 feet, an arc length of 72.26 feet, a chord bearing of North 69° 11' 20" East and chord distance of 65.05 feet to a point of tangency;

North 24° 11' 20" East, a distance of 216.60 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 46.00 feet, an arc length of 72.26 feet, a chord bearing of North 20° 48' 40" West and chord distance of 65.05 feet to a point of tangency;

North 65° 48' 40" West, a distance of 185.86 feet to a point;

North 24° 11' 20" East, a distance of 200.31 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 21° 19' 04", a radius of 126.00 feet, an arc length of 46.88 feet, a chord bearing of North 34° 50' 52" East and chord distance of 46.61 feet to a point of tangency;

with the arc of a curve to the left, having a central angle of 40° 51' 23", a radius of 20.00 feet, an arc length of 14.26 feet, a chord bearing of North 25° 04' 42" East and chord distance of 13.96 feet to a point of tangency;

North 04° 39' 00" East, a distance of 221.49 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 83° 44' 51", a radius of 101.00 feet, an arc length of 147.63 feet, a chord bearing of North 46° 31' 26" East and chord distance of 134.83 feet to a point;

North 04° 39' 00" East, a distance of 122.06 feet to a point;

South 85° 53' 54" East, a distance of 773.04 feet to a point;

South 04° 41' 18" West, a distance of 309.54 feet to a point;

South 61° 09' 14" East, a distance of 106.75 feet to a point;

South 44° 21' 12" East, a distance of 119.01 feet to a point;

South 14° 50' 55" East, a distance of 102.63 feet to a point;

South 38° 17' 25" East, a distance of 101.67 feet to a point;

South 68° 15' 40" West, a distance of 85.05 feet to a point;

North 50° 16' 39" West, a distance of 265.23 feet to a point;

North 87° 17' 37" West, a distance of 27.53 feet to a point;

South 03° 37' 14" West, a distance of 1079.96 feet to a point;

North 85° 07' 48" West, a distance of 500.61 feet to a point;

South 03° 49' 53" West, a distance of 247.78 feet to a point;

North 85° 02' 04" West, a distance of 150.51 feet to the TRUE POINT OF BEGINNING containing 34.41 acre, more or less.

**To Rezone From:** NE, Neighborhood Edge, and NG, Neighborhood General Districts

**To:** NE, Neighborhood Edge District.

### **NEIGHBORHOOD CENTER - 26.06 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 2, Range 16, United States Military Lands and being 26.06 acres out of that tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Central College Road;

thence with the centerline of said Central College Road, the following courses and distances:

South 85° 37' 16" East, a distance of 366.06 feet to a point; and

South 84° 56' 41" East, a distance of 274.89 feet to a point the southeast corner of that 0.582 acre tract conveyed to Lloyd R. and Beatrice Carlyle by deed of record in Deed Book 3004, Page 94, the southwest corner of that 0.862 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828;

thence North 05° 04' 10" East, with the line common to said 0.582 acre and 0.862 acre tracts, a distance of 248.74 feet to a point on the southerly line of "Jo-El Acres" as recorded in Plat Book 46, Page 6;

thence North 85° 16' 57" West, with said southerly line, a distance of 580.68 feet to a point, the TRUE POINT OF BEGINNING;

thence, continuing with the perimeter of said "Jo-El Acres", the following courses and distances:

North 85° 16' 57" West, a distance of 583.35 feet to a point;

North 03° 19' 11" East, a distance of 402.38 feet to a point;

North 84° 59' 58" West, a distance of 200.76 feet to a point; and

North 03° 38' 06" East, a distance of 749.21 feet to a point;

thence across said "Jo-El Acres" the following courses and distances:

South 86° 28' 41" East, a distance of 319.69 feet to a point;

North 74° 18' 11" East, a distance of 109.43 feet to a point;

North 55° 48' 02" East, a distance of 414.49 feet to a point; and

North 34° 11' 58" West, a distance of 120.00 feet to a northeasterly corner of said "Jo-El Acres";

thence South 85° 53' 54" East, with a northerly line of said "Jo-El Acres", a distance of 449.93 feet to a point;

thence across said "Jo-El Acres" the following courses and distances:

South 07° 07' 52" West, a distance of 103.39 feet to a point;

with the arc of a curve to the right, having a central angle of 17° 03' 29", a radius of 1060.00 feet, an arc length of 315.58 feet and a chord that bears South 15° 39' 36" West, a chord distance of 314.42 feet to a point;

South 24° 11' 20" West, a distance of 494.85 feet to a point;

with the arc of a curve to the left, having a central angle of 19° 32' 20", a radius of 1440.00 feet, an arc length of 491.07 feet and a chord that bears South 14° 25' 11" West, a chord distance of 488.69 feet to a point; and

South 04° 39' 00" West, a distance of 195.50 feet to the TRUE POINT OF BEGINNING, containing 26.06 acres, more or less.

**To Rezone From:** NC, Neighborhood Center District

**To:** NC, Neighborhood Center District.

#### **NEIGHBORHOOD EDGE - 16.33 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 2, Range 16, United States Military Lands and being 16.33 acres out of that tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Central College Road;

thence with the centerline of said Central College Road, the following courses and distances:

South 85° 37' 16" East, a distance of 366.06 feet to a point; and

South 84° 56' 41" East, a distance of 274.89 feet to a point the southeast corner of that 0.582 acre tract conveyed to Lloyd R. and Beatrice Carlyle by deed of record in Deed Book 3004, Page 94, the southwest corner of that 0.862 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828;

thence North 05° 04' 10" East, with the line common to said 0.582 acre and 0.862 acre tracts, a distance of 248.74 feet to a point on the southerly line of "Jo-El Acres" as recorded in Plat Book 46, Page 6;

thence with the perimeter of said "Jo-El Acres", the following courses and distances:

North 85° 16' 57" West, a distance of 1164.03 feet to a point;

North 03° 19' 11" East, a distance of 402.38 feet to a point;

North 84° 59' 58" West, a distance of 200.76 feet to a point; and

North 03° 38' 06" East, a distance of 869.21 feet to the TRUE POINT OF BEGINNING;

thence continuing with said perimeter, the following courses and distances:

North 03° 38' 06" East, a distance of 1129.26 feet to a point;

South 86° 02' 01" East, a distance of 665.79 feet to a point; and

South 02° 54' 26" West, a distance of 859.61 feet to a point;

thence across said "Jo-El Acres", the following courses and distances:

South 55° 48' 02" West, a distance of 328.18 feet to a point of curvature;

with the arc of a curve to the right having a central angle of 37° 43' 17", a radius of 305.00 feet, an arc length of 200.80 feet and a chord that bears South 74° 39' 40" West, a chord distance of 197.19 feet to a point of tangency;

North 86° 28' 41" West, a distance of 231.03 feet to the TRUE POINT OF BEGINNING, containing 16.33 acres, more or less.

**To Rezone From:** NE, Neighborhood Edge, NG, Neighborhood General and NC, Neighborhood Center Districts

**To:** NE, Neighborhood Edge District.

#### **NEIGHBORHOOD GENERAL - 6.45 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 2, Range 16, United States Military Lands and being 10.15 acres out of that land conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Central College Road;

thence with the centerline of said Central College Road, the following courses and distances:

South 85° 37' 16" East, a distance of 366.06 feet to a point; and

South 84° 56' 41" East, a distance of 274.89 feet to a point the southeast corner of that 0.582 acre tract conveyed to Lloyd R. and Beatrice Carlyle by deed of record in Deed Book 3004, Page 94, the southwest corner of that 0.862 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828;

thence North 05° 04' 10" East, with the line common to said 0.582 acre and 0.862 acre tracts, a distance of 248.74 feet to a point on the southerly line of "Jo-El Acres" as recorded in Plat Book 46, Page 6;

thence North 85° 16' 57" West, with said southerly line, a distance of 431.88 feet to a point, the TRUE POINT OF BEGINNING;

thence North 85° 16' 57" West, with said southerly line, a distance of 148.80 feet to a point;

thence across said "Jo-El Acres", the following courses and distances:

North 04° 39' 00" East, a distance of 195.50 feet to a point of curvature; with the arc of a curve to the right, having a central angle of 19° 32' 20", a radius of 1440.00 feet, an arc length of 491.06 feet, a chord bearing of North 14° 25' 10" East and chord distance of 488.69 feet to a point of tangency;

North 24° 11' 20" East, a distance of 495.18 feet to a point of curvature; with the arc of a curve to the left, having a central angle of 17° 03' 29", a radius of 1058.92 feet, an arc length of 315.26 feet, a chord bearing of North 15° 39' 04" East and chord distance of 314.10 feet to a point of tangency; and

North 07° 07' 52" East, a distance of 103.39 feet to a point in the northerly line thereof;

thence South 85° 53' 54" East, with said northerly line, a distance of 151.35 feet to a point;

thence across said "Jo-El Acres", the following courses and distances:

South 04° 39' 00" West, a distance of 122.06 feet to a point on the arc of a curve;

with the arc of a curve to the left, having a central angle of 83° 44' 51", a radius of 101.00 feet, an arc length of 147.63 feet, a chord bearing of South 46° 31' 26" West and chord distance of 134.83 feet to a point of tangency;

South 04° 39' 00" West, a distance of 221.49 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 40° 51' 23", a radius of 20.00 feet, an arc length of 14.26 feet, a chord bearing of South 25° 04' 42" West and chord distance of 13.96 feet to a point of tangency;

with the arc of a curve to the left, having a central angle of 21° 19' 04", a radius of 126.00 feet, an arc length of 46.88 feet, a chord bearing of South 34° 50' 52" West and chord distance of 46.61 feet to a point of tangency;

South 24° 11' 20" West, a distance of 200.31 feet to a point;

South 65° 48' 40" East, a distance of 185.86 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 46.00 feet, an arc length of 72.26 feet, a chord bearing of South 20° 48' 40" East and chord distance of 65.05 feet to a point of tangency;

South 24° 11' 20" West, a distance of 216.60 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 46.00 feet, an arc length of 72.26 feet, a chord bearing of South 69° 11' 20" West and chord distance of 65.05 feet to a point of tangency;

North 65° 48' 40" West, a distance of 185.86 feet to a point on the arc of a curve;

with the arc of a curve to the left, having a central angle of 19° 32' 20", a radius of 376.00 feet, an arc length of 128.22 feet, a chord bearing of South 14° 25' 10" West and chord distance of 127.60 feet to a point of tangency;

South 04° 39' 00" West, a distance of 181.78 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 60° 09' 52", a radius of 151.00 feet, an arc length of 158.56 feet, a chord bearing of South 25° 25' 56" East and chord distance of 151.38 feet to a point;

South 34° 29' 08" West, a distance of 163.20 feet to the TRUE POINT OF BEGINNING containing 6.45 acres, more or less.

**To Rezone From:** NE, Neighborhood Edge, and NG, Neighborhood General Districts

**To:** NG, Neighborhood General District.

**NEIGHBORHOOD GENERAL - 2.23ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 2, Range 16, United States Military Lands and being 2.23 acres out of that tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Hamilton Road and Central College Road;

thence with the centerline of said Central College Road, the following courses and distances:

South 85° 37' 16" East, a distance of 366.06 feet to a point; and

South 84° 56' 41" East, a distance of 274.89 feet to a point the southeast corner of that 0.582 acre tract conveyed to Lloyd R. and Beatrice Carlyle by deed of record in Deed Book 3004, Page 94, the southwest corner of that 0.862 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200505060086828;

thence North 05° 04' 10" East, with the line common to said 0.582 acre and 0.862 acre tracts, a distance of 248.74 feet to a point on the southerly line of "Jo-El Acres" as recorded in Plat Book 46, Page 6;

thence with the perimeter of said "Jo-El Acres", the following courses and distances:

North 85° 16' 57" West, a distance of 1164.03 feet to a point;

North 03° 19' 11" East, a distance of 402.38 feet to a point;

North 84° 59' 58" West, a distance of 200.76 feet to a point; and

North 03° 38' 06" East, a distance of 749.21 feet to the TRUE POINT OF BEGINNING;

thence North 03° 38' 06" East, continuing with said perimeter, a distance of 120.00 feet to a point;

thence across said "Jo-El Acres", the following courses and distances:

South 86° 28' 41" East, a distance of 231.03 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 37° 43' 17", a radius of 305.00 feet, an arc length of 200.80 feet, a chord bearing of North 74° 39' 40" East and chord distance of 197.19 feet to a point of tangency;

North 55° 48' 02" East, a distance of 328.18 feet to a point;

South 34° 11' 58" East, a distance of 120.00 feet to a point;

South 55° 48' 02" West, a distance of 414.49 feet to a point;

South 74° 18' 11" West, a distance of 109.43 feet to a point; and

North 86° 28' 41" West, a distance of 319.69 feet to the TRUE POINT OF BEGINNING, containing 2.23 acres, more or less.

**To Rezone From:** NC, Neighborhood Center District

**To:** NG, Neighborhood General District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts 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 copy of the approved NE,



Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center Districts and Application among the records of the Department of Building and Zoning Services as required by Section 3320.13 of the Columbus City Codes; said plans being titled, "**DEVELOPMENT PLAN FOR HELLEBREKERS SHEETS 1-7,**" and TND principles statement titled, "**HELLEBREKERS STATEMENT ADDRESSING TND PRINCIPLES,**" all signed on November 13, 2015, by Laura MacGregor Comek, Attorney for the Applicant.

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