



Legislation Details (With Text)

File #: 3330-2018 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/20/2018 **In control:** Zoning Committee
On agenda: 12/10/2018 **Final action:** 12/13/2018
Title: To rezone 5721 CHERRY BOTTOM ROAD (43230), being 13.3± acres located on the west side of Cherry Bottom Road, 25± feet south of Clancy Court, From: R, Rural District, To: AR-1, Apartment Residential District (Rezoning #Z18-048).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3330-2018.Attachments.pdf, 2. ORD3330-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
12/13/2018	1	ACTING CITY CLERK	Attest	
12/12/2018	1	MAYOR	Signed	
12/10/2018	1	COUNCIL PRESIDENT	Signed	
12/10/2018	1	Zoning Committee	Approved	Pass
12/3/2018	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z18-048

APPLICANT: Oxford Circle LLC; c/o David Hodge, Atty.; Underhill & Hodge LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on November 8, 2018.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 13.3± acre site consists of five parcels, two of which are developed with single-unit dwellings zoned in the R, Rural District. The proposed AR-1, Apartment Residential District will allow an apartment complex development that exceeds typical density in this area. However, this is offset by donations of adjacent land and commitments within the site plan of companion Council Variance (Ordinance #3331-2018; CV18-062). The Council Variance is also requested to reduce the building line along Cherry Bottom Road from 50 feet to 17 feet. The site is located within the *Northland Plan Volume II (2002)* "Blendon District" which recommends infill development that is compatible with surrounding land uses. Staff finds this proposal to be compatible with the zoning and development pattern of the area by offsetting higher than average density with a contribution of land towards a greenway corridor along Big Walnut Creek, protecting natural resources on the site, buffering and landscaping, and providing links from and through the site into a future trail network.

To rezone **5721 CHERRY BOTTOM ROAD (43230)**, being 13.3± acres located on the west side of Cherry Bottom Road, 25± feet south of Clancy Court, **From:** R, Rural District, **To:** AR-1, Apartment Residential District (Rezoning #Z18-048).

WHEREAS, application #Z18-048 is on file with the Department of Building and Zoning Services requesting rezoning of 13.3± acres from R, Rural District, to the AR-1, Apartment Residential District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested AR-1, Apartment Residential District will allow a multi-unit residential development that is compatible with the zoning and development pattern of the area by offsetting higher than average density with a contribution of land towards a greenway corridor along Big Walnut Creek, protecting natural resources on the site, buffering and landscaping, and providing links from and through the site into a future trail network, 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:

5721 CHERRY BOTTOM ROAD (43230), being 13.3± acres located on the west side of Cherry Bottom Road, 25± feet south of Clancy Court, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being in Quarter Township 4, Township 2, Range 17 in the United States Military District, and being part of a 3 acre tract as conveyed to Glennis L. Corder in Instrument Number 201501080002806, all of the 0.750 acre tract as conveyed to Edward L. Lehnert and Jane Lehnert in Instrument Number 201309180159248, being part of a 1.138 acre tract as conveyed to Clark D. Baltzell and Gloria J. Zaharoff in Instrument Number 201606160076464, being a part of a 2.022 acre tract as conveyed to BZ Management Partners in Official Record 12124, Page C07, and being the remainder of Parcel 1 as conveyed to BZ Management Partners in Official Record 12124, Page C07 as further described as follows;

Beginning at the intersection of the westerly right of way line of Cherry Bottom Road and northerly right of way line of Beechwood Drive and being in the south line of said 3 acre tract, and also being the TRUE POINT OF BEGINNING for the land herein described as follows;

Thence with the northerly right of way line of Beechwood Drive, the south line of said 3 acre tract and the south line of said 0.750 acre tract, S 82° 31' 00" W, 775.2± feet to the intersection of the northerly right of way line of Beechwood Drive and the easterly right of way line of Walnut View Boulevard and being the southwest corner of said 0.750 acre tract;

Thence with the easterly right of way line of Walnut View Boulevard and the west line of said 0.750 acre tract, N 04° 47' 00" E, 196.0± feet;

Thence continuing with the easterly right of way line of Walnut View Boulevard, the west line of said 0.750 acre tract and the west line of said 2.022 acre tract, N 01° 21' 00" E, 340.4± feet;

Thence with the easterly right of way line of Walnut View Boulevard, the west line of said 2.022 acre tract and the west line of said Parcel 1 along a curve to the right having a central angle of 15° 10' 01", a radius of 1475.0± feet, an arc length of 390.5± feet, and chord bearing and distance of N 08° 56' 01" E, 389.3± feet to the northwest corner of said Parcel 1 and the southwest corner of a 5.459 acre tract as conveyed to Annhurst Apartments of Columbus III in Official Record 10853, Page J12;

Thence with the north line of said Parcel 1 and the south line of said 5.459 acre tract, S 84° 15' 09" E, 589.2± feet to the northeast corner of said Parcel 1 and being in the westerly right of way line of Cherry Bottom Road;

Thence with the westerly right of way line of Cherry Bottom Road and the east line of said Parcel 1 along a curve to the left having a central angle of $05^{\circ} 12' 35''$, a radius of $550.9\pm$ feet, an arc length of $50.1\pm$ feet, and chord bearing and distance of $S 04^{\circ} 52' 42'' E$, $50.1\pm$ feet;

Thence continuing with the westerly right of way line of Cherry Bottom Road, the east line of said Parcel 1, the east line of said 1.138 acre tract and the east line of said 3 acre tract, $S 07^{\circ} 29' 00'' E$, $716.5\pm$ feet to the TRUE POINT OF BEGINNING, containing 13.3 acres, more or less.

To Rezone From: R, Rural District,

To: AR-1, Apartment Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the AR-1, 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.