



Legislation Text

File #: 1778-2021, **Version:** 1

Rezoning Application: Z20-115

APPLICANT: Granaz Real Estate LLC; c/o Aaron Underhill, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Mixed-use development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on May 13, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the CPD, Commercial Planned Development District. The applicant proposes the L-C-4, Limited Commercial District on Subareas A and B, and the L-ARLD, Limited Apartment Residential District on Subarea C. Subarea A is proposed for a mixed-use building containing approximately 6,100 square feet of retail space, 2,000 square feet of eating and drinking establishment space, and 12 residential units. Subarea B is proposed for a mixed-use building containing approximately 6,000 square feet of retail space, 6,000 square feet of eating and drinking establishment space, 1,800 square feet of patio space, 12,000 square feet of office space, and 10 residential units. Subarea C is proposed for an apartment complex containing a maximum of 50 units. The site is within the boundaries of the *Rocky Fork/Blacklick Accord* (2003), which recommends "Office" use for this location. Despite this recommendation, the proposed uses and density are appropriate based on the location and surrounding developments along Central College Road. The request received a recommendation of approval from the Rocky Fork Blacklick Accord Panel on March 18, 2021. Additionally, the proposal includes office components which is in line with the Accord's recommended use for the site. The proposed site plan and building designs are also consistent with Accord recommendations with the site plan reflecting connectivity between subareas and open space. A concurrent Council Variance (Ordinance #1779-2021; CV20-129) is requested to provide variances to parking lot landscaping, screening, aisle, vehicular maneuvering, minimum parking spaces, fronting, and perimeter yard.

To rezone **5949 CENTRAL COLLEGE RD. (43054)**, being 6.17± acres located on the south side of Central College Road, 650± feet west of New Albany Road West, **From:** CPD, Commercial Planned Development District, **To:** L-C-4, Limited Commercial District and L-ARLD, Limited Apartment Residential District (Rezoning #Z20-115).

WHEREAS, application #Z20-115 is on file with the Department of Building and Zoning Services requesting rezoning of 6.17± acres from CPD, Commercial Planned Development District, to the L-C-4, Limited Commercial District and L-ARLD, Limited 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 proposed uses and density are appropriate based on the location and surrounding developments along Central College Road. Additionally, the applicant is proposing office components which is in line with the *Rocky Fork Blacklick Accord* recommended use for the site. The proposed site plan and building designs are also consistent with recommendations from the Accord, with the site plan reflecting connectivity between subareas and open space; 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

5949 CENTRAL COLLEGE RD. (43054), being 6.17± acres located on the south side of Central College Road, 650± feet west of New Albany Road West, and being more particularly described as follows:

**SUBAREA A
1.417 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 14, Quarter Township 2, Township 2, Range 16, USML, and being part of a 6.170 acre tract as conveyed to Benchmark New Albany LLC., by deed of record in IN # 200705160085903, as recorded in the Franklin County Recorder's office and being more particularly described as follows:

BEGINNING at a point at the Northwest corner of said 6.170 acre tract, the Northeast corner of a 38.118 acre tract as conveyed to Gramercy New Albany LLC., by deed of record in IN # 201909250125841, and the South right-of-way of Central College Road, of record in PB 103, PG 32-33, and the South line of a 3.419 acre tract conveyed to The Board of Franklin County Commissioners by deed of record in IN # 200309290311698, thence;

S 85° 59' 39" E, a distance of 203.685 feet, along the North line of said 6.170 acre tract, the said South right- of-way line, and the South line of said 3.419 acre tract, to a point;

Thence going through said 6.170 acre tract, the following courses and distances:

S 03° 51' 47" W, a distance of 310.91 feet, to a point;

N 86° 08' 13" W, a distance of 64.38 feet, to a point;

N 71° 16' 25" W, a distance of 43.64 feet, to a point;

N 62° 08' 48" W, a distance of 121.57 feet, to a point on the West line of said 6.170 acre tract, and the East line of said 38.118 acre tract, thence;

N 07° 03' 09" E, a distance of 251.19 feet, along the West line of said 6.170 acre tract, the East line of said 38.118 acre tract to the TRUE POINT OF BEGINNING and containing 1.417 acres, subject to all and subject to all legal easements and rights-of-way of record.

To Rezone From: CPD, Commercial Planned Development District,

To: L-C-4, Limited Commercial District.

**SUBAREA B
1.849 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 14, Quarter Township 2, Township 2, Range 16, USML, and being part of a 6.170 acre tract as conveyed to Benchmark New Albany LLC., by deed of record in IN # 200705160085903, as recorded in the Franklin County Recorder's office and being more particularly described as follows:

BEGINNING at a point at the Northeast corner of said 6.170 acre tract, the Northwest corner of a 2.881 acre tract as

conveyed to Granaz Real Estate LLC., by deed of record in IN # 201908290111219, and the South right- of-way of Central College Road, of record in PB 103, PG 32-33, and the South line of a 3.419 acre tract conveyed to The Board of Franklin County Commissioners by deed of record in IN # 200309290311698, thence;

S 04° 00' 21" W, a distance of 254.81 feet, along the East line of said 6.170 acre that and the West line of said 2.881 acre tract to a point of curvature, thence;

With said curve to the left, having a central angle of 17°01'40", a radius of 75.00 feet, an arc length of 22.29 feet, a chord bearing of S 04°30'29" E, and chord distance of 22.21 feet, to a point;

Thence going through said 6.170 acre tract, the following courses and distances:

S 53° 38' 41" W, a distance of 28.58 feet, to a point;

N 86° 08' 13" W, a distance of 254.02 feet, to a point;

N 03° 51' 47" E, a distance of 295.91 feet, to a point on the North line of said 6.170 acre tract, the said South right-of-way line, and the South line of said 3.419 acre tract, thence;

S 85° 59' 39" E, a distance of 273.25 feet, along a North line of said 6.170 acre tract, the said South right-of- way line, and the South line of said 3.419 acre tract to the TRUE POINT OF BEGINNING and containing 1.849 acres, subject to all and subject to all legal easements and rights-of-way of record.

To Rezone From: CPD, Commercial Planned Development District,

To: L-C-4, Limited Commercial District.

SUBAREA C
2.903 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 14, Quarter Township 2, Township 2, Range 16, USML, and being part of a 6.170 acre tract as conveyed to Benchmark New Albany LLC., by deed of record in IN # 200705160085903, as recorded in the Franklin County Recorder's office and being more particularly described as follows:

BEGINNING at a point at the Easterly most corner of said 6.170 acre tract, and a Westerly corner of a 2.881 acre tract as conveyed to Granaz Real Estate LLC., by deed of record in IN # 201908290111219, thence;

S 53° 38' 25" W, a distance of 20.02 feet, along a Southerly line of said 6.170 acre tract, a Southerly line of said 2.881 acre tract, to a point being on the Southerly line of said 6.170 acre tract, a Westerly corner of said 2.881 acre tract, and the Northerly corner of a 37.391 acre tract as conveyed to Epcon Sugar Run LLC., by deed of record in IN # 200512160265331, thence;

S 53° 38' 27" W, a distance of 514.48 feet, along a Southerly line of said 6.170 acre tract, and a Northerly line of said 37.391 acre tract, to a point, being the South corner of said 6.170 acre tract, thence;

N 36° 22' 03" W, a distance of 332.61 feet, along a Southerly line of said 6.170 acre tract, and a Northerly line of said 37.391 acre tract, to a point, at a Westerly corner of said 6.170 acre tract, a Northerly corner of said 37.391 acre tract, and on the Easterly line of a 38.118 acre tract as conveyed to Gramercy New Albany LLC., by deed of record in IN # 201909250125841, thence;

N 38° 06' 21" E, a distance of 187.79 feet, along a West line of said 6.170 acre tract, and the East line of said 38.118 acre

tract, to a point;

Thence going through said 6.170 acre tract, the following courses and distances:

S 62° 08' 48" E, a distance of 121.57 feet, to a point;

S 71° 16' 25" E, a distance of 43.64 feet, to a point;

S 86° 08' 13" E, a distance of 64.38 feet, to a point;

N 03° 51' 47" E, a distance of 15.00 feet, to a point;

S 86° 08' 13" E, a distance of 254.02 feet, to a point;

N 53° 38' 41" E, a distance of 28.58 feet, to a point on a non-tangent curve being on the East line of said 6.170 acre tract, and the West line of said 2.881 acre tract, thence;

With said curve to the left, having a central angle of 25°44'42", a radius of 75.00 feet, an arc length of 33.70 feet, a chord bearing of S 25°53'40" E, and chord distance of 33.42 feet, to a point, being on the East line of said 6.170 acre tract, and the West Line of said 2.881 acre tract, thence;

S 38° 46' 01" E, a distance of 10.65 feet, along the West line of said 6.170 acre tract, the East line of said 2.881 acre tract to the TRUE POINT OF BEGINNING and containing 2.903 acres, subject to all and subject to all legal easements and rights-of-way of record.

This description was prepared from record information only and should be used for zoning purposes only.

To Rezone From: CPD, Commercial Planned Development District,

To: L-ARLD, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial District and L-ARLD, 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 copy of the approved L-C-4, Limited Commercial District and L-ARLD, 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 plan titled, "**ZONING SITE PLAN FOR 5949 CENTRAL COLLEGE ROAD**," said landscaping plan titled, "**BUBBLY HALL CENTER LANDSCAPING PLAN**," said fence exhibit titled, "**DETAIL - FOUR RAIL WOOD FENCE**," and said building elevations titled, "**GARDEN STYLE UNITS WITH RETAIL SHEETS A5, A5.1 & A5.2**," "**THE BUBBLY HALL 2 SHEETS A2.2, A2 & A2.1**," and "**GARDEN STYLE UNITS SHEETS A4.2, A4, A4.1, A3, A3.1, & A3.2**," all dated June 9, 2021, and signed by Eric Zartman, Attorney for the Applicant, and said text titled, "**LIMITATION TEXT**," dated June 18, 2021, and signed by Aaron Underhill, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

Application: Z20-115

Address: 5949 Central College Road

Parcel(s): 010-284651

Property Size: +/- 6.17 Acres

Current District: CPD
Proposed District: L-C-4 and L-ARLD
Civic Association: Rocky Fork - Blacklick Accord Panel
Owner(s): Benchmark New Albany LLC
Applicant(s): Granaz Real Estate LLC
Attorney: Aaron Underhill, Underhill & Hodge LLC
Date: June 18, 2021

I. Introduction.

The subject property ("Site") is approximately 6.17 acres and located on the south side of Central College Road and about 600 feet west of New Albany Road West. The Site is currently zoned CPD and is vacant.

The Site is situated within the boundary of the Rocky Fork - Blacklick Accord. The Site is not situated within a commercial overlay or planning overlay and is not a registered historic site or district. The Site is within the boundary of the Rocky Fork - Blacklick Accord Plan which recommends office uses.

The Applicant proposes developing the total property with commercial and residential uses. Subarea A is proposed for approximately 6,100 square feet of retail use, 2,000 square feet of restaurant use, and 12 residential units for a mixed-use building. Subarea B is proposed for approximately 6,000 square feet of retail, 6,000 square feet of restaurant, 1,800 square feet of patio, 12,000 square feet of office, and 10 residential units for a mixed-use building. Subarea C is proposed for 48+/- dwelling units. The subareas are aligned with future proposed lot splits. Concurrent CV20-129 has been filed to vary perimeter parking lot landscaping and screening, minimum number of parking spaces required, fronting, aisle width, and maneuvering.

SUBAREA A AND B; L-C-4

II. Permitted Uses:

The permitted uses for Subareas A and B shall be those uses contained in Section 3356.03, C-4, Permitted Uses of the Columbus City Code.

III. Development Standards:

Except as otherwise listed herein or depicted on the Site Plan, the development standards for Subareas A and B shall be those contained in Chapter 3356 of the Columbus City Code.

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

The lot and setback lines for Subareas A and B shall be as shown on the Site Plan.

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

Access points shall be as shown on the submitted Site Plan, subject to review and approval by the City of Columbus, Public Service Department, Division of Traffic Management.

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

1. Perimeter landscaping, buffering, and screening shall be as shown on the submitted landscape plan titled, "Bubbly Hall Center Landscaping Plan." Plant species as listed on the plan may be substituted with similar species.

2. The SCPZ shall be dedicated as a conservation easement, as shown on the Site Plan.

D. Building, Design and/or Interior-Exterior Treatment Commitments:

1. Building, design, and treatments shall substantially conform to the submitted elevations titled, "Garden Style Units with Retail," and "The Bubbly Hall 2." Minor alterations from the submitted elevations, such as size and locations of windows, shall be permitted. Two-story architecture shall be permitted.

2. Building materials shall consist of brick on first floor and hardy board and/or vinyl on the above floors. The roof shall consist of dark color asphalt shingles. Windows shall have white or tan frames.

E. Dumpsters, Lighting, Outdoor Areas and/or other Environmental Commitments:

N/A

F. Graphic and Signage Commitments:

Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

SUBAREA C; L-ARLD

II. Permitted Uses:

The permitted uses for Subarea C shall be those uses contained in Section 3333.02.

III. Development Standards:

Except as otherwise listed herein or depicted on the Site Plan, the development standards for Subarea C shall be those contained in Chapter 3333 of the Columbus City Code.

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

N/A.

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

Access points shall be as shown on the submitted Site Plan, subject to review and approval by the City of Columbus, Public Service Department, Division of Traffic Management.

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

1. Perimeter landscaping, buffering, and screening shall be as shown on the submitted landscape plan titled, "Bubbly Hall Center Landscaping Plan." Plant species as listed on the plan may be substituted with similar species.

2. The SCPZ shall be dedicated as a conservation easement, as shown on the Site Plan.

3. A four rail wood horse-rail fence shall be installed along the southwest and southeast boundaries, in general conformance with the exhibit titled, "Detail - Four Rail Wood Fence." The commitment for a horse-rail fence along the

southeast boundary is subject to written consent from owner of the pipeline situated along southeast boundary and all applicable easement and contractual terms.

4. The retention pond in Subarea C and its activation path shall be installed in substantial conformance with the Landscape Plan.

D. Building, Design and/or Interior-Exterior Treatment Commitments:

1. Building, design, and treatments shall substantially conform to the submitted elevations titled, "Garden Style Units." Minor alterations from the submitted elevations, such as size and locations of windows, shall be permitted. Two-story architecture shall be permitted.

2. Building materials shall consist of brick on first floor and hardy board and/or vinyl on the above floors. The roof shall consist of dark color asphalt shingles. Windows shall have white or tan frames.

3. Building, design, and interior-exterior treatment may be amended pursuant to the review and approval by Planning Division staff, or for major revisions (as determined by Planning Division staff), in consultation with the Rocky Fork-Blacklick Accord Panel.

E. Dumpsters, Lighting, Outdoor Areas and/or other Environmental Commitments:

N/A

F. Graphic and Signage Commitments:

Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the ARLD, Apartment Residential District. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

IV. Miscellaneous:

1. This zoning application is filed in companion with Council Variance Application #CV20-129.

2. A development plan titled, "Zoning Site Plan for 5949 Central College Road," and landscaping plan titled, "Bubbly Hall Center Landscaping Plan" are submitted with this text. The plans may be adjusted to reflect engineering, topographical or other site data and changes developed at the time of development and engineering plans for all or a portion of the Site affected by said development. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.

3. Proposed building footprints, parking areas, and density within Subarea C are conceptual. Subarea C commitments are limited to building design, perimeter landscaping, screening, buffering, and retention pond placement.

4. The site is located in the Northeast Pay as We Grow Area and is subject to applicable per unit fees.

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