



## Legislation Text

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**File #:** 1310-2013, **Version:** 2

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### **Rezoning Application Z12-060**

**APPLICANT:** Vision Development Inc; c/o Connie J. Klema, Atty; 145 East Rich Street, 2nd Floor; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Disapproval (2-3) on April 11, 2013.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. Staff recognizes that the site, which has been zoned in the L-C-4, Limited Commercial, L-M-2, Limited Manufacturing and M-2 Manufacturing Districts for over 25 years, has not developed with commercial uses. The requested L-ARLD, Limited Apartment Residential District will allow development that will generate less traffic than had it been developed under the current zoning. While staff recognizes that there may be a noise issue with this locating near Don Scott airport, the site is not within any LDN contour lines and existing dwellings have been built much closer to the airport than these proposed dwellings. Furthermore, the applicant is limiting density to 326 dwelling units for a density of 15.9 units per acre where up to 17.4 units per acre would be allowed and is sufficiently preserving green space and trees. The applicant has provided commitments regarding vehicular access. Due to these considerations, Staff recommends approval.

To rezone **2393 WEST DUBLIN GRANVILLE ROAD (43235)**, being 20.38± acres located on the south side of West Dublin-Granville Road, 625± feet east of McVey Boulevard, From: L-C-4, Limited Commercial, L-M-2, Limited Manufacturing and M-2, Manufacturing Districts, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z12-060).

**WHEREAS**, application #Z12-060 is on file with the Department of Building and Zoning Services requesting rezoning of 20.38± acres from L-C-4, Limited Commercial, L-M-2, Limited Manufacturing and M-2, Manufacturing Districts to L-ARLD, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because Staff recognizes that the site, which has been zoned in the L-C-4, Limited Commercial, L-M-2, Limited Manufacturing and M-2 Manufacturing Districts for over 25 years, has not developed with commercial uses. The requested L-ARLD, Limited Apartment Residential District will allow development that will generate less traffic than had it been developed under the current zoning. While staff recognizes that there may be a noise issue with this locating near Don Scott airport, the site is not within any LDN contour lines and existing dwellings have been built much closer to the airport than these proposed dwellings. Furthermore, the applicant is limiting density to 326 dwelling units for a density of 15.9 units per acre where

up to 17.4 units per acre would be allowed and is sufficiently preserving green space and trees. The applicant has provided commitments regarding vehicular access. Due to these considerations, Staff recommends approval. 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:

**2393 WEST DUBLIN GRANVILLE ROAD (43235)**, being 20.38± acres located on the south side of West Dublin-Granville Road, 625± feet east of McVey Boulevard, and being more particularly described as follows:

**DESCRIPTION OF A 20.384 ACRE TRACT  
SOUTH OF DUBLIN-GRANVILLE ROAD  
WEST OF THE CHESAPEAKE & OHIO RAILWAY**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 4, Township 2, Range 19, United States Military District, and being Tract Numbers One through Eight inclusive as described in a deed to Linworth Village Center, of record in Official Record Volume 11137, page J09, on file at the Office of the Recorder, Franklin County, Ohio, and being further bounded and described as follows:

Commencing for reference at the intersection of the centerline of Dublin-Granville Road and the west right-of-way line for the Chesapeake and Ohio Railroad, being the northeast corner of that 5.00 acre tract described in a deed to Savko Bros. Properties VII, LLC, of record in Instrument Number 20100040130418;

Thence North 87 degrees 52 minutes 39 seconds West, along the centerline of said Dublin-Granville Road, a distance of 261.88 feet to the original northeast corner of said Tract Number Three, being the northeast corner of that 0.520 acre right-of-way parcel described in a deed to City of Columbus, of record in Official Record 5474, page I01, being the northwest corner of that 0.083 acre right-of-way parcel described in a deed to City of Columbus, of record in Official Record 5474, page H18;

Thence South 02 degrees 03 minutes 51 seconds West, along an original east line of said Tract Number Three, along the east line of said 0.520 acre right-of-way parcel, along the west line of said 0.083 acre right-of-way parcel, a distance of 60.00 feet to the existing south right-of-way line for said Dublin-Granville Road, being the southeast corner of said 0.520 acre right-of-way parcel, being the southwest corner of said 0.083 acre right-of-way parcel, being the northwest corner of that 0.359 acre tract described in a deed to Michael L. DiCarlo, Trustee of the Michael L. DiCarlo Trust Agreement dated August 13, 2003, of record in Instrument Number 20030900282730, and being the TRUE POINT OF BEGINNING for this zoning description, (reference a 5/8" iron pin found with no cap South 08 degrees 52 minutes 35 seconds East at a distance of 1.29 feet);

Thence South 02 degrees 03 minutes 51 seconds West, continuing along an east line of said Tract Number Three, along the west line of said 0.359 acre tract, a distance of 237.00 feet to an iron pin set at a northeast corner of said Tract Number Three, being the southwest corner of said 0.359 acre tract;

Thence South 87 degrees 52 minutes 39 seconds East, along a north line of said Tract Number Three, along the south line of said 0.359 acre tract, along the south line of that 0.4091 acre tract described in a deed to Central Ohio School of Diving

Northwest, Inc., of record in Official Record 11826, page C10, (passing a 1.5" iron pipe found at the southeast corner of said 0.359 acre tract and the southwest corner of said 0.4091 acre tract at a distance of 66.00 feet), a total distance of 132.00 feet to an iron pin set at a northeast corner of said Tract Number Three, being the southeast corner of said 0.4091 acre tract, and being on the west line of that 1.573 acre tract described in a deed to McCullough's Tree Service, Inc., of record in Instrument Number 20111100146219;

Thence South 02 degrees 03 minutes 51 seconds West, along the east line of said Tract Number Three, along the west line of said 1.573 acre tract, along the west line of that 5.0 acre tract described in a deed to Savko Bros. Properties VII, LLC, of record in Instrument Number 201010040130418, (passing a 3/4" iron pipe found at the southwest corner of said 1.573 acre tract and the northwest corner of said 5.0 acre tract at a distance of 160.06 feet), a total distance of 869.03 feet to the southeast corner of said Tract Number Three, being the southwest corner of said 5.0 acre tract, being on the north line of that 21.25 acre tract described in a deed to The State of Ohio, of record in Deed Volume 1966, page 57, (reference a 1" iron pin found bent North 76 degrees 44 minutes 16 seconds East at a distance of 0.23 feet);

Thence North 88 degrees 08 minutes 41 seconds West, along the south line of said Tract Number Three, along the south line of Tract Number Two, along the south line of Tract Number One, along the north line of said 21.25 acre tract, and along the north line of that original 102 acre tract described in a deed to State of Ohio, of record in Deed Volume 1957, page 195 (passing the northwest corner of said 21.25 acre tract and a northeast corner of said original 102 acre tract at a distance of 564.77 feet, passing the southwest corner of said Tract Number Three and the southeast corner of said Tract Number Two at a distance of 572.25 feet, passing the southwest corner of said Tract Number Two and the southeast corner of said Tract Number One at distance of 717.25 feet), a total distance of 829.24 feet to the southwest corner of said Tract Number One, being the southeast corner of that 7.981 acre tract described in a deed to Tansky Properties, LLC, of record in Instrument Number 200407120161022, (reference a 1" iron pin found with no cap South 24 degrees 44 minutes 56 seconds West at a distance of 0.87 feet);

Thence North 02 degrees 02 minutes 21 seconds East, along the west line of said Tract Number One, along the east line of said 7.981 acre tract, a distance of 1,109.90 feet to the existing south right-of-way line for said Dublin-Granville Road, being the southwest corner of that 0.354 acre right-of-way parcel described in a deed to City of Columbus, of record in Official Record 5747, page I01, being the northeast corner of said 7.981 acre tract, being the southeast corner for that 0.477 acre right-of-way parcel described in a deed to City of Columbus, of record in Official Record 5474, page H12, (reference a 5/8" iron pin found South 02 degrees 02 minutes 21 seconds West at a distance of 0.18 feet);

Thence South 87 degrees 52 minutes 39 seconds East, across said Tract Number One through said Tract Number Eight inclusive, along the existing south said Tract Number Two, along the existing south right-of-way line for said Dublin-Granville Road, along the south line of said 0.354 acre right-of-way parcel and said 0.520 acre right-of-way parcel, (passing the east line of said Tract Number One and the west line of said Tract Number Two at a distance of 112.00 feet, passing the east line said Tract Number Two and the west line of said Tract Number Eight at a distance of 257.00 feet, passing the east line of said Tract Number Eight and the west line of said Tract Number Six at distance of 317.00 feet, passing the east line of said Tract Number Six and the West line of said Tract Number Five at a distance of 377.00 feet, passing the east line of said Tract Number Five and the west line of said Tract Number seven at a distance of 437.00 feet, passing the east line of said Tract Number Seven and the west line of said Tract Number 4 at a distance of 497.00 feet, and passing the east line of said Tract Number Four and the west line of said Tract Number Three at a distance of 617.00 feet), a total distance of 697.72 feet to the TRUE POINT OF BEGINNING for this description.

The above description contains a total area of 20.380 acres (including 0.000 acres within the present road occupied), of

which:

- 2.853 acres is within Franklin County Auditor's tax parcel number 610-198857 (Tract No. One);
- 3.692 acres is within Franklin County Auditor's tax parcel number 610-198849 (Tract No. Two);
- 12.677 acres is within Franklin County Auditor's tax parcel number 610-198850 (Tract No. Three);
- 0.386 acres is within Franklin County Auditor's tax parcel number 610-198847 (Tract No. Four);
- 0.193 acres is within Franklin County Auditor's tax parcel number 610-198852 (Tract No. Five);
- 0.193 acres is within Franklin County Auditor's tax parcel number 610-198854 (Tract No. Six);
- 0.193 acres is within Franklin County Auditor's tax parcel number 610-198858 (Tract No. Seven);
- 0.193 acres is within Franklin County Auditor's tax parcel number 610-198855 (Tract No. Eight).

Bearings shown are based on the bearing of South 87 degrees 52 minutes 39 seconds East for the centerline of State Route 161 (Dublin Granville Road) and grid north, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey originating on Franklin County Engineer survey control monuments "Frank 74" and "Frank 174".

Iron pins set are 5/8" diameter by 30" long rebar with yellow plastic caps stamped "ASI - PS 8438".

**To Rezone From:** from L-C-4, Limited Commercial, L-M-2, Limited Manufacturing and M-2, Manufacturing Districts,

**To:** L-ARLD, Limited Apartment Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the 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-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 plan titled, "**ACCESS AND PRESERVATION PLAN WEST DUBLIN-GRANVILLE ROAD,**" signed by Connie Klema, Atty; dated April 22, 2013, and said text titled, "**LIMITATION TEXT,**" signed by Connie Klema, Atty; dated March 12, 2013, and reading as follows:

#### **LIMITATION TEXT**

**PROPOSED DISTRICT: L-ARLD**  
**PROPERTY ADDRESS: 2393 Dublin-Granville Rd.**  
**OWNER: Linworth Village Center**  
**APPLICANT: Vision Development, Inc.**  
**ATTORNEY: Connie J. Klema, Attorney**  
**DATE OF TEXT: March 12, 2013**  
**APPLICATION NUMBER: Rezoning Z12-060/12335-00000-00590**

**1. INTRODUCTION:** The site is located on the south side of Dublin-Granville Road (SR 161) west of the railroad tracks near Linworth. The site is currently zoned L-C-4, L-M-2, and M-2. The applicant is seeking rezoning of the property to the L-ARLD zoning district to develop 326 residential apartment units. The apartment buildings shall not exceed the height limit of thirty-five feet (35'). Parking will be accommodated by surface parking and detached garages. The development may include a clubhouse, pool, and other such recreational areas/facilities for residents of the site.

**2. PERMITTED USES:** Those uses permitted in Section 3333.02, ARLD of the Columbus City Code and two-unit dwellings as permitted in the concurrent Council Variance CV12-052.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code and shall include two-unit dwellings.

A. Density

The maximum number of dwelling units shall be 326.

B. Buffering/Paths/Trees

1. A sidewalk will be constructed along the south side of SR 161 and extend along the entire north property line of the site.
2. A 25' perimeter yard will be reserved along the south and west property lines and along the east property line except for areas incorporating the retention pond and storm drainage. A tree preservation zone will be located along the western property line as delineated on the Access & Preservation Plan West Dublin-Granville Road dated April 22, 2013. Dead, dying, diseased or undesirable trees and understory plantings shall be removed from the site. Additional shade and evergreen trees may be planted to address perimeter screening of adjacent properties.
3. Buffering: When the site is developed, a landscape buffer of not less than 30 feet will be provided along SR 161 frontage except at curb cuts. Screening shall be installed in the buffer area except in such areas adjacent to curb cuts as may be appropriate for visibility.  
Two signs, together with directional graphics, will be permitted within the buffer. All parking will be set back behind that buffer. All parking areas adjacent to the buffer shall be screened to a height of 3' minimum with a hedge row, a stone wall, or a combination of the two. Shrubbery shall be planted at no greater distance than four feet (4') on center. Landscaping will be of grass, ground cover, trees, shrubbery or any combination of the foregoing.
4. The existing pond located on the southern portion of the site will be removed and a retention pond that will serve as a storm water outlet will be constructed on the east portion of the site.

C. Building Design and Exterior Treatment Commitments.

Buildings will be finished on the exterior vertical wall areas with a mixture or single application of brick, stone veneer, wood, cement wood siding, and/or beaded vinyl siding.

D. Lighting and other Environmental Commitments.

1. External lighting, with the exception of entry lighting required by the Building Code, shall be cut-off type fixtures (down lighting) and shall not be higher than eighteen feet (18') provided, however, that the clubhouse building, rental office, display/signage areas, and landscaping may be up-lighted from a ground source.
2. All external outdoor lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility.

E. Access Points

1. Primary Access: A full access point shall be permitted for this development to be located such that this driveway **is located approximately 350' east of the west property line and is located to be aligned approximately with the midpoint of s** with the driveway serving parcel number 610-213869 **located** on the north side of Dublin-Granville Rd. At this access point, the developer shall be responsible for the installation of a 125' westbound left turn lane (includes taper) and a 175' eastbound right turn lane (includes taper).
2. Secondary Access: A right-in/right-out access point shall be permitted for this development approximately 150' to

the west of the east property line.

3. Developer shall dedicate property for right of way purposes that is 60' from the centerline along Dublin-Granville Road as required per C.C.C. 4309.17.

F. Miscellaneous Commitments.

1. The Parkland Dedication shall be in compliance with the requirements of Chapter 3318 of the Columbus City Code requiring the developer to provide parkland or cash as determined by the Recreation and Parks Department.
2. All new sidewalks installed within the site will be connected in a network and a minimum of five feet in width, and pedestrian signage or other safe pedestrian means (such as texture pavement, stripping) will be installed at the entrance of the development.

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