



## Legislation Text

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**File #:** 3124-2017, **Version:** 1

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### **Rezoning Application Z14-055**

**APPLICANT:** Giuseppe Holdings LLC, c/o Jeffrey L. Brown, Atty.; Smith & Hale LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 11, 2017.

**WESTLAND AREA COMMISSION RECOMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped and zoned CPD, Commercial Planned Development District (Z00-065), which allows limited C-4 and C-5 uses. The requested L-ARLD, Limited Apartment Residential District will permit a multi-unit residential development with a maximum of 178 units (13.28 units/acre). The site is located within the boundaries of the *Westland Area Plan* (1994), which recommends low density residential development (3-5 du/acres) and cluster subdivision design. The Plan also recommends apartment complexes to be linked by a system of paths and sidewalks. The Planning Division recognizes the site's existing CPD zoning, and supports multi-unit residential development with a plan that reflects open space, additional landscaping and trees in the open space areas, and connections between the internal sidewalk and public sidewalk systems. The limitation text includes landscaping provisions, site amenities, and an internal sidewalk system with pedestrian connections to the public sidewalk system. The proposal also includes a commitment to a site plan depicting building and open space locations and landscaping details.

To rezone **4820 BIG RUN SOUTH ROAD (43123)**, being 13.4± acres located at the northwest corner of Big Run South Road and Holt Road, **From:** CPD, Commercial Planned Development District **To:** L-ARLD, Limited Apartment Residential District (Rezoning # Z14-055).

**WHEREAS**, application #Z14-055 is on file with the Department of Building and Zoning Services requesting rezoning of 13.9± acres from CPD, Commercial Planned Development District to L-ARLD, Limited Apartment Residential District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed L-ARLD, Limited Apartment Residential District, which will permit an apartment complex development with a maximum of 178 units with open space, enhanced landscaping, site amenities, and interconnectivity, is consistent 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:

**4820 BIG RUN SOUTH ROAD (43123),** being 13.4± acres located at the northwest corner of Big Run South Road and Holt Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Prairie, and being a part of Virginia Military Survey Number 3026, and being 14.083 acres out of a 15.047 acre tract as conveyed to Riverside and Fishinger, L.L.C., as recorded in Instrument No. 200101230014760, Franklin County Recorder's Office, said 14.083 acre tract being further described as follows:

Beginning for reference at a found Franklin County Engineer's Monument, Number 4405, said monument being in the intersection of the centerlines of Holt Road (C.R. 265, 60' Wide), and Big Run South Road (C.R. 258, 60' Wide), said monument being in the east line of said V.M.S. 3026, and being in the west line of V.M.S. 1388, said monument being in the east line of said Prairie Township and being in the west line of Jackson Township, said monument being the southeast corner of said 15.047 acre tract;

Thence South 67 deg. 23' 11" West 878.90 feet, along the centerline of said Big Run South Road, being the south line of said 15.047 acre tract, to a spike set, said spike being the southwest corner of said 15.047 acre tract, and being the southeast corner of 6.6383 acre tract as conveyed to Frank E. Linard & Tamara K. Linard as recorded in O.R. 31994 F-15;

Thence North 08 deg. 19' 00" West 30.96 feet, along the west line of said 15.047 acre tract, being the east line of said 6.6383 acre tract, to an iron pin set, said iron pin being the True Place of Beginning for the herein described 14.083 acre tract;

Thence North 08 deg. 19' 00" West 891.04 feet, along the west line of said 15.047 acre tract, being the east line of said 6.6383 acre tract, to an iron pin set, said iron pin being the northwest corner of said 15.047 acre tract, and being the northeast corner of said 6.6383 acre tract, said iron pin being in the south line of a 42.1 acre tract as conveyed to Wilma Jean Marcum as recorded in O.R. 6004 B-09;

Thence South 88 deg. 12' 24" East 935.39 feet, along the north line of said 15.047 acre tract, being the south line of said 42.1 acre tract, to an iron pin set in the west line of said Holt Road;

Thence crossing said 15.047 acre tract, along a new division line of the following two (2) courses and distances:

South 02 deg. 07' 42" West 525.14 feet, to an iron pin set;

South 67 deg. 23' 11" West 852.05 feet, to the True Place of Beginning, containing 613447 square feet, or 14.083 acres, more or less, subject to all legal easements and right-of-ways of record.

Bearings used for the determination of angles only. For the purposes of this description bearings are referenced to the centerline of Holt Road, as being South 02 deg. 07' 42" West, assumed. Documents referred to are recorded in the Franklin County Recorder's Office. Iron Pins set are 5/8" rebar, 30" long, with yellow plastic cap stamped "J & J Surveying".

**LESS AND EXCEPTING THE FOLLOWING TRACT:**

Situated in Virginia Military Survey Number 3026, City of Columbus, Franklin County, Ohio being a part of a 15 acre tract of land conveyed to Riverside and Fishinger Limited Liability Company in Instrument Number 200101230014700, and being more particularly described as follows:

Commencing a Franklin County Monument Box Number 4405 at the centerline intersection of Big Run South Road and

Holt Road, said point also being the southeast corner of a 0.964 acre tract conveyed to The City of Columbus in Instrument No. 200106220140809;

Thence along the centerline of said Big Run South Road, S 67 deg. 22' 25" W, a distance of 878.82 feet to the southwest corner of said 0.964 acre tract being the southeast corner of a 6.638 acre tract conveyed to Frank E. and Tamara M. Linard in O.R. 31994 Page 113;

Thence along the west line of said 0.964 acre tract being the east line of said 6.638 acre tract, N 08 deg. 24' 48" W, a distance of 30.95 feet to a set 5/8" iron pin at the southwest corner aforesaid 15 acre tract being a northwest corner of said 0.964 acre tract and said point also being the Real Point of Beginning for this description;

Thence continuing along the east line of said 6.638 acre tract and along the west line of said 15 acre tract, N 08 deg. 24' 48" W, a distance of 20.63 feet to a set 5/8" iron pin;

Thence parallel with said Big Run South Road, N 67 deg. 22' 25" E, a distance of 791.16 feet to a set 5/8" iron pin;

Thence N 34 deg. 44' 47" E, a distance of 72.41 feet to a set 5/8" iron pin;

Thence parallel with the centerline of Holt Road, N 02 deg. 07' 08" E, a distance of 461.10 feet to a set 5/8" iron pin in the north line of said 15 acre tract being in the south line of a 42.21 acre tract conveyed to Wilma Jean Marcum in O.R. 06004 Page B09;

Thence along the north line of said 15 acre tract and the south line of said 42.21 acre tract, S 87 deg. 53' 53" E, a distance of 20.00 feet to a set 5/8" iron pin at the northwest corner of said 0.964 acre tract being the northeast corner of said 15 acre tract;

Thence along the east line of said 15 acre tract being the west line of said 0.964 acre tract, S 02 deg. 07' 08" W, a distance of 516.90 feet to a set 5/8" iron pin;

Thence along the south line of said 15 acre tract being a north line of said 0.964 acre tract, S 67 deg. 22' 25" W, a distance of 825.02 feet to the point of beginning.

Containing 0.641 acres of land out of Auditors Parcel Number 010-255272 of which the present right of way occupies (P.R.O.) 0.00 acres.

Franklin County, Ohio Parcel Identification No. PIDN 010-255272-00

Commonly known as a parcel on S. Big Run Road, Columbus, OH 43123.

**To Rezone From:** CPD, Commercial Planned Development District

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

**SECTION 2.** That a Height District of sixty (60) 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-LD, 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, "**GROVE CITY APARTMENTS,**" and said text titled, "**LIMITATION TEXT,**" both signed by Jeffrey L. Brown, Attorney for the Applicant, dated November 15, 2017, and the text reading as follows:

## LIMITATION TEXT

**PROPOSED DISTRICTS: L-ARLD**

**PROPERTY ADDRESS: 4820 Big Run South**

**OWNER: Giuseppe Holding LLC**

**APPLICANT: Giuseppe Holding LLC**

**DATE OF TEXT: 11/15/17**

**APPLICATION: Z14-055**

**1. INTRODUCTION:** This site is a portion of a larger site which was zoned a mixture of multi-family and commercial in 2000 (Zoning Case Z00-065). The northern portion of the larger site was purchased by Southwestern City School District. The remaining commercial ground is now being rezoned to multi-unit residential usage with this application.

**2. PERMITTED USES:** Those uses permitted in Chapter 3333, ARLD, Apartment Residential District of the Columbus City Code.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in this written text, the applicable development standards are contained in Chapter 3333, ARLD, Apartment Residential District of the Columbus City Code.

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

1. Maximum number of units shall be 178.

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

A pedestrian connection shall be established from the site's internal sidewalk to the public sidewalk along Holt Road. Location of said sidewalk connection shall be subject to the review and approval of the City's Department of Public Service

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

The frontage along Holt Road and Big Run South shall be landscaped as shown on the submitted site plan. Landscaping materials may be substituted with similar species.

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

N/A

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

N/A

F. Graphics and 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 ARLD zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. The multi-family complex shall contain a clubhouse with a pool and a playground.
2. The proposed development shall be developed in general conformance with the submitted Site Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any adjustment to the Site Plan shall be reviewed and may be approved by the City's Director of the Department of Building & 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.