



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 2798-2020, Version: 2**

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### **Rezoning Application: Z19-023**

**APPLICANT:** The Burk LLC; c/o Jeffrey Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (3-2) on June 13, 2019.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with single-unit dwellings in the L-C-2, Limited Commercial, RR, Rural Residential, and PUD-4, Planned Unit Development districts. The proposed L-AR-1, Limited Apartment Residential District will permit a multi-unit residential development with a maximum of 139 units (16.83 units/acre). The limitation text commits to a site plan and building elevations and includes development standards addressing density, open space, lighting, and graphics provisions. The site is located within the boundaries of the *Northwest Plan* (2016) which recommends "Mixed Use 1" along West Dublin-Granville Road (SR 161) and "Low-Density Residential" for the northern parcels. The Plan recognizes that higher densities may be appropriate where more intense uses are present. The Plan also recommends consideration of compatibility with adjacent uses and impacts on natural resources when reviewing higher density proposals. Additionally, the Plan provides design guidelines regarding sensitive site design, building materials, front elevations, open space, landscaping, tree preservation, and connectivity. The Planning Division Staff has determined that the proposed development meets the higher density criteria in the *Northwest Plan* with its location immediately adjacent to West Dublin Granville Road and more intense commercial uses, and its inclusion of open space, natural resource protection, and buffering for the single-unit dwellings to the north. A concurrent Council variance (Ordinance #2799-2020; CV19-021) has been submitted to maintain two existing single-unit dwellings within the proposed development, and to reduce setback, perimeter yard, and vision clearance triangle requirements.

To rezone **6181 THOMPSON ST. (43235)**, being 8.26± acres located north of the terminus of Thompson Street, 1,260± feet west of Linworth Road, **From:** L-C-2, Limited Commercial, RR, Rural Residential, and PUD-4, Planned Unit Development Districts, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z19-023).

**WHEREAS**, application #Z19-023 is on file with the Department of Building and Zoning Services requesting rezoning of 8.26± acres From: L-C-2, Limited Commercial, RR, Rural Residential, and PUD-4, Planned Unit Development Districts, To: L-AR-1, 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 multi-unit residential development is consistent with the land-use recommendations of the *Northwest Plan*. The proposed L-AR-1, Limited Apartment Residential District meets the Plan's higher density criteria with its location immediately adjacent to West Dublin Granville Road and more intense commercial uses, and its inclusion of open space, natural resource protection, and buffering for the single-unit dwellings to the north; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**6181 THOMPSON ST. (43235)**, being 8.26± acres located north of the terminus of Thompson Street, 1,260± feet west of Linworth Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being land conveyed to 2424 DG I LLC; The Burk Linworth LLC; and Jimmy Lee Thompson, Et. Al. (all references to deeds, microfiche, plats, surveys, etc. refer to the Franklin County Recorder's Office or Engineer's Office) being more particularly described as follows:

BEGINNING at the southeast corner of Lot 69 of Henry R. McClelland's Subdivision known as Elmwood, and also being at the intersection of the west right of way of Thompson Street (50 feet wide) and the north right of way of an Alley (20 feet wide);

Thence along the south line of said Lot 69 and said north line of an Alley, North 87°52'38" West for a distance of 250.00 feet to the southwest corner of said Lot 69, and also being at the intersection of said north line of an Alley and the east right of way of an Alley (20 feet wide);

Thence along the west line of Lots 66-69 of said Elmwood Subdivision, also along said east right of way line, and also across a tract conveyed to The Burk Linworth LLC, North 02°16'25" East for a distance of 200.00 feet to the northwest corner of said Lot 66;

Thence along the north right of way of said Alley, North 87°52'39" West for a distance of 20.00 feet to the west right of way of said Alley;

Thence leaving said north line and across said The Burk Linworth LLC tract, North 02°16'25" East for a distance of 39.10 feet to a point;

Thence continuing across said The Burk Linworth LLC tract and across Reserve A of Brookside Estates Amended Plat No. 3, and the south line of said Reserve A, North 87°52'39" West for a distance of 608.68 feet to a corner of said Reserve A;

Thence along Reserve A for the following five (5) courses:

1. North 01°29'08" East for a distance of 39.53 feet to a corner of said Reserve A;
2. North 87°44'44" West for a distance of 422.00 feet to a corner of said Reserve A, also being the easterly right of way of McVey Boulevard (60 feet wide);
3. On a curve to the right having a radius of 230.00 feet, a delta angle of 11°47'36", and a chord length of 47.26 feet bearing North 85°59'20" East to a point;
4. South 88°06'52" East for a distance of 170.00 feet to a point;
5. On a curve to the left having a radius of 330.00 feet, a delta angle of 78°39'50", and a chord length of 418.32 feet bearing North 52°33'13" East to a corner of said Reserve A;

Thence along said east right of way of McVey Boulevard, North 02°14'50" East for a distance of 99.16 feet to the northwest corner of a tract conveyed to The Burk Linworth LLC;

Thence along the north line of said tract conveyed to The Burk Linworth LLC for the following five (5) courses:

1. South 79°29'17" East for a distance of 83.48 feet to a point;
2. North 89°57'17" East for a distance of 175.00 feet to a point;
3. North 69°54'49" East for a distance of 50.00 feet to a point;

4. South 86°38'38" East for a distance of 155.00 feet to a point;
5. North 60°24'53" East for a distance of 86.93 feet to the northeast of said tract;

Thence along the east line of said tract, South 09°15'16" East for a distance of 374.94 feet to a southeast corner of said tract;

Thence along the north vacated right of way of an Alley (20 feet wide), North 87°52'39" West for a distance of 10.20 feet to the centerline of said vacated Alley;

Thence along said centerline, South 09°15'16" East for a distance of 306.01 feet to the north right of way of an Alley (20 feet wide);

Thence along said north right of way, North 87°52'39" West for a distance of 268.41 feet to the northeast corner of the intersection of said Alley and said Thompson Street;

Thence along the east right of way of said Thompson Street, North 02°16'25" East for a distance of 300.00 feet to the north right of way of said Thompson Street;

Thence along said north right of way, North 87°52'39" West for a distance of 50.00 feet to the west right of way of said Thompson Street;

Thence along said west right of way, South 02°16'25" West for a distance of 300.00 feet to the POINT OF BEGINNING;

Containing a total of 8.255 acres, more or less.

Being part of land conveyed to The Burk Linworth LLC with Tax Parcels numbered 610-213843-00, 613-213850-00, 610-213851-00, 610-213862-00, 610-213863-00, & 610-213873-00.

Being part of land conveyed to 2424 DG I LLC with Tax Parcels numbered 610-213864-00 & 610-213865-00.

Being part of land conveyed to Jimmy Lee Thompson, William Arthur Thompson, Phyllis Ann Harmony, and Peggy Ann Valentino (Jimmy Lee Thompson, Et. Al.) with Tax Parcel numbered 610-213857-00.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (NSRS 2007 Adjustment) by observations between Franklin County Monuments numbered Frank74 & Frank174 being North 87°52'39" West.

**To Rezone From:** L-C-2, Limited Commercial, RR, Rural Residential, and PUD-4, Planned Unit Development Districts.

**To:** L-AR-1, Limited Apartment Residential District.

**SECTION 2.** That a Height District of Sixty (60) feet is hereby established on the L-AR-1, 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 in the office of the Department of Building and Zoning Services and shall register a copy of the approved L-AR-1, 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, "**ELMWOOD SITE PLAN**," dated November 6, 2020, and elevations titled "**ELEVATION, SHEETS 1-2**," dated November 12, 2020, and said text titled, "**LIMITATION TEXT**," dated September 30, 2020, all signed by Jeffrey L. Brown, attorney for the Applicant, said text reading as follows:

**LIMITATION TEXT**

**PROPOSED DISTRICT:** L-AR-1, Limited Apartment District

**PROPERTY ADDRESS:** 6181 Thompson Street

**OWNER:** The Burk LLC et al

**APPLICANT:** The Burk LLC

**DATE OF TEXT:** 9/30/20

**APPLICATION NUMBER:** Z19-023

**1. INTRODUCTION:** The site is located on the north side of West Dublin-Granville road west of the railroad tracks. The proposed development is north of the commercial uses which front on West Dublin-Granville Road.

**2. PERMITTED USES:** Those uses permitted in Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use of the Columbus City Code.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code

A. Density, Lot, and/or Setback Commitments.

1. The maximum number of dwelling units shall be 139.
2. Setbacks shall be as depicted on the site plan and subject to CV19-021.

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

1. At the intersection of West Dublin-Granville Road and the alley west of Aeros Drive, the southbound left turn movement will need to be prohibited, and a 170 feet long eastbound left turn lane including a 60 feet long diverging taper shall be installed by the applicant if not already provided by another improvement project.
2. At the intersection of West Dublin-Granville Road and Thompson Street, an eastbound left turn lane shall be installed by the applicant with a storage length of 50 feet and a diverging taper of 60 feet.
3. Instead of installing a westbound right turn lane at the intersection of West Dublin-Granville Road and Thompson Road, the applicant shall pay to the city \$92,592 (the cost of said turn lane) for future potential transportation improvements in the vicinity of the site.

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

The SCPZ (Stream Corridor Protection Zone) is shown on the submitted site plan. Activities within the SCPZ area are regulated by the City of Columbus. The area outside of the SCPZ area is shown on the amenity zone on the submitted site plan. Permitted uses within the amenity zone are listed on the submitted site plan.

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

1. The buildings shall be constructed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.
2. The building height is a maximum of 54 feet.

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

1. The parking lot poles shall be fully shielded, recessed lamps directly away from abutting properties with a maximum height of 18 feet.
2. There will be no lighting in the site's amenity zone except for maximum 48 inch high fixtures path light.

F. Graphics and/or 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 AR-1 zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan; however, the Site Plan shall be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department of Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan 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.