



Legislation Text

File #: 1840-2022, **Version:** 1

Rezoning Application: Z22-008

APPLICANT: Rocky Point Partners; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 13, 2022.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 12.73± acre site consists of three parcels zoned in the R, Rural district. One parcel is developed with a single-unit dwelling and the other two are vacant. The applicant requests the L-AR-12, Limited Apartment Residential District to permit the development of a multi-unit residential development with up to 140 apartment units (11 du/ac). The limitation text commits to a site plan and includes development standards addressing increased perimeter yards, access, landscaping, building design, and graphics provisions. The site is located within the boundaries of the *South East Land Use Plan* (2018), which recommends "Low Density Residential (4-6 du/ac)" land uses at this location, which is defined as "predominantly single-family development, with limited amounts of multi-family." Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff notes that this site is directly adjacent to the Pickerington Ponds Metro Park and therefore considers additional density to be supportable. Enhanced landscaping and increased perimeter yards provide buffering for adjacent single-unit dwellings, and the site design is consistent with C2P2 Design Guidelines.

To rezone **4526 GENDER RD. (43110)**, being 12.73± acres located on the east side of Gender Road, 600± feet north of Wright Road, From: R, Rural District, To: L-AR-12, Limited Apartment Residential District (Rezoning #Z22-008).

WHEREAS, application #Z22-008 is on file with the Department of Building and Zoning Services requesting rezoning of 12.73± acres from R, Rural District, to L-AR-12, Limited Apartment Residential District; and

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

WHEREAS, the Greater South East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-AR-12, Limited Apartment Residential District provides enhanced landscaping and increased perimeter yards provide buffering for adjacent single-unit dwellings, with site design consistent with C2P2 Design Guidelines. Staff can support the increased density as the site is directly adjacent to the Pickerington Ponds Metro Park; 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:

4526 GENDER RD. (43110), being 12.73± acres located on the east side of Gender Road, 600± feet north of Wright Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, City of Columbus, being located in Section 12, Township 11, Range 21, Congress Lands East of the Scioto River, being part of Lot 12 and Reserve "A" of Mack-Ann Subdivision, of record in Plat Book 29, Page 47, and being all of that 12.378 acre tract, said part of Reserve "A" and said 12.378 acre tract described in a deed to Balaloski Properties, LTD., of record in Instrument Number 200704170066859, said part of Lot 12 described in a deed to 4526 Gender, LLC, of record in Instrument Number 202106280112970, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the northwest corner of said 12.378 acre tract, being a northeast corner of said Mack-Ann Subdivision;

Thence South 86 degrees 46 minutes 00 seconds East, along the north line of said 12.378 acre tract, a distance of 649.02 feet to the northeast corner of said 12.378 acre tract;

Thence South 04 degrees 10 minutes 00 seconds West, along the east line of said 12.378 acre tract, a distance of 815.99 feet to the southeast corner of said 12.378 acre tract;

Thence North 85 degrees 50 minutes 00 seconds West, along the south line of said 12.378 acre tract and along a north line of said Mack-Ann Subdivision, a distance of 634.17 feet to the southwest corner of said 12.378 acre tract, being a northeast corner of said Mack-Ann Subdivision;

Thence North 03 degrees 07 minutes 00 seconds East, along the west line of said 12.378 acre tract and along an east line of said Mack-Ann Subdivision, a distance of 420.55 feet to the southeast corner of said Lot 12;

Thence North 86 degrees 46 minutes 00 seconds West, along the south line of said Lot 12, a distance of 185.00 feet to a point on the existing east right-of-way line for Gender Road (Variable Width - Public);

Thence North 03 degrees 07 minutes 00 seconds East, along the existing east right-of-way line for Gender Road, a distance of 185.62 feet to a point on the north line of said Reserve "A";

Thence along the arc of a non-tangent curve to the left, along the north line of said Reserve "A", said curve having a central angle of 14 degrees 21 minutes 39 seconds, a radius of 20.00 feet and an arc length of 5.01 feet, to a point of tangency, said curve being subtended by a long chord having a bearing of South 79 degrees 35 minutes 10 seconds East and a length of 5.00 feet;

Thence South 86 degrees 46 minutes 00 seconds East, continuing along the north line of said Reserve "A", a distance of 180.04 feet to the northeast corner of said Reserve "A", being on an east line of said Mack-Ann Subdivision and being on the west line of said 12.378 acre tract;

Thence North 03 degrees 07 minutes 00 seconds East, along the west line of said 12.378 acre tract and along an east line of said 12.378 acre tract, a distance of 200.00 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 12.727 acres, of which:

11.941 acres is located within Franklin County Auditor's parcel number 010-262377,

0.255 acres is located within Franklin County Auditor's parcel number 010-262378,

0.531 acres is located within Franklin County Auditor's parcel number 181-000574.

Bearings described herein are based on the bearing of North 03 degrees 07 Minutes East for the centerline of Gender Road, as delineated on Mack-Ann Subdivision Plat, of record in Plat Book 29, Page 47.

To Rezone From: R, Rural District,

To: L-AR-12, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, 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 change on the said original zoning map and shall register a copy of the approved L-AR-12, 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 being titled, "**FLATS AT THE PONDS.**," and said text being titled, "**DEVELOPMENT TEXT**," both dated June 17, 2022, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING: R, Rural District

PROPOSED ZONING: L-AR-12, Limited Apartment Residential District

PROPERTY ADDRESS: 4526 Gender Road, Columbus, OH 43110

APPLICANT: Rocky Point Partners c/o Dave Perry, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

OWNERS: 4526 Gender, LLC, 350 E First Avenue, Suite 120, Columbus, OH 43201 and Balaloski Properties, Ltd. 2056 Colts Neck Road, Blacklick, OH 43004

DATE OF TEXT: June 17, 2022

APPLICATION NUMBER: Z22-008

INTRODUCTION:

The site is 12.73 +/- acres on the east side of Gender Road, 600' +/- north of Wright Road. The site consists of three (3) parcels: 010-262378, 010-262377 and 181-000574. The Tax District 181 parcel has been annexed from Madison Township. Applicant proposes to raze the existing house (PID: 181-000574) and develop the 12.73 +/- acre site with an apartment complex (140 dwelling units). The site plan titled "Flats At The Ponds", dated 06/17/2022, hereafter "Site Plan", is submitted with this application as the site development plan. The parcel annexed from Madison Township will be assigned a different Tax District than 010 and cannot be combined with the two (2) Tax District 010 parcels. The Tax District 010 area is 12.189 ac. (010-262378, 010-262377). Area of PID: 181-000574 is 0.53 ac.

1. PERMITTED USES: The permitted use shall be an apartment complex and accessory uses to an apartment complex, as permitted by Chapter 3333, Apartment Districts, Section 3333.02, AR-12, ARLD and AR-1 Apartment Residential Use.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3333, Apartment Districts, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards, of the Columbus City Code, as applicable to the AR-12 Apartment Residential District and an apartment complex as depicted on the Site Plan.

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

1. A maximum of 140 apartment units shall be permitted.
2. The minimum perimeter yards shall be as depicted on the Site Plan.

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

1. One (1) full turning curb cut on Gender Road shall be permitted.
2. At the proposed access point to Gender Road, a 225 feet long right turn lane (inclusive of a 50 feet diverging taper) shall be provided.
3. Gender Road shall be widened to a 3-lane section between the existing southbound left turn lane at Wright Road and the existing northbound left turn lane at Shannon Road.

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

1. Existing trees of 3" caliper or greater within 40' of the property lines of PID: 010-262377, other than where contiguous to PID: 010-262378 and 181-000574, shall be preserved except where utility crossings are required, if any.
2. A fence (6' high, wood, 75% opaque) and/or two (2) staggered rows of evergreen trees (5' high, 20' on center) shall be placed along and adjacent to the north property line of PID: 010-262378 and the south property line of PID: 181-000574. Existing trees may also be used to meet this screening standard.

D. Building Design and/or Exterior Treatment Commitments:

Permitted primary exterior building materials shall include vinyl siding, cementitious board, stucco, manufactured stone, metal siding and/or EIFS.

E. Lighting and/or other Environmental Commitments: N/A

F. Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the AR-12, Residential District. Any variance to applicable sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments.

1. The site shall be developed in accordance with the submitted Site Plan titled "Flats At The Ponds", dated 06/17/2022, and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. Applicant shall comply as applicable with the Parkland Dedication Ordinance (PDO) in conjunction with the final Site Compliance Plan.

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