



## Legislation Text

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**File #:** 1304-2023, **Version:** 1

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### **Rezoning Application: Z22-092**

**APPLICANT:** David Ruma; c/o Michael Shannon, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (7-0) on April 13, 2023.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of three parcels, two of which that were annexed from Plain Township and will be zoned in the R, Rural District (effective May 3, 2023) and developed with single-unit dwellings. The applicant proposes to develop the site with a multi-unit residential development containing a maximum of 216 units in the L-AR-1, Limited Apartment Residential District (21.84 units per acre). The limitation text commits to a site plan and includes development standards addressing setbacks, site access, landscaping, building design, and graphics provisions. A concurrent Council variance (Ordinance #1305-2023; CV22-141) has been submitted to vary building height, along with maneuvering, parking space size, minimum number of parking spaces required, lot area, and perimeter yard due to parcels from different taxing districts that are unable to be combined. The site is located within the boundaries of the *Rocky Fork - Blacklick Accord Plan* (2003), which recommends "Neighborhood Center" land uses for this location. The Plan recommends five units per acre with a bonus density of eight units per acre at this location. Although the proposed development is at a higher density than recommended by the Plan, staff notes that the proposed density is comparable to other multi-unit residential developments in the vicinity. The request also received a recommendation of approval from the Rocky Fork Blacklick Accord Panel on March 16, 2023.

To rezone **5142 CENTRAL COLLEGE RD. (43081)**, being 10.0± acres located on the north side of Central College Road, 440± feet east of Course Drive, **From:** R, Rural District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z22-092).

**WHEREAS**, application #Z22-092 is on file with the Department of Building and Zoning Services requesting rezoning of 10.0± acres from R, Rural District, 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 the proposed L-AR-1, Limited Apartment Residential District will allow a multi-unit residential development with a comparable density to other multi-unit residential developments in the vicinity; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**5142 CENTRAL COLLEGE RD. (43081)**, being 10.0± acres located on the north side of Central College Road, 440± feet east of Course Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, City of Columbus, being part of Section 6, Township 2, Range 16, United States Military Lands and being all of that 5.001 acre tract of land as conveyed to Aleks and Natasha Babamovski in Instrument Number 201710260149962, all of that 3.00 acre tract of land as conveyed to Steven L. Dunbar and Cindy L. Ward in Official Record 16550E06 and Official Record 16751C09, and all of that 1.984 acre tract of land as conveyed to Christoff Land & Development, LLC in Instrument Number 201810250145804, said 10.0 acres± more particularly described as follows:

**Beginning**, on the southeast corner of said 3.00 acre tract, the southwest corner of that 0.574 acre tract as conveyed to Lisa Wu Fate in Instrument Number 202108270153572, being on the centerline of Central College Road as referenced in Road Record 8, Pg. 194, and the common line of Section 6 and Section 15;

Thence **N 85°19'11" W**, with the south line of said 3.00 acre tract, the centerline of said Central College Road, the common line of Section 6 and Section 15, **200.0 feet±** to the southwest corner of said 3.00 acre tract, and the southeast corner of that 0.172 acre tract of land conveyed to the City of Columbus in Instrument Number 200712180215640;

Thence **N 03°27'42" E**, with the west line of said 3.00 acre tract, the east line to said 0.172 acre tract, **50.0 feet±** to the southeast corner of said 1.984 acre tract, the northeast corner of said 0.172 acre tract, and being on the west line of said 3.00 acre tract;

Thence **N 86°29'35" W**, with the south line of said 1.984 acre tract, the north line of said 0.172 acre tract, **150.1 feet±** to the southwest corner of said 1.984 acre tract, the northwest corner of said 0.172 acre tract, and being on the east line of said 5.001 acre tract;

Thence **S 03°16'20" W**, with the west line of said 0.172 acre tract, the east line of said 5.001 acre tract, **50.0 feet±** to the southeast corner of said 5.001 acre tract, the southwest corner of said 0.172 acre tract, and the centerline of said Central College Road;

Thence **N 86°29'35" W**, with the south line of said 5.001 acre tract, the centerline of said Central College Road, the common line of Section 6 and Section 15, **350.0 feet±** to the southwest corner of said 5.001 acre tract and an angle point on said Central College Road;

Thence **N 03°16'20" E**, with the west line of said 5.001 acre tract, across the right-of-way of said Central College Road, a west line of a 3.105 acre tract of land conveyed as Reserve "I" of the Upper Albany West Section 1 subdivision as dedicated in Plat Book 105, Pg. 86, **622.4 feet±** to the northwest corner of said 5.001 acre tract, an angle point of said Reserve "I";

Thence **S 86°29'35" E**, with the north line of said 5.001 acre tract, the north line of said 1.984 acre tract, a south line of said Reserve "I", **502.0 feet±** to the west line of said 3.00 acre tract, the northeast corner of said 1.984 acre tract, and being on a south line of said Reserve "I";

Thence **N 03°27'42" E**, with the west line of said 3.00 acre tract, the east line of said Reserve "I", **30.6 feet±** to the northwest corner of said 3.00 acre tract, an angle point of a 21.705 acre tract of land conveyed to Andrew Reserve, LLC in Instrument Number 202011200185588, and being on the east line of said Reserve "I";

Thence **S 85°19'11" E**, with the north line of said 3.00 acre tract, a south line of said 21.705 acre tract, **200.0 feet±** to the northeast corner of said 3.00 acre tract, an angle point of said 21.705 acre tract;

Thence **S 03°27'49" W**, with the east line of said 3.00 acre tract, a west line of said 21.705 acre tract, the west line of said 0.574 acre tract, **653.0 feet±** to the **Point of Beginning**. Containing **10.0 acres±** more or less.

**To Rezone From:** R, Rural District,

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

**SECTION 2.** That a Height District of thirty-five (35) 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 and shall register a copies 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 Sections 3370.03 of the Columbus City Codes; said site plan being titled, "**DEVELOPMENT PLAN, CENTRAL COLLEGE RD.,**" elevations titled, "**ELEVATIONS - SHEETS 1-5,**" and said text being titled, "**LIMITATION TEXT,**" all dated April 19, 2023, and signed by Eric Zartman, Attorney for the Applicant, and the text reading as follows:

### **LIMITATION TEXT**

Application: Z22-092

Location: 5142 CENTRAL COLLEGE ROAD (43081), being 10.3± acres (220-002126 and two others; Rocky Fork Blacklick Accord Panel).

Existing Zoning: R, Rural District.

Proposed Zoning: L-AR-1, Limited Apartment Residential District (H-35).

Proposed Use: Multi-unit residential use.

Applicant(s): David Ruma, DC Building Company, 285 Metro Pl. S., Dublin, Ohio 43017; and Michael Shannon, Atty.; Underhill and Hodge; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

Property Owner(s): Aleks and Natasha Babmovski, 5142 Central College Road, Westerville, Ohio 43081, and two others.

Date: April 19, 2023

### **I. Introduction:**

The Applicant proposes development of the property for multi-unit residential use. The site is three parcels which total approximately 10.0± acres in area. The site is currently zoned R, Rural District and are used for single-unit residential use. This proposed development will complement its sister adjacent development, on the south side of Central College Road, in style and aesthetic.

The site is bordered on the west, north, and east by a residential development zoned Neighborhood Center. The immediate adjacent uses are generally a mix of single- and two-family residential units. The site is also bordered by the adjacent residential development's reserve areas.

The site is within the boundary the Rocky Fork Blacklick Accord. The site is also within the boundary of the *Rocky Fork Blacklick Accord Community Plan* which recommends neighborhood center uses.

The Applicant proposes development of the site with 216 dwelling units on 10.0± acres, a density of 21.84 du/a. The Applicant is committed to design standards set forth by the Rocky Fork Blacklick Accord Community Plan design standards.

### **II. Permitted Uses:**

A. Those uses permitted by Section 3333.02, AR-1 Apartment Residential district, of the Columbus City Zoning Code shall be permitted.

B. The existing monopole telecommunication antenna shall remain a nonconforming use.

### **III. Development Standards:**

Unless otherwise indicated in this text or Zoning Exhibit, the applicable development standards are contained in Chapter 3333, Apartment Districts of the Columbus City Code.

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

1. The minimum building setback from Central College Road shall be 50 feet.
2. The minimum parking setback from Central College Road shall be 25 feet.
3. The maximum density shall be 216 dwelling units.
4. See also CV22-141 which permits increased building height, reduced lot area, and reduced perimeter yard.

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

1. The site shall have one full access point and one emergency access point from Central College Road, subject to review and approval by the Division of Traffic Management.
2. Right-of-way dedication of 50' from centerline along the Central College Road frontage shall be dedicated to the appropriate jurisdiction.
3. Access to the monopole telecommunication antenna shall be as depicted on the Development Plan.
4. A 110 foot long eastbound left turn lane (including of a 60-foot diverging taper) shall be constructed at the proposed access point to Central College Road.
5. See also CV22-141 which permits maneuvering areas, parking spaces, and minimum required parking to be divided by parcel lines which cannot be combined due to different taxing districts.

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

1. The site's perimeter and internal landscaping shall generally conform to the landscaping depicted on the Development Plan.
2. A six foot white vinyl privacy fence shall be provided on the site, as depicted on the Development Plan.

#### **D. Building Design and/or Exterior Treatment Commitments:**

1. The building design and exterior treatments shall generally conform to the submitted Elevations.
2. The north façade of Building 5 and the west façade of Building 6 shall not have any windows in consideration of the adjacent single-unit dwellings.

#### **E. Lighting and/or other Environmental Commitments:**

N/A

#### **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 Apartment Residential District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

The site shall be developed in general accordance with the submitted a site plan titled “Development Plan,” and elevations titled “Elevations,” both signed and dated April 19, 2023. The plans and elevations may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plans or elevations 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.

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