

**REZONING APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 216-062  
Date Received: 10/3/16  
Application Accepted By: mm+SP+KP Fee: \$5120  
Comments: Assigned to Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) 343, 355, and 335 Obetz Road Zip 43207  
Is this application being annexed into the City of Columbus  Yes  No (circle one)  
*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*  
Parcel Number for Certified Address 010-111600; 010-018937; 510-296088  
 Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s) RRR; I Requested Zoning District(s) CPD  
Area Commission Area Commission or Civic Association: Far South Columbus Area Commission  
Proposed Use or reason for rezoning request: Development of senior apartments and assisted living  
(continue on separate page if necessary)  
Proposed Height District: 35 Acreage 6.961  
[Columbus City Code Section 3309.14]

**APPLICANT:**

Name 301 Obetz Road Real Estate LLC; Scioto Community Real Estate LLC  
Address 5020 Philadelphia Drive City/State Dayton, Ohio Zip 45415  
Phone # 937.304.7914 Fax # NA Email josh.huff@capitalhcn.com

**PROPERTY OWNER(S):**

Name 301 Obetz Road Real Estate LLC; Scioto Community Real Estate LLC  
Address 5020 Philadelphia Drive City/State Dayton, Ohio Zip 45415  
Phone # 937.304.7914 Fax # N/A Email Josh.huff@capitalhcn.com  
 Check here if listing additional property owners on a separate page

**ATTORNEY / AGENT** (CHECK ONE IF APPLICABLE)  Attorney  Agent

Name Ryan P. Aiello, Esq., Dinsmore & Shohl LLP  
Address 191 W. Nationwide Boulevard, Suite 300 City/State Columbus, Ohio Zip 43215  
Phone # 614.628.6893 Fax # 614.628.6890 Email: ryan.aiello@dinsmore.com

**SIGNATURES** (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer

**REZONING APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

**AFFIDAVIT**

(See instruction sheet)

APPLICATION # 216-062

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Ryan P. Aiello, Esq., Dinsmore & Shohl LLP  
of (1) MAILING ADDRESS 191 W. Nationwide Boulevard, Suite 300, Columbus, Ohio 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 343, 355, and 335 Obetz Road  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 10/3/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS  
 Check here if listing additional property owners  
on a separate page.

(4) 301 Obetz Road Real Estate LLC  
Scioto Community Real Estate LLC  
5020 Philadelphia Drive  
Dayton, Ohio 45415

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

301 Obetz Road Real Estate LLC  
Scioto Community Real Estate LLC  
937.304.7914

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Far South Columbus Area Commission  
Becky Wolcott  
723 Ivorton Road South, Columbus, Ohio 43207

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

(8) Man Dan  
3rd day of October, in the year 2016

Subscribed to me in my presence and before me this

SIGNATURE OF NOTARY PUBLIC

(8) Jodi Dyer  
No expiration

My Commission Expires:

*This Affidavit expires six months after date of notarization.*

Notary Seal Here



**JODI DIEWALD DYER**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date. Section 147.03 O.R.C.

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**APPLICANT**

301 Obetz Road Real Estate LLC  
Scioto Community Real Estate LLC  
5020 Philadelphia Drive  
Dayton, Ohio 45415

**PROPERTY OWNER**

301 Obetz Road Real Estate LLC  
Scioto Community Real Estate LLC  
5020 Philadelphia Drive  
Dayton, Ohio 45415

**ATTORNEY**

Ryan P. Aiello, Esq.  
Dinsmore & Shohl LLP  
191 West Nationwide Boulevard, Suite 300  
Columbus, Ohio 43215

**SURROUNDING PROPERTY OWNERS**

CHS of Dayton Real Estate Inc.  
5020 Philadelphia Drive  
Dayton, Ohio 45415

City of Columbus  
3901 Parsons Avenue  
c/o Real Estate Management  
90 West Broad Street, Room 425  
Columbus, Ohio 43215

Villas of Scioto Inc.  
432 – 440 Parsons Avenue  
5020 Philadelphia Drive  
Dayton, Ohio 45415

N B C – U S A HOUSING INC FOURTEEN  
c/o Taliafaro Inc.  
Post Office Box 292405  
Nashville, Tennessee 37229

MHP Holdings – Shenandoah Ltd.  
c/o Shenandoah Partnership  
555 Greenlawn Avenue  
Columbus, Ohio 43223

Columbus Metropolitan Housing  
Authority  
880 East 11<sup>th</sup> Avenue  
Columbus, Ohio 43211

**REZONING APPLICATION**

**Department of Building & Zoning Services**  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

**PROJECT DISCLOSURE STATEMENT**

Parties having a 5% or more interest in the project that is the subject of this application.  
**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION # 216-062

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Ryan P. Aiello, Esq., Dinsmore & Shohl LLP  
of (COMPLETE ADDRESS) 191 W. Nationwide Boulevard, Suite 300, Columbus, Ohio 43215  
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

<p>1. 301 Obetz Road Real Estate LLC 5020 Philadelphia Drive Dayton, Ohio 45415 0 Columbus based employees Josh Huff - 937.304.7914</p>	<p>2. Scioto Community Real Estate LLC 5020 Philadelphia Drive Dayton, Ohio 45415 0 Columbus based employees Josh Huff - 937.304.7914</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

*Ryan P. Aiello*

Subscribed to me in my presence and before me this 3rd day of October, in the year 2016

SIGNATURE OF NOTARY PUBLIC

*Jodi Diewald Dyer*

My Commission Expires:

No expiration

*This Project Disclosure Statement expires six months after date of notarization.*

Notary Seal Here



**JODI DIEWALD DYER**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date. Section 147.03 O.R.C.

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DESCRIPTION OF 6.061 ACRE TRACT OF LAND  
SOUTH OF OBETZ ROAD  
WEST OF PARSONS AVENUE  
EAST OF HIGH STREET

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 16, Township-41, Range-22, Congress Lands and being 6.061 acres of part of the land conveyed to Eastway Corporation 26.5 acres as recorded in Instrument Number 201512230180104 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows:

Beginning for reference at Franklin County Monument Box 1143 at the centerline intersection of Parsons Avenue and Obetz Road;

Thence North 86°53'58" West a distance of 1032.86 feet, along the centerline of said Obetz Road, to a PK Nail set at a northwesterly property corner of Columbus Health Services of Dayton Real Estate, Inc. (IN 201301100005073) 10.465 acre tract, being the Point of Beginning;

Thence South 3°54'29" West a distance of 392.23 feet, along a westerly line of said 10.465 acre tract, to an existing ¾" ID pipe at a southwesterly corner of said 10.465 acre tract;

Thence South 87°01'55" East a distance of 100.06 feet, along a southerly line of said 10.465 acre tract, to an existing ¾" ID pipe;

Thence South 3°47'41" West a distance of 542.63 feet, along a westerly line of said 10.465 acre tract, to an existing ¾" ID pipe on a northerly property line of MHP Holdings-Shenandoah, Ltd. (IN 200602230035087) 50.368 acre tract;

Thence North 86°15'59" West a distance of 127.88 feet, along a northerly line of said 50.368 acre tract, to an existing ¾" ID pipe at a northwesterly property corner of 50.368 acre tract;

Thence South 3°54'49" West a distance of 267.58 feet, along a westerly line of said 50.368 acre tract, to an existing ¾" ID pipe;

Thence North 86°03'14" West a distance of 153.80 feet, along a northerly line of said 50.368 acre, to an existing ¾" ID pipe;

Thence North 3°54'29" East a distance of 1198.54 feet through said Eastway Corporation 26.5+/- acre tract to an existing PK nail;

Thence South 86°53'58" East a distance of 180.61 feet, along the centerline of said Obetz Road, to the Point of Beginning containing 6.061 acres more or less, 0.122 acres within the Right-of-way of Obetz Road (PID 010-111600, 5.117 Ac. (0.122 acre in ROW), PID 510-104517, 0.945 acre), according to an actual field survey made by Hockaden and Associates, Inc. in November of 2015 and January of 2016.

An assumed bearing of North 86°53'58" West was used on a portion of the centerline of Obetz Road and all other bearings derived from this meridian.

AND

Real property situated in the City of Columbus, County of Franklin, State of Ohio, and is described as follows:

Being situated in the State of Ohio, County of Franklin, City of Columbus, Section 16, Township 4, Range 22, Congress Lands, part of Lot 4 of the partition of lands in the case of E. Johnston vs W. Johnston's Heirs, etal, in Complete Record 27, Page 395, Court of Common Pleas, Franklin County, Ohio, and being part of a 6 acre tract deeded the trustees of the Full Gospel Apostolic Church in Deed Book 3420, Page 852, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a found spike at the intersection of the centerline of Parsons Avenue with the centerline of Obetz Road at the Northeasterly corner of the C. Burton, etal, 2 acre tract (Deed Book 3436, Page 402);

Thence along the centerline of said Obetz Road, passing found spikes on line at 316.0 feet and 840.3 feet, North 85° 55' West, a total distance of 933.6 feet to a found iron pin at the Northwesterly corner of the R. and L. Endicott 2 acre tract (Deed Book 2507, Page 241), and the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

Thence along the Westerly line of said 2 acre tract (Easterly line of said 6 acre tract) passing an iron pin on line at 25.0 feet, South 4° 45' 30" West, a total distance of 392.04 feet, to an iron pin;

Thence, North 85° 55' West parallel with the North line of said 6 acre tract, and the centerline of said Obetz Road, 100.00 feet, to an iron pin;

Thence, North 4° 45' 30" East (parallel with the East line of said 6 acre tract, passing an iron pin on line at 367.04 feet a total distance of 392.04 feet, to a spike set in the North line of said 6 acre tract, and centerline of said Obetz Road;

Thence South 85° 55' East (along the North line of said 6 acre tract, and centerline of Obetz Road) 100.00 feet, to the point of beginning, containing 0.900 of an acre, subject to all legal highways and easements, restrictions, leases and agreements of record.

010-018937-00

216-062



# City of Columbus Zoning Plat



## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 010111600

Zoning Number: 343

Street Name: OBETZ RD

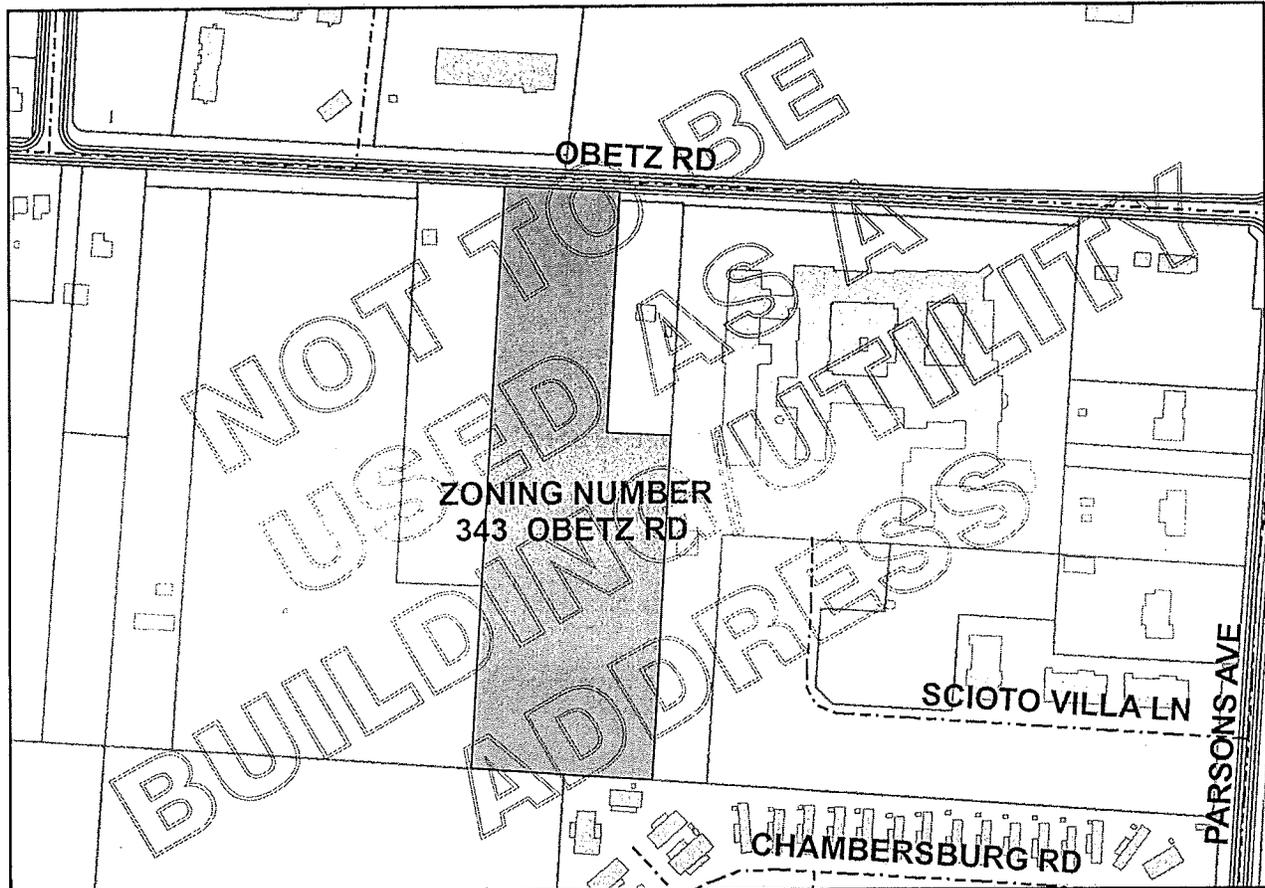
Lot Number: N/A

Subdivision: N/A

Requested By: DINSMORE & SHOHL LLP (RYAN AIELLO)

Issued By: *Ridgema Williams*

Date: 9/27/2016



FRANK D. WILLIAMS, ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 75004



# City of Columbus Zoning Plat



## ZONING NUMBER

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is Herein Certified to Obtain Zoning, Rezoning,  
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Parcel ID: 010018937

Zoning Number: 355

Street Name: OBETZ RD

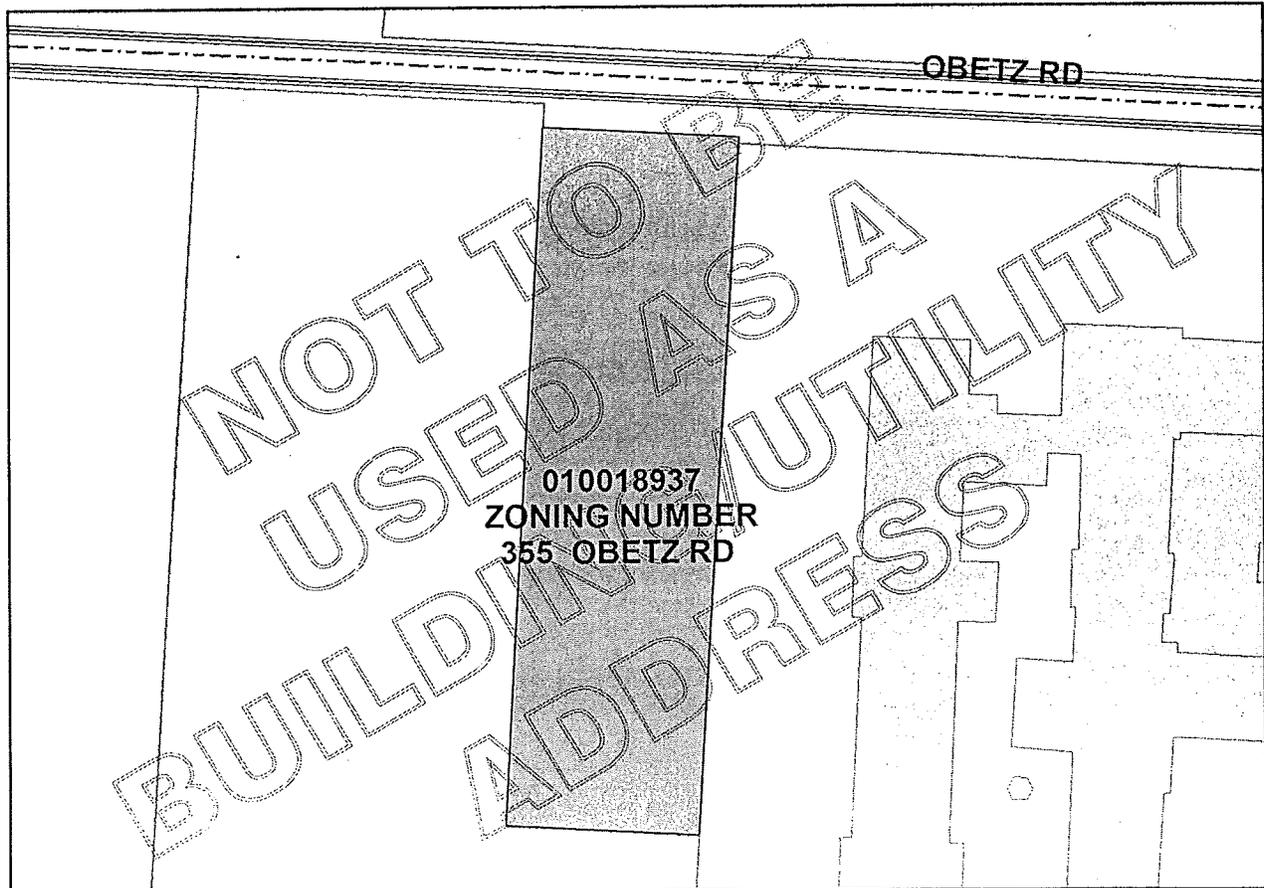
Lot Number: N/A

Subdivision: N/A

Requested By: DINSMORE & SHOHL LLP (RYAN AILLO)

Issued By: *Rodriguez Amarian*

Date: 9/27/2016



SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 75005



FRANK D. WILLIAMS, ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO



# City of Columbus Zoning Plat



## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 510296088

Zoning Number: 335

Street Name: OBETZ RD

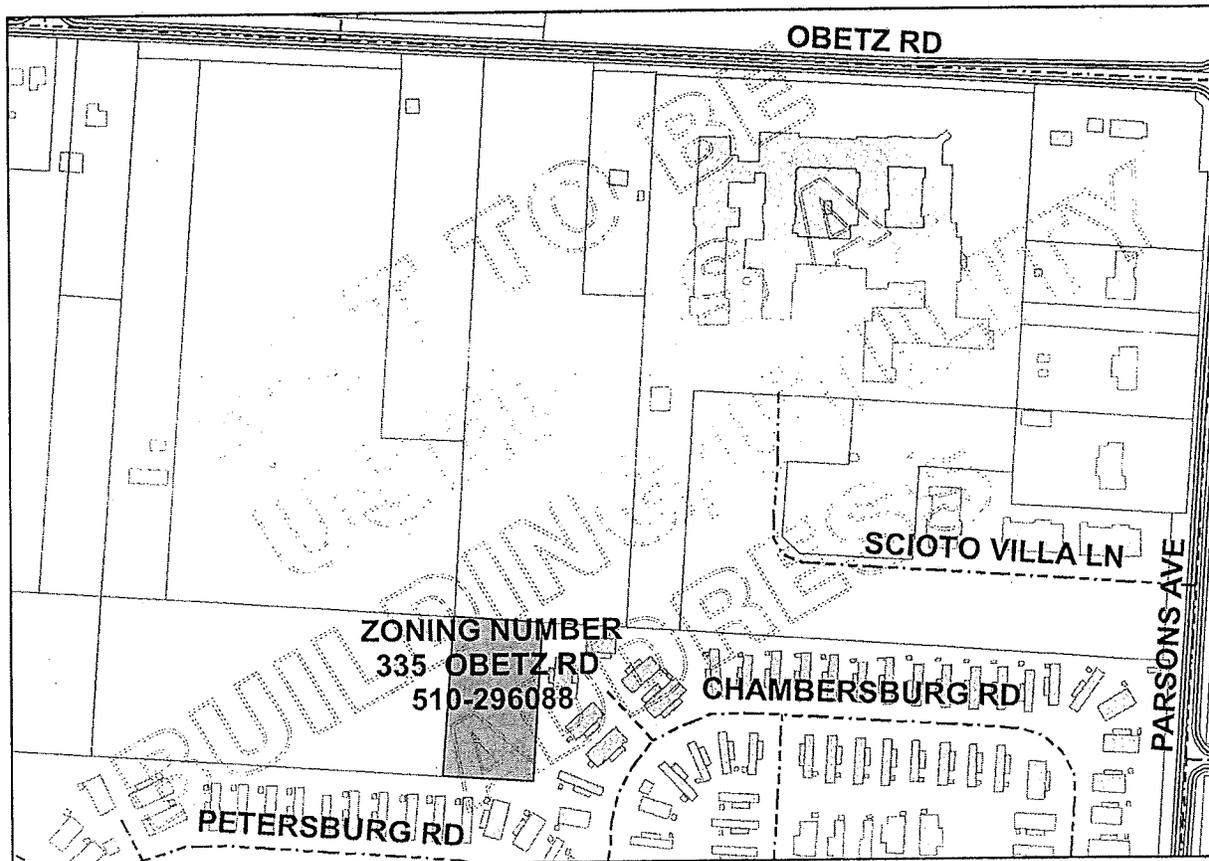
Lot Number: N/A

Subdivision: N/A

Requested By: DINSMORE & SHOHL LLP (RAYAN AIELLO)

Issued By: *Rayana Umariam*

Date: 9/27/2016



SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 75002



FRANK D. WILLIAMS, ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: FCA105    DATE: 9/27/16



Disclaimer

Scale = 200



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

216-062





**COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT: COMMERCIAL PLANNED DEVELOPMENT DISTRICT

PROPERTY ADDRESS: 343, 355, AND 335 Obetz Road

OWNER: 301 Obetz Road Real Estate LLC; Scioto Community Real Estate LLC

APPLICANT: 301 Obetz Road Real Estate LLC; Scioto Community Real Estate LLC

DATE OF TEXT: 10/3/2016

APPLICATION NUMBER: 216-062

1. **INTRODUCTION**: The subject site contains approximately 6.961 acres, consisting of three (3) separate parcels located on the south side of Obetz Road. The applicant is proposing to construct an 80 unit senior apartment building, which is being constructed to assisted living standards and may be converted to assisted living in the future, in the CPD Commercial Planned Development District. One (1) of the parcels cannot be combined with the other two (2) due to the different taxing districts in which the parcels are located. The parcels are currently zoned RRR, Residential District, and I, Institutional District. A Zoning Site Plan is attached as Exhibit "A".

2. **PERMITTED USES**: Section 3349.03 (Institutional) of the Columbus City Code.

3. **DEVELOPMENT STANDARDS**: Unless otherwise indicated in the CPD Text, the applicable development standards are contained in Chapter 3361 of the Columbus City Code, and as shown on the attached Zoning Site Plan (Exhibit "A").

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

1. The minimum building setback from the street property line is eighty-five (85) feet from Obetz Road. The minimum parking setback from the street property line is fifteen (15) feet from Obetz Road and five (5) feet from the side and rear exterior property lines. Thirty (30) feet of additional right-of-way for Obetz Road is being dedicated, per City of Columbus request.

2. The minimum building setback from the rear property line and western side property line is twenty-five (25) feet from the property line. The minimum building setback from the eastern side property line is fifteen (15) feet from the property line.

3. No building setback shall be required from any property line that is created within and internal to the total site and the property created by this rezoning request will continue to function as one overall site.

4. No parking or maneuvering setback shall be required from any property line that is created within and internal to the total site and the property created by this rezoning request will continue to function as part of the overall site.

5. The height of the project shall not exceed thirty-five (35) feet.

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

1. Access to and from the site shall be provided via Obetz Road as shown on the Zoning Site Plan. Access shall be approved by the City of Columbus, Department of Public Service.
2. The owner will construct a five (5) foot wide sidewalk from the front parking lot to the public sidewalk fronting Obetz Road.
3. The owner will obtain a cross-access and cross-parking easement from the owner of the adjacent senior living facility, which is under common control with owner.

**C. Buffering, Landscaping, Open Space, Screening and Parkland Dedication Commitments.**

N/A

**D. Building Design and Exterior Treatment Commitments.**

N/A

**E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.**

N/A

**F. Graphics and/or Signage Commitments.**

1. Any signage and graphics shall conform to the City of Columbus Graphic Code as it applies to the CPD District. Any variance of the sign requirements will be submitted to the City of Columbus Graphics Commission.

**G. Miscellaneous:**

1. Variance: Reduce the minimum twenty-five (25) foot perimeter yard building setback to zero (0) feet along the interior lot lines (CC 3361.04(a)).
2. Variance: Reduce the minimum twenty-five (25) foot perimeter yard building setback to fifteen (15) feet along the eastern lot line (CC 3361.04(a)).
3. Variance: Allow maneuvering and parking spaces to cross parcel lines as one (1) of the parcels cannot be combined with the other two (2) parcels (CC 3312.25).
4. Variance: Reduce the number of required parking spaces from one hundred twenty (120) to one hundred twelve (112) (CC 3312.49(c)).
5. Variance: Reduce the minimum parking setback from the street property line from twenty-five (25) to fifteen (15) feet from Obetz Road (CC 3312.27(2)).
6. The Subject Site shall be developed in accordance with the submitted plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time of development or when engineering plans are completed. Any adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building & Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

7. The developer shall pay the applicable parkland dedication ordinance fee at the time of Site Compliance Review.

8. Interior driveways, sidewalks and patios are to be determined.

#### **IV. Commercial Planned Development Criteria:**

**A. Natural Environment:** The project will maintain the natural character of the area by planting trees, possibly constructing a pond as part of its storm drainage system, and creating walkways conducive to appropriate pedestrian movement throughout the site.

**B. Existing Land Use:** The property is zoned RRR and I and is currently vacant.

**C. Transportation and Circulation:** All drives and roadways will be reviewed and approved by the City of Columbus, Department of Public Service.

**D. Visual Form of the Environment:** The existing uses/zoning of the surrounding properties are as follows:

North: Across Obetz Road is a community recreation facility in the RRR, Residential District, and a senior apartment building, AR-12, Residential Districts.

East: Senior living facility in common control with the owners of the subject property, in the CPD, Commercial Planned Development District.

West: Youth behavioral health facility, in the I, Institutional District.

South: Manufactured housing community in the MHP, Mobile Home Park District.

**E. View and Visibility:** The applicant believes the proposed project use and improvements will enhance the area. The applicant believes that the proposed use will in no way diminish the surrounding neighborhood.

**F. Proposed Development:** The development will be a senior apartment building, which is being constructed to assisted living standards and may be converted to assisted living in the future, as illustrated on the attached Zoning Plan.

**G. Behavior Patterns:** The proposed use will serve the elderly population. Service to this population is beneficial to society, and therefore this project should be beneficial with respect to behavior patterns.

**H. Emissions:** Emissions generated from the use of this site will not affect the environment or alter the use and enjoyment of the surrounding neighborhood.

*[Signature Page Follows.]*

The undersigned, being the owner of the subject property together with the applicant in the subject application, do hereby agree singularly for herself, her heirs, successors and assigns, to abide by the above restrictions conditions, and commitments regarding development of the subject property and for such purpose each states that she fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code except as described within this CPD Text.

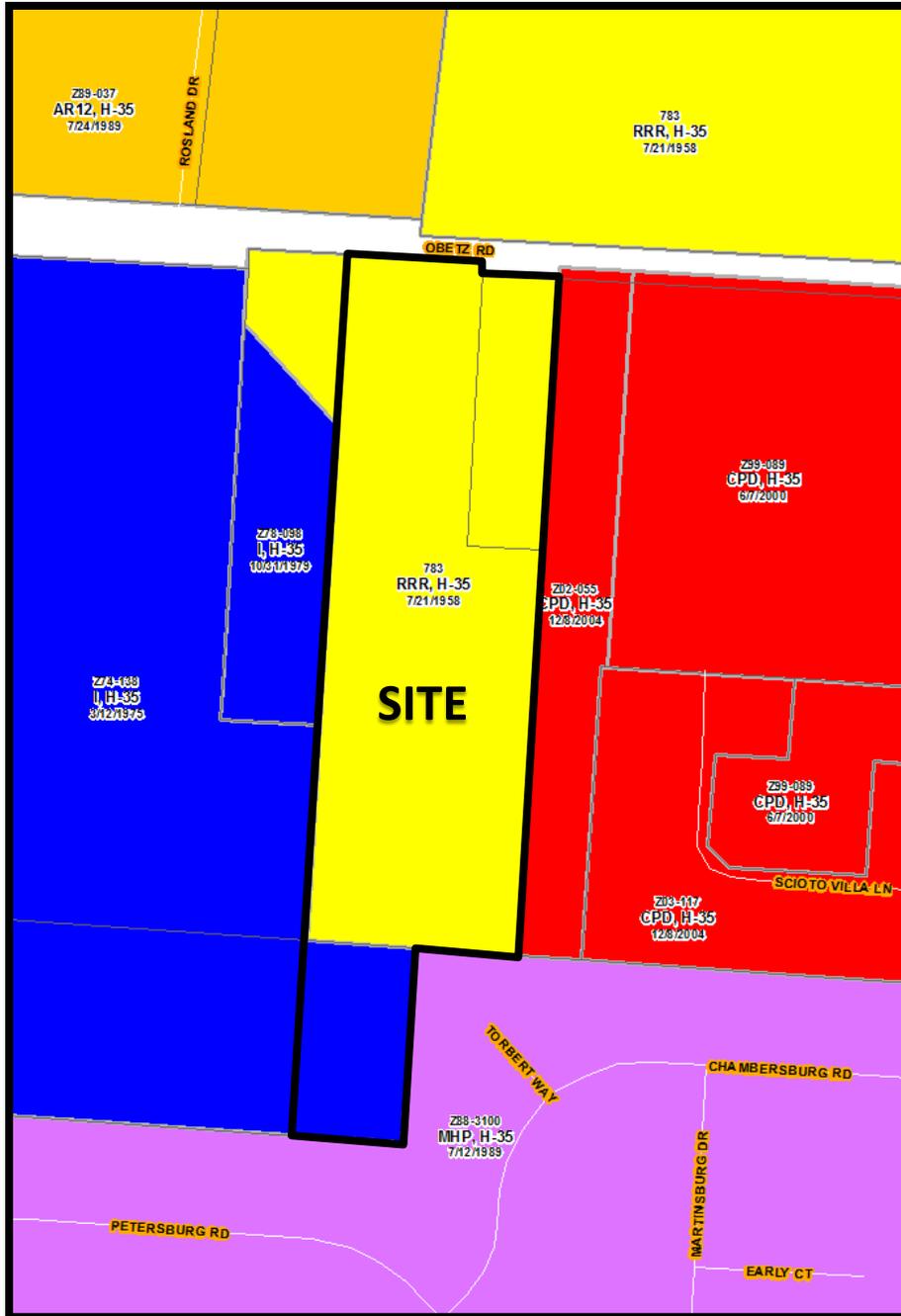
301 Obetz Road Real Estate LLC,  
an Ohio limited liability company

By: *Ryan P. Aiello Esq*  
Print Name: Ryan P. Aiello  
Title: Attorney  
Date: 10/31/2016

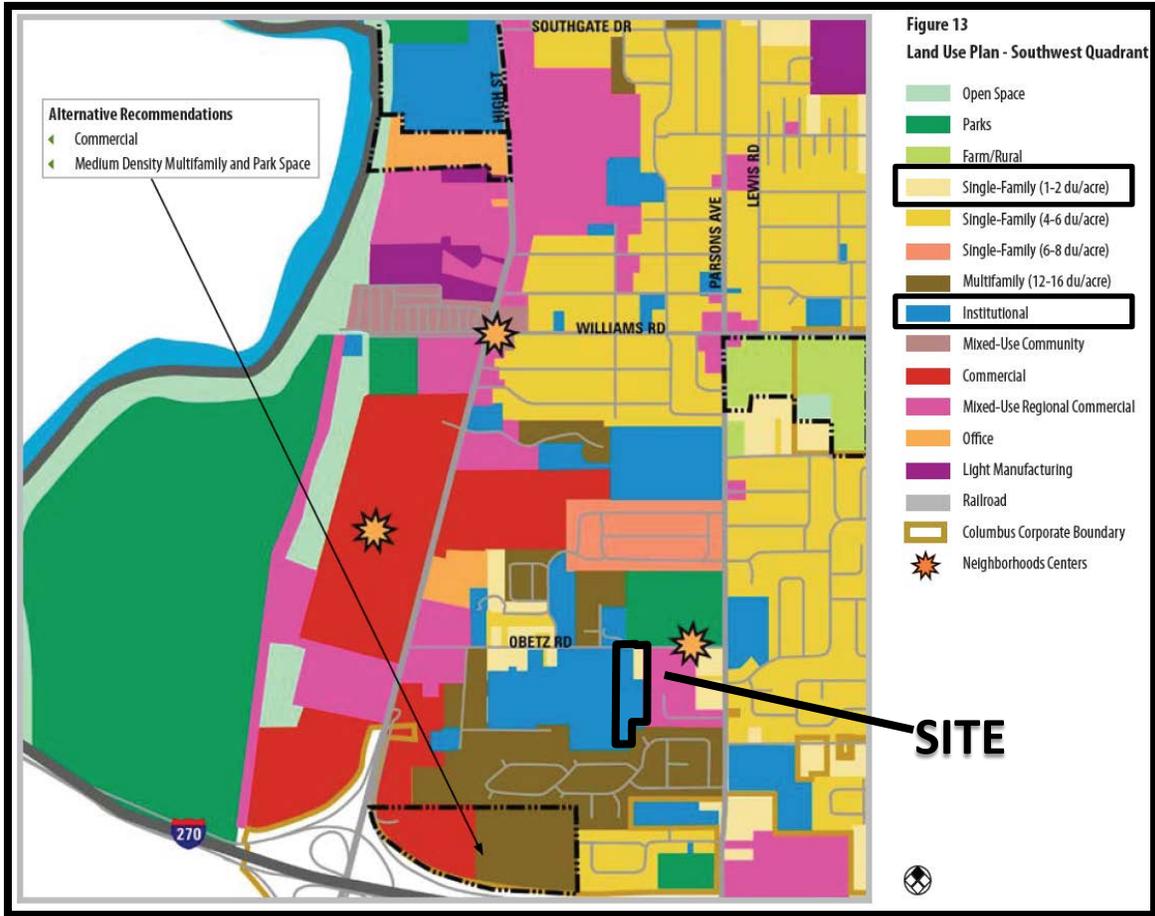
Scioto Community Real Estate LLC,  
an Ohio limited liability company

By: *Ryan P. Aiello Esq*  
Print Name: Ryan P. Aiello  
Title: Attorney  
Date: 10/31/2016





Z16-062  
 343 Obetz Road  
 Approximately 6.96 acres  
 RRR & I to CPD



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343 Obetz Road  
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