

**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 #: 216-013  
Date Received: 9/20/16  
Application Accepted By: TD Fee: N/A  
Comments: Assigned to Tim Dietrich; 614-645-6665; tdietrich@columbus.gov  
Reconsideration of 216-013

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) 3342 W. Henderson Road Zip 43220  
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 580-132243, 580-220898, 590-132244

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) RR, Rural Residential Requested Zoning District(s) CPD, Commercial Planned  
Area Commission Area Commission or Civic Association: Northwest Civic Association Development

Proposed Use or reason for rezoning request: Development of 75 unit (maximum) assisted living facility.

(continue on separate page if necessary)

Proposed Height District: H-35 Acreage +/- 3.6  
[Columbus City Code Section 3309.14]

**APPLICANT:**

Name 3342 W. Henderson Road, LLC, c/o Michael T. Shannon, Esq.  
Address 500 S. Front Street, Suite 1200 City/State Columbus, Ohio Zip 43215  
Phone # 614-229-4506 Fax # 614-229-4559 Email mshannon@cbjlawyers.com

**PROPERTY OWNER(S):**

Name 3342 W. Henderson Road, LLC, c/o Michael T. Shannon, Esq.  
Address 500 S. Front Street, Suite 1200 City/State Columbus, Ohio Zip 43215  
Phone # 614-229-4506 Fax # 614-229-4559 Email mshannon@cbjlawyers.com  
 Check here if listing additional property owners on a separate page

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

Name Michael T. Shannon, Esq.  
Address 500 S. Front Street, Suite 1200 City/State Columbus, Ohio Zip 43215  
Phone # 614-229-4506 Fax # 614-229-4559 Email: mshannon@cbjlawyers.com

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

APPLICANT SIGNATURE Michael Shannon (by ESJ)  
PROPERTY OWNER SIGNATURE Michael Shannon (by ESJ)  
ATTORNEY / AGENT SIGNATURE Michael Shannon (by ESJ)

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**

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

**AFFIDAVIT**

(See instruction sheet)

APPLICATION # 216-013

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric J. Zartman, Esq.  
of (1) MAILING ADDRESS 500 S. Front Street, Suite 1200, 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 3342 W. Henderson 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) \_\_\_\_\_

(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) 3342 W. Henderson Road, LLC, c/o  
Michael T. Shannon, Esq.  
500 S. Front Street, Suite 1200  
Columbus, Ohio 43215

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

3342 W. Henderson Road, LLC, c/o  
Michael T. Shannon, Esq., 614-229-4506

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

(5) Northwest Civic Association, c/o  
Rosemarie Lisko  
1035 Stoney Creek Road  
Columbus, Ohio 43235

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) Eric Zartman

Subscribed to me in my presence and before me this 19th day of September, in the year 2016

SIGNATURE OF NOTARY PUBLIC

(8) Carol A. Stewart

My Commission Expires: \_\_\_\_\_

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

**CAROL A. STEWART**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/28/2016



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<p><b>EXHIBIT A, Public Notice</b>  <b>3342 W. Henderson Road</b>  <b>Z16-013</b>  <b>September 16, 2016</b></p>		
<p><b><u>APPLICANT</u></b></p>	<p><b><u>PROPERTY OWNER</u></b></p>	<p><b><u>ATTORNEY</u></b></p>
<p>3342 Henderson Road LLC  Michael T. Shannon, Esq.  Crabbe, Brown &amp; James, LLP  500 South Front Street, Suite 1200  Columbus, OH 43215</p>	<p>3342 Henderson Road LLC  Michael T. Shannon, Esq.  Crabbe, Brown &amp; James, LLP  500 South Front Street, Suite 1200  Columbus, OH 43215</p>	<p>Michael T. Shannon, Esq.  Crabbe, Brown &amp; James, LLP  500 South Front Street, Suite 1200  Columbus, OH 43215</p>
<p><b><u>COMMUNITY GROUP</u></b></p>		
<p>Northwest Civic Association  c/o Rosemarie Lisko  1035 Stoney Creek Road  Columbus, OH 43235</p>		
	<p><b><u>PROPERTY OWNERS WITHIN 125 FEET</u></b></p>	
<p>Patricia and Heath A. Von Staden  5116 Chevy Chase Court  Columbus, Ohio 43220</p>	<p>Carolyn C. Frederick  5128 Chevy Chase Court  Columbus, Ohio 43220</p>	<p>John D. &amp; Sally A. Ellis  5152 Chevy Chase Court  Columbus, Ohio 43220</p>
<p>Michael P. Mahoney  5170 Chevy Chase Court  Columbus, Ohio 43220</p>	<p>Edward M. Miller, TR  5199 Chevy Chase Court  Columbus, Ohio 43220</p>	<p>Paula M. Brown, et al.  4634 Kingston Court  Columbus, Ohio 43220</p>
<p>Hamilton Square Limited Partnership  555 Metro Place North, Suite 600  Dublin, Ohio 43017</p>	<p>Matthew &amp; Gretchen LaBuhn  4905 Stonehaven Drive  Columbus, Ohio 43220</p>	<p>Jason C. Sheppard  4917 Stonehaven Drive  Columbus, Ohio 43220</p>
<p>Janice T. Whittaker, TR  4933 Stonehaven Drive  Columbus, Ohio 43220</p>	<p>Balasubramanian Sivakumar  Lalitha Sivakumar  2762 Chateau Circle  Columbus, Ohio 43220</p>	<p><b>3342 W. Henderson Road</b>  <b>Z16-013</b>  <b>Exhibit A, Public Notice</b>  <b>Page 1 of 2, 07/26/2016</b></p>

Margaret Armbrust, TR 4937 Stonehaven Drive Columbus, Ohio 43220	Janet M. Palmer 4931 Stonehaven Drive Columbus, Ohio 43220	Charlene M. Peters 4939 Stonehaven Drive Columbus, Ohio 43220
Michael B. & Elizabeth C. Cleary 3400 W. Henderson Road Columbus, Ohio 43220	Timothy L. and Joyce L. Freund 3401 Woodview Place Columbus, Ohio 43220	
<b><u>ALSO NOTIFY</u></b>		
3342 Henderson Road, LLC 3100 Tremont Road, Suite 200 Columbus, Ohio 43220	Michael T. Shannon, Esq. Crabbe, Brown & James, LLP 500 South Front Street, Suite 1200 Columbus, OH 43215	
		3342 W. Henderson Road Z16-013 Exhibit A, Public Notice Page 2 of 2, 07/26/2016

**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 # 216-013

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric J. Zartman, Esq.  
of (COMPLETE ADDRESS) 500 S. Front Street, 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. 3342 W. Henderson Road, LLC, c/o Michael T. Shannon, Esq. 500 S. Front Street, Suite 1200 Columbus, Ohio 43221</p>	<p>2.</p>
<p>3. # Columbus Based Employees: 0 Contact: Michael Shannon, 614-229-4506</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

*Eric Zartman*

Subscribed to me in my presence and before me this 19<sup>th</sup> day of September, in the year 2016

SIGNATURE OF NOTARY PUBLIC

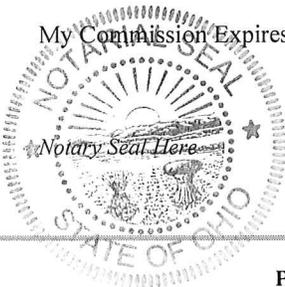
*Carol A Stewart*

My Commission Expires:

**CAROL A. STEWART**

NOTARY PUBLIC, STATE OF OHIO

This Project Disclosure Statement expires six months after date of notarization  
**MY COMMISSION EXPIRES 06/28/2019**



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Z16- 013  
3342 W Henderson Road

**ZONING DESCRIPTION**  
**3.6 ACRES**

Situate in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 1, Township 1, Range 19, United States Military Lands, being part of the 3.615 acre tract conveyed to 3342 Henderson Rd. LLC in Instrument Number 201510060141288 and all of the 0.461 acre tract conveyed to 3342 Henderson Rd. LLC in Instrument Number 201510060141277, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at the southeast corner of Lot 11 of Slate Run Woods as is numbered and delineated on the recorded plat thereof of record in Plat Book 49, Page 65, said point also being in the west line Chevy Chase Court;

Thence along part of the south line of said Lot 11, Westerly, 10 feet to the northeast corner of said 3.615 acre tract, being the **TRUE POINT OF BEGINNING** of the parcel herein intended to be described;

Thence along part of the east line of said 3.615 acre tract, along the east line of said 0.461 acre tract and along the west line of Chevy Chase Court, Southerly, 449 feet;

Thence across part said 3.615 acre tract, Northwesterly, 300 feet;

Thence continuing across part of said 3.615 acre tract, Westerly, 151 feet to the west line of said 3.615 acre tract;

Thence along part of the west line of said 3.615 acre tract, Northerly, 317 feet to the northwest corner of said 3.615 acre tract;

Thence along the north line of said 3.615 acre tract, Easterly, 426 feet to the **TRUE POINT OF BEGINNING, CONTAINING 3.6 ACRES, MORE OR LESS.**

This description is for zoning purposes only and is not intended to be used for transfer of property.

Paul T. Dinan PS 7312

\_\_\_\_\_  
Date

**DEVELOPMENT TEXT**

**EXISTING DISTRICT:** RR, Rural Residential  
**PROPOSED DISTRICT:** CPD, Commercial Planned Development  
**PROPERTY ADDRESS:** 3342 W. Henderson Road, Columbus, Ohio 43220  
**OWNER:** 3342 Henderson Road, LLC  
**APPLICANT:** 3342 Henderson Road, LLC, c/o  
Michael Shannon, Esq.  
Crabbe, Brown & James, LLC  
500 South Front Street, Suite 1200  
Columbus, Ohio 43215  
**DATE OF TEXT:** September 14, 2016  
**APPLICATION NUMBER:** Z16-013

**INTRODUCTION:**

The subject property is 3.6 +/- acres located at the northwest corner of W. Henderson Road and Chevy Chase Court. Applicant proposes to develop the site with an assisted living facility. The plan titled "3342 W. Henderson Road, Zoning Site Plan", hereafter the "Site Plan", dated August 2, 2016, and referenced in Section 2.G. of this text, depicts the proposed development.

**1. PERMITTED USES:**

The only permitted use of the property shall be an "assisted living facility", and accessory uses and structures, as permitted in Section 3361.02, Permitted Uses, Commercial Planned Development, as a use of the I, Institutional District. For purposes of this ordinance, "assisted living facility" shall mean "Home for the Aging", "Rest Home" and/or "Nursing Home", all as defined in Chapter 3303, Definitions, and Sections 3303.08, Letter H, 3303.14, Letter N, and 3303.19, Letter S, and as permitted in Section 3349.03, Permitted Uses (I, Institutional District) of the Columbus City Code.

**2. DEVELOPMENT STANDARDS:**

Except as specified herein, the applicable development standards of the C-2, Commercial District, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards of the Columbus City Code shall apply.

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

1. There shall be a maximum of 75 assisted living units.
2. The minimum building setback from the north property line shall be 45 feet.
3. The W. Henderson Road building setback line shall be ten (10) feet, net of right of way dedication totaling 50' from centerline.

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

1. Developer shall dedicate right of way totaling fifty (50) feet from centerline of W. Henderson Road.
2. Vehicular access shall be from a single vehicular access point on Chevy Chase Court, as depicted on the Site Plan.

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

1. Open space corresponding to the Slate Run Stream Corridor Protection Zone (SCPZ) and the northwest corner of the site outside of the SCPZ shall be preserved in its natural state, as depicted on the Site Plan.
2. The north 45 foot building setback shall also be preserved with the existing trees and plan material, as depicted on the Site Plan.
3. Street trees shall be provided, by either new tree planting or preservation of existing trees, along both Chevy Chase Court and W. Henderson Road, at the rate of one (1) tree per 50 lineal feet. With preservation of existing trees, trees may be grouped.

**D. Building design and/or Interior-Exterior treatment commitments.**

1. Primary exterior building materials shall be brick, wood and/or vinyl siding, composite wood siding, hardi-plank, and/or comparable products, and asphalt shingle roofing. The elevation titled "Fairway Realty — Henderson Road" dated 08-02-16 is referenced in G.2 as the concept building elevation.

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

1. All new or relocated utility lines on-site shall be installed underground unless the applicable utility company directs or requires otherwise.

**F. Graphics and Signage Commitments.**

1. All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-2, Commercial District. All signage shall be monument style or shall be incorporated into an entrance feature. Any variance to the applicable sign requirements of the C-2, Commercial District shall be submitted to the Columbus Graphics Commission.

**G. Miscellaneous.**

1. The developer shall comply with applicable requirements of Chapter 3318, Parkland Dedication, Columbus City Code.
2. The plans titled "3342 W. Henderson Road, Zoning Site Plan", hereafter the "Site Plan", and the building rendering plan, hereafter "Building Rendering", dated August 2, 2016, depicts the

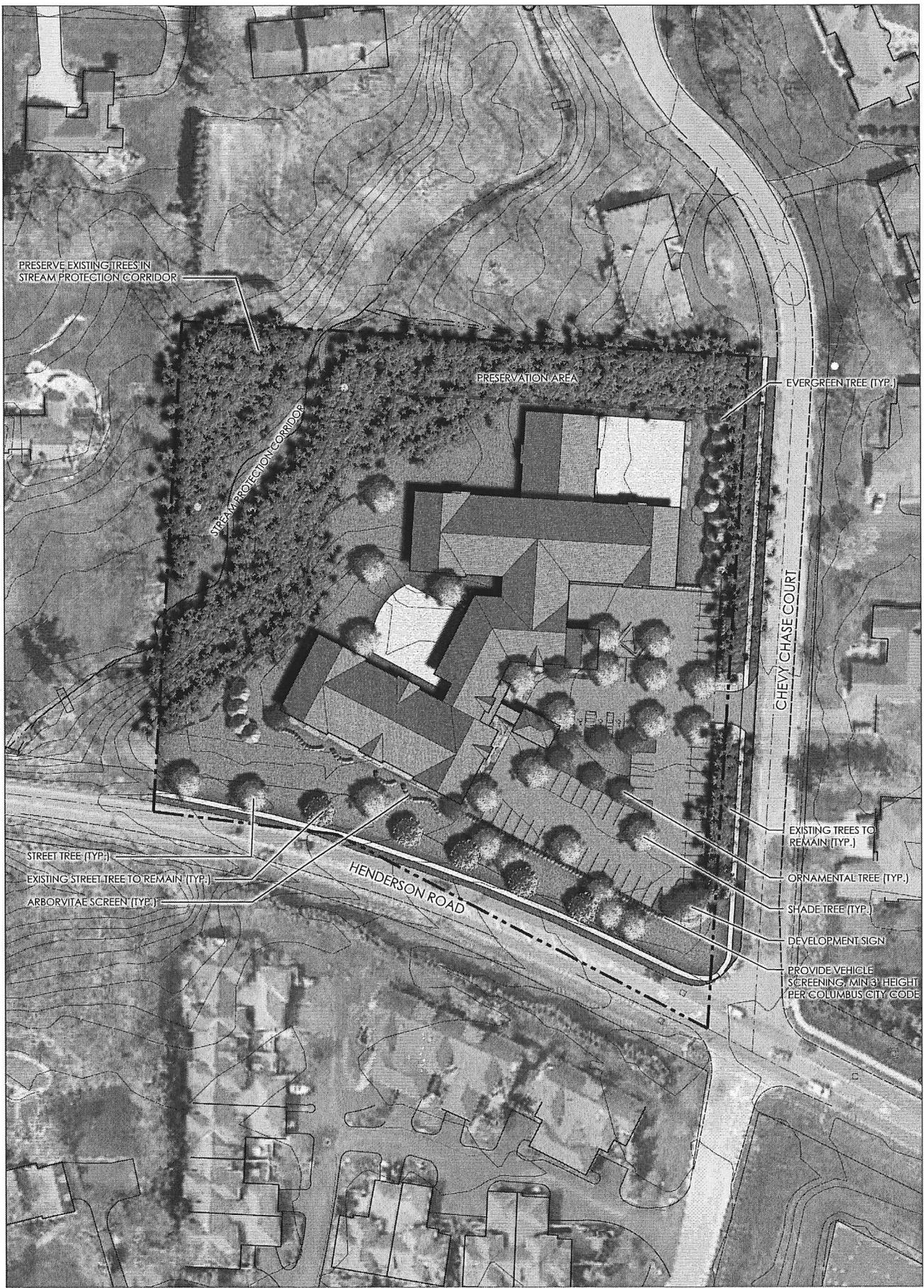
planned site and building development. The plans may be slightly adjusted to reflect engineering, architectural, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

*The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he 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 Codes.*

Respectfully submitted,

Handwritten signature of Michael Shannon in cursive, with "(by ESZ)" written in parentheses to the right.

Michael T. Shannon, Esq. / Date



PRESERVE EXISTING TREES IN STREAM PROTECTION CORRIDOR

PRESERVATION AREA

EVERGREEN TREE (TYP.)

STREAM PROTECTION CORRIDOR

CHEVY CHASE COURT

STREET TREE (TYP.)  
EXISTING STREET TREE TO REMAIN (TYP.)  
ARBORVITAE SCREEN (TYP.)

HENDERSON ROAD

EXISTING TREES TO REMAIN (TYP.)  
ORNAMENTAL TREE (TYP.)  
SHADE TREE (TYP.)  
DEVELOPMENT SIGN

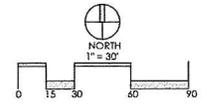
PROVIDE VEHICLE SCREENING, MIN 3' HEIGHT PER COLUMBUS CITY CODE

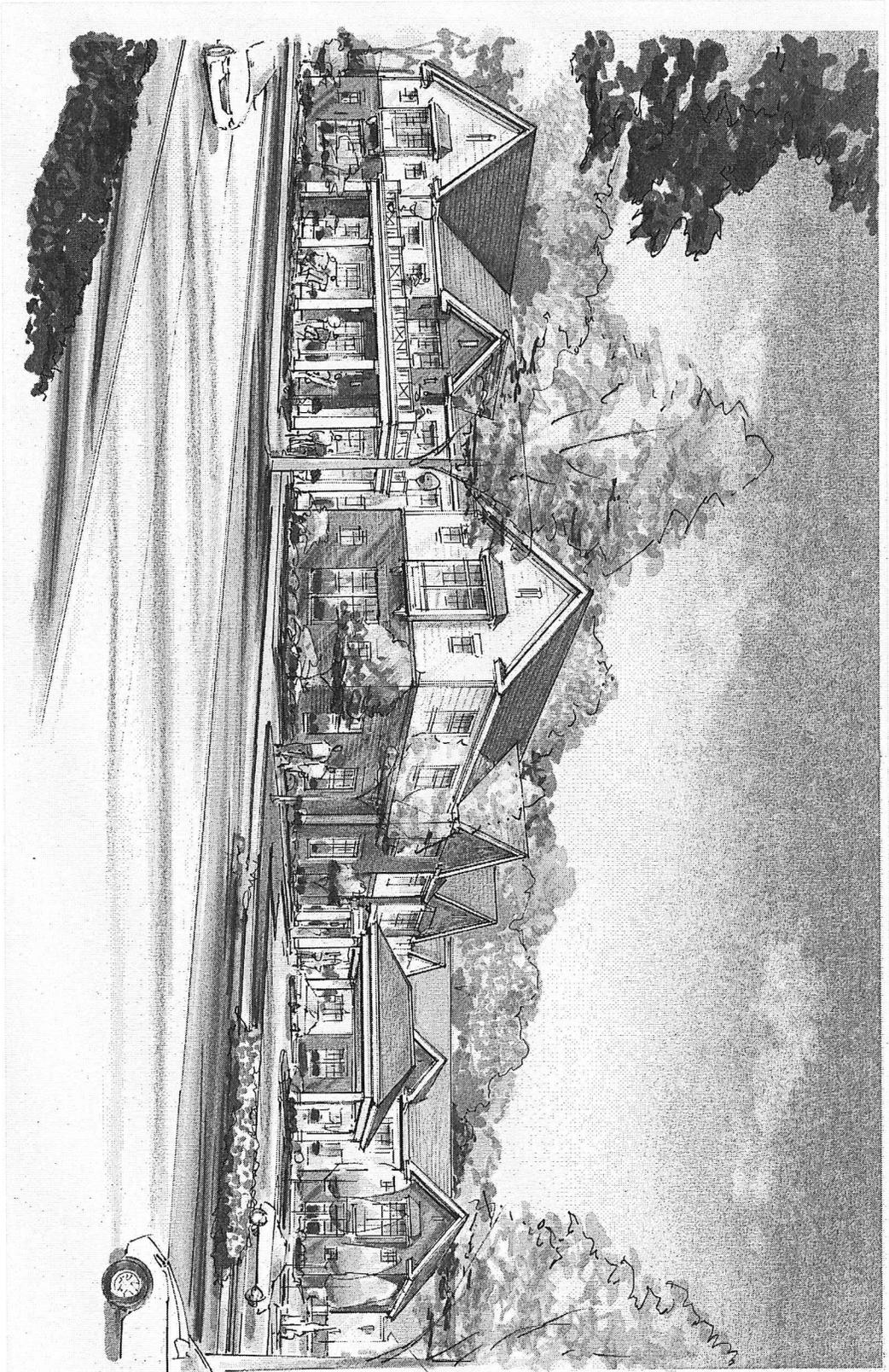
# ILLUSTRATIVE LANDSCAPE PLAN

# HENDERSON ROAD

DATE: 8-2-16

## FAIRWAY REALTY





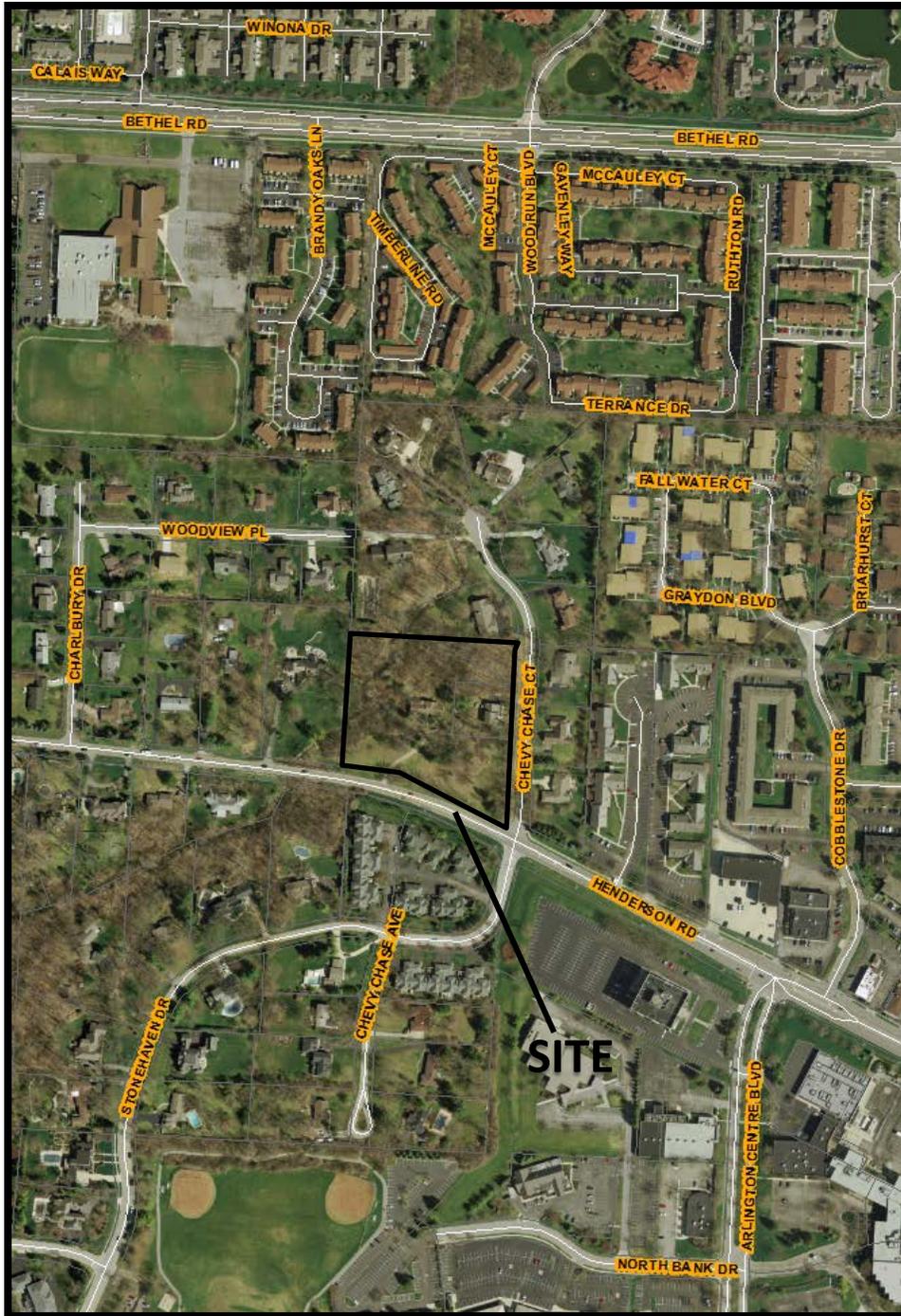
FAIRWAY REALTY

HENDERSON ROAD

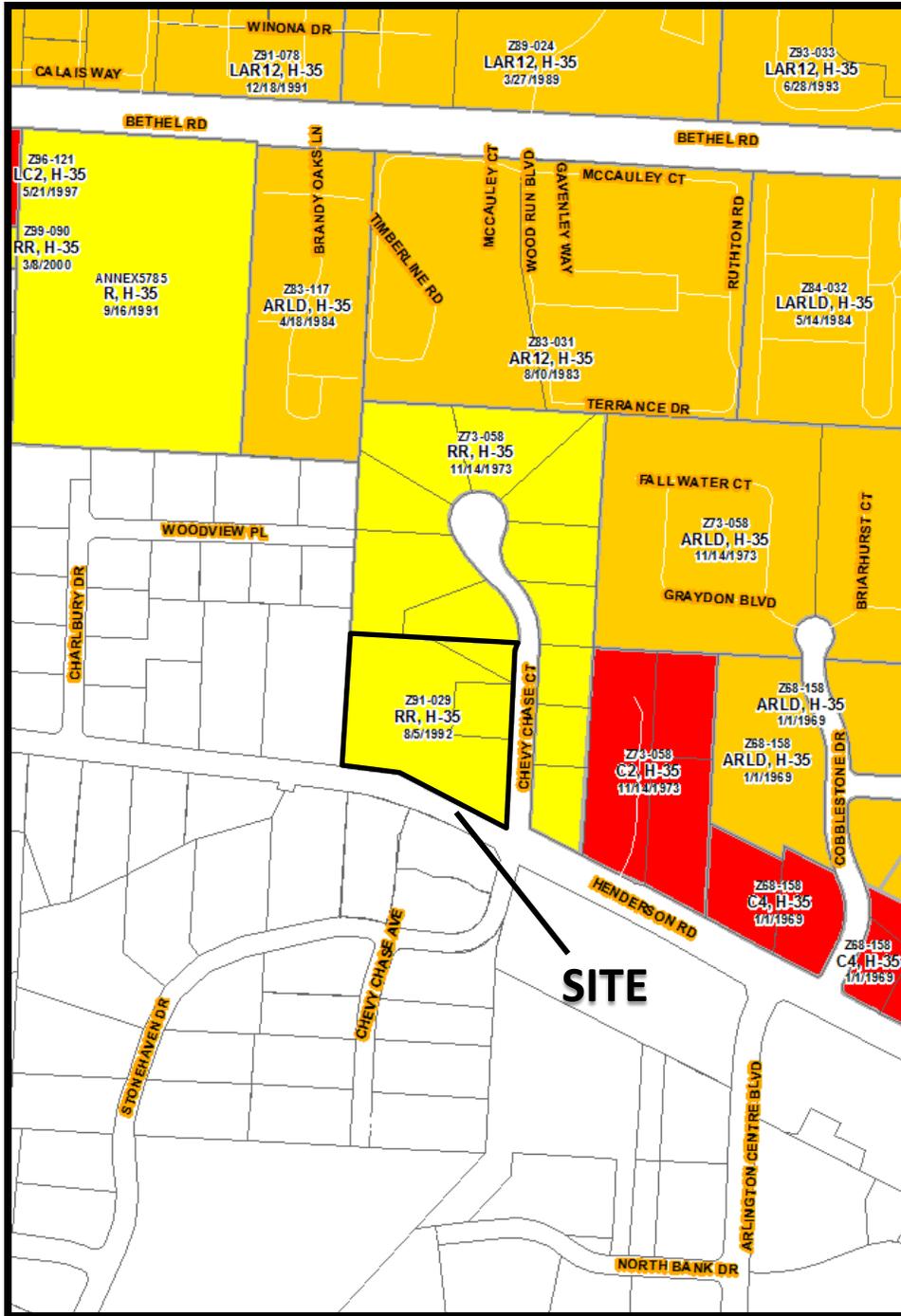
08-02-16



216-013



Z16-013  
3342 West Henderson Road  
Approximately 3.6 acres  
RR to CPD



Z16-013  
 3342 West Henderson Road  
 Approximately 3.6 acres  
 RR to CPD