

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 #: 216-077
Date Received: 11/1/16
Application Accepted By: SP Fee: \$5120
Comments: Assigned to Shannon Pire; spire@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 5284 Avery Road Zip 43016

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 010-265637-00

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

Current Zoning District(s) R - Residential Requested Zoning District(s) L-AR-1

Area Commission Area Commission or Civic Association: N/A

Proposed Use or reason for rezoning request: Residential apartment and accessory amenities.

(continue on separate page if necessary)

Proposed Height District: 60' Acreage 7.0 +/- acres
[Columbus City Code Section 3309.14]

APPLICANT:

Name Preferred Living

Address 750 Communications Parkway City/State Columbus, Ohio Zip 43214

Phone # (614) 901-2400 Fax # _____ Email _____

PROPERTY OWNER(S):

Name Hilliard United Pentecostal Church

Address 5284 Avery Road City/State Dublin, Ohio Zip 43016

Phone # _____ Fax # _____ Email _____

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name David Hodge, Underhill & Hodge LLC

Address 8000 Walton Parkway, Suite 260 City/State New Albany, Ohio Zip 43054

Phone # 614-335-9324 Fax # 614-335-9329 Email: david@uhlawfirm.com

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

APPLICANT SIGNATURE Preferred Living by: David Hodge - attorney

PROPERTY OWNER SIGNATURE Hilliard United Pentecostal Church by: David Hodge - attorney

ATTORNEY / AGENT SIGNATURE David Hodge

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 # 216-077

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge
of (1) MAILING ADDRESS 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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 5284 Avery 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) 11 / 1 / 116
(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) Hilliard United Pentecostal Church
5284 Avery Road
Dublin, Ohio 43016-9708

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

Preferred Living
(614) 901-2400

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

(5) Not applicable

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) David Hodge

Subscribed to me in my presence and before me this 1st day of November, in the year 2016

SIGNATURE OF NOTARY PUBLIC

(8) Joseph Janourey
No expiration - attorney

My Commission Expires:

This Affidavit expires six months after date of notarization.

JOSEPH JANOURY, ATTY.
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03.O.R.C.

Notary Seal Here

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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 # 216-077

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
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

1. Preferred Living 750 Communications Parkway Columbus, Ohio 43214 (614) 901-2400	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

David Hodge

Subscribed to me in my presence and before me this 1st day of November, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Joseph Tanoury

My Commission Expires:

No expiration - attorney

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

Notary Seal Here **JOSEPH TANOURY, ATTY.**
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03.O.R.C.

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

PROPERTY OWNER:

Hilliard United Pentecostal
Church
5284 Avery Road
Dublin, Ohio 43016-9708

APPLICANT:

Preferred Living
750 Communications Parkway
Columbus, Ohio 43214

ATTORNEY:

David Hodge, Esq.
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

AR Associates
5510 Ashford Road
Dublin, Ohio 43017

Pines at Tuttle Crossing LP
5303 Wilcox Road
Dublin, Ohio 43016

Avery Place 2 Limited
169 South Liberty Street
Powell, Ohio 43065

William and Jacquelyn Riddle
5140 Autumn Fern Drive
Dublin, Ohio 43016

John and Mary Germaine, Tr.
5146 Autumn Fern Drive
Dublin, Ohio 43016

Howard and Eleanor Geyer
5150 Autumn Fern Drive
Dublin, Ohio 43016

Pablo and Maria Pons
5156 Autumn Fern Drive
Dublin, Ohio 43016

Gary and Angela Warchock
5160 Autumn Fern Drive
Dublin, Ohio 43016

John and Barbara Gates, Tr.
5166 Autumn Fern Drive
Dublin, Ohio 43016

Michael and Karen German
5170 Autumn Fern Drive
Dublin, Ohio 43016

Stephen and Patricia Kranz
5176 Autumn Fern Drive
Dublin, Ohio 43016

Craig and Candace Franz
4776 Coltview
Hilliard, Ohio 43026

Donna and Mike Giannantonio
5186 Autumn Fern Drive
Dublin, Ohio 43016

Eric and Michelle Michel
5190 Autumn Fern Drive
Dublin, Ohio 43016

Sharon Everett
5196 Autumn Fern Drive
Dublin, Ohio 43016

Paul and Polly Ann Zeigler
5181 Vinings Boulevard
Dublin, Ohio 43016

Harumi Thatcher
4605 Stoneworth Drive
Hilliard, Ohio 43026

Momin Durrani
5189 Vinings Boulevard
Dublin, Ohio 43016

William E. Radebaugh, III
5193 Vinings Boulevard
Dublin, Ohio 43016

Joon and Aesook Kim
5155 Vinings Boulevard
Dublin, Ohio 43016

Yoshiko Tuttle
4997 Common Market Place
Dublin, Ohio 43016

Chih Pin Hsu and
Ya-Mei Chen
5281 Turnberry Creek Lane
Howard, Ohio 43026

Abdul Nasir Qazi
7416 Maynooth Drive
Dublin, Ohio 43017

Gary and Frances Levitt
5171 Vinings Boulevard, #B
Dublin, Ohio 43016

Khaled and Heyam Jaber
5175 Vinings Boulevard, #B
Dublin, Ohio 43016

Donna Vallery
5149 Vinings Boulevard, #B
Dublin, Ohio 43016

Katherine Keller
5151 Vinings Boulevard
Dublin, Ohio 43016

Gregory and Cheryl Jordan
5231 Avery Road
Dublin, Ohio 43016

Daniel and Susan Myher
5235 Avery Road
Dublin, Ohio 43016

Elizabeth Baltes-Spring
3590 Sterling Park Circle, Apt. C
Grove City, Ohio 43123

Saeed and Mojgon Hadjarpour
4200 Dublin Road
Columbus, Ohio 43221



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: 010265637

Zoning Number: 5284

Street Name: AVERY RD

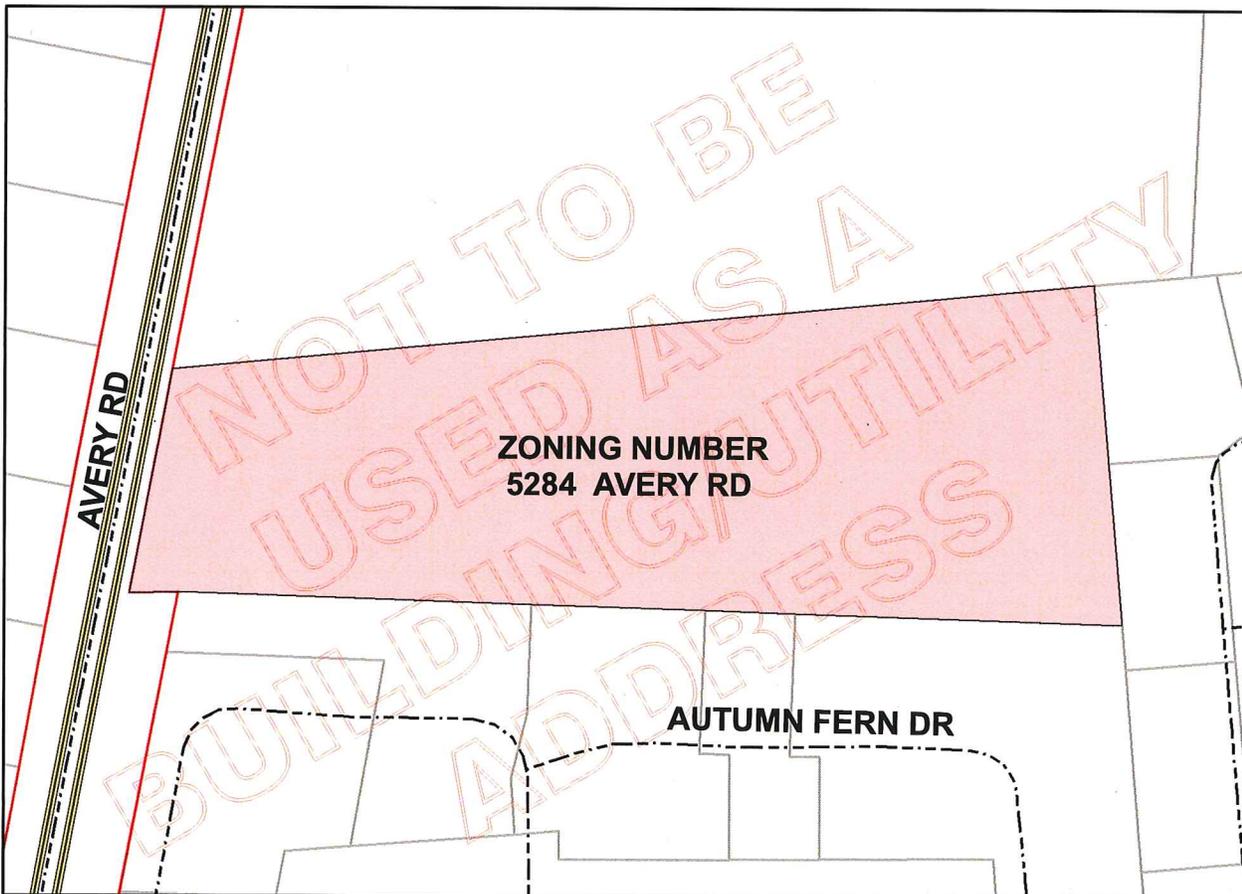
Lot Number: N/A

Subdivision: N/A

Requested By: UNDERHILL & HODGE LLC. (DAVID HODGE)

Issued By: *Regina Amarian*

Date: 10/28/2016



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

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 77875

Z16-077

LEGAL DESCRIPTIONS

Situated in the State of Ohio, County of Franklin, Township of Washington, Virginia Military Survey No. 3012 and being 7.000 acres out of an 18.255 acre tract transferred to Sue A. and Harry D. Brockmeyer by Official Record 00422 J02, Recorder's Office, Franklin County, Ohio, said 7.000 acre tract being more particularly described as follows:

Beginning at a railroad spike in the centerline of Avery Road at the northwesterly corner of the said 18.255 acre tract, also being the southwest corner of the Lester T. and Marian S. Porter tract; thence from the place of beginning;

North 83° 55' 46" East, a distance of 1001.09 feet along the northerly line of the said 18.255 acre tract and the southerly line of the said Porter tract to a stone with a cross being the northeasterly corner of the said 18.255 acre tract and the northwesterly corner of the William E. Pethel 25 acre tract;

Thence South 05° 22' 53" East, a distance of 365.25 feet along the easterly line of the said 18.255 acre tract and the westerly line of the said 25 acre tract to an iron pin;

Thence North 88° 20' 40" West, a distance of 1071.49 feet across said 18.255 acre tract to a railroad spike (passing an iron pin in the easterly right-of-way line of said Avery Road at 1041.06 feet) in the centerline of said Avery Road and the westerly line of the said 18.255 acre tract;

Thence North 10° 19' 21" East, a distance of 230.55 feet along the centerline of said Avery Road and the westerly line of the said 18.255 acre tract to the Place of Beginning. CONTAINING 7.000 acres of land, subject however, to all legal easements and rights-of-way.

Limitation Text

Application: Z16 -
Address: 5284 Avery Road
Owner: Hilliard United Pentecostal Church
Applicant: Preferred Living
Zoning Districts: L-AR-1
Date of Text: November 1, 2016

1. Introduction: The applicant is requesting rezoning from the R, Residential District to the L-AR-1, Apartment Residential District to provide multi-family residential zoning at an intensity comparable to the existing built environment, and to densities contemplated by existing development plans on adjacent properties.

2. Permitted Uses: Those uses permitted in Section 3333.02 (1), (2), (3), (4), and (5).

3. Development Standards: Unless otherwise indicated, the applicable development standards are contained in Chapter 3333 (Apartment Districts) of the Columbus City Code. Variances may be obtained to vary the style or type of housing proposed for future development.

A. Density, Height, Lot and/or Setback Requirements

1. The building setback shall be eighty (80) feet from Avery Road.
2. The parking setback shall be twenty-five (25) feet from Avery Road.
3. The maximum building height shall be sixty (60) feet.

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

1. The applicant contemplates the necessity of right-of-way dedication, which is considered on the conceptual site plan included with the rezoning application.
2. Access shall be as shown on the Site Plan, unless otherwise directed after review by the City of Columbus Planning and Operations Division.

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

The frontage along Avery Road shall include street trees, one (1) tree for every forty (40) feet of frontage and there shall be additional plantings of three (3) ornamental trees and two (2) deciduous trees for every one-hundred (100) feet of frontage. These trees may be evenly spaced or grouped.

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

The applicant shall submit conceptual elevations for all buildings and commits that all buildings will be similar in style to those concepts.

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

1. Light poles shall not exceed fourteen (14) feet in height.
2. All external lighting shall be cut-off fixtures, downlighting, and shall be designed to prevent offsite spillage of light.
3. Lights shall be decorative and of the same or similar type and color.

F. Graphics and Signage Commitments.

Not applicable.

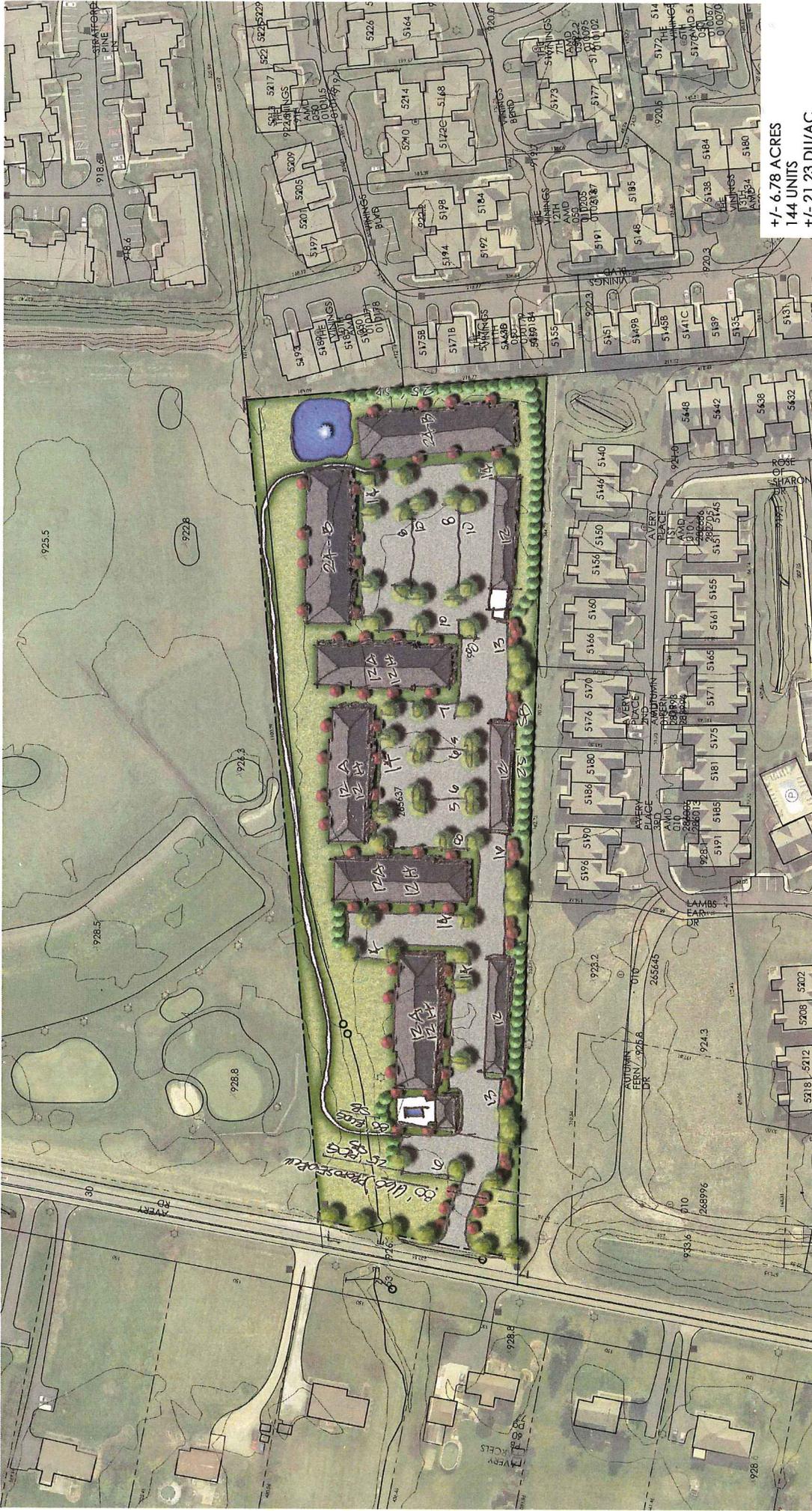
G. Miscellaneous Commitments.

1. The applicant shall comply with the City's Parkland Dedication ordinance.
2. All new wiring shall be underground.
3. The proposed development shall occur in general conformance with the submitted conceptual Site Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Adjustments to the conceptual Site Plan shall be reviewed and may be approved by the City's Director of the Department of Building & Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

The undersigned, being the agent for the owner of the subject property, together with the applicant in the subject application, does hereby agree singularly and collectively to abide by the above restrictions, conditions, and commitments regarding development of the subject property and for such purposes each states that the commitments are fully understood and hereby 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.

Respectfully submitted,

David Hodge

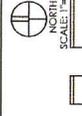


+/- 6.78 ACRES
 144 UNITS
 +/- 21.23 DU/JAC
 36 GARAGE
 213 SURFACE
 249 TOTAL PARKING (1.73/UNIT)

CONCEPT PLAN

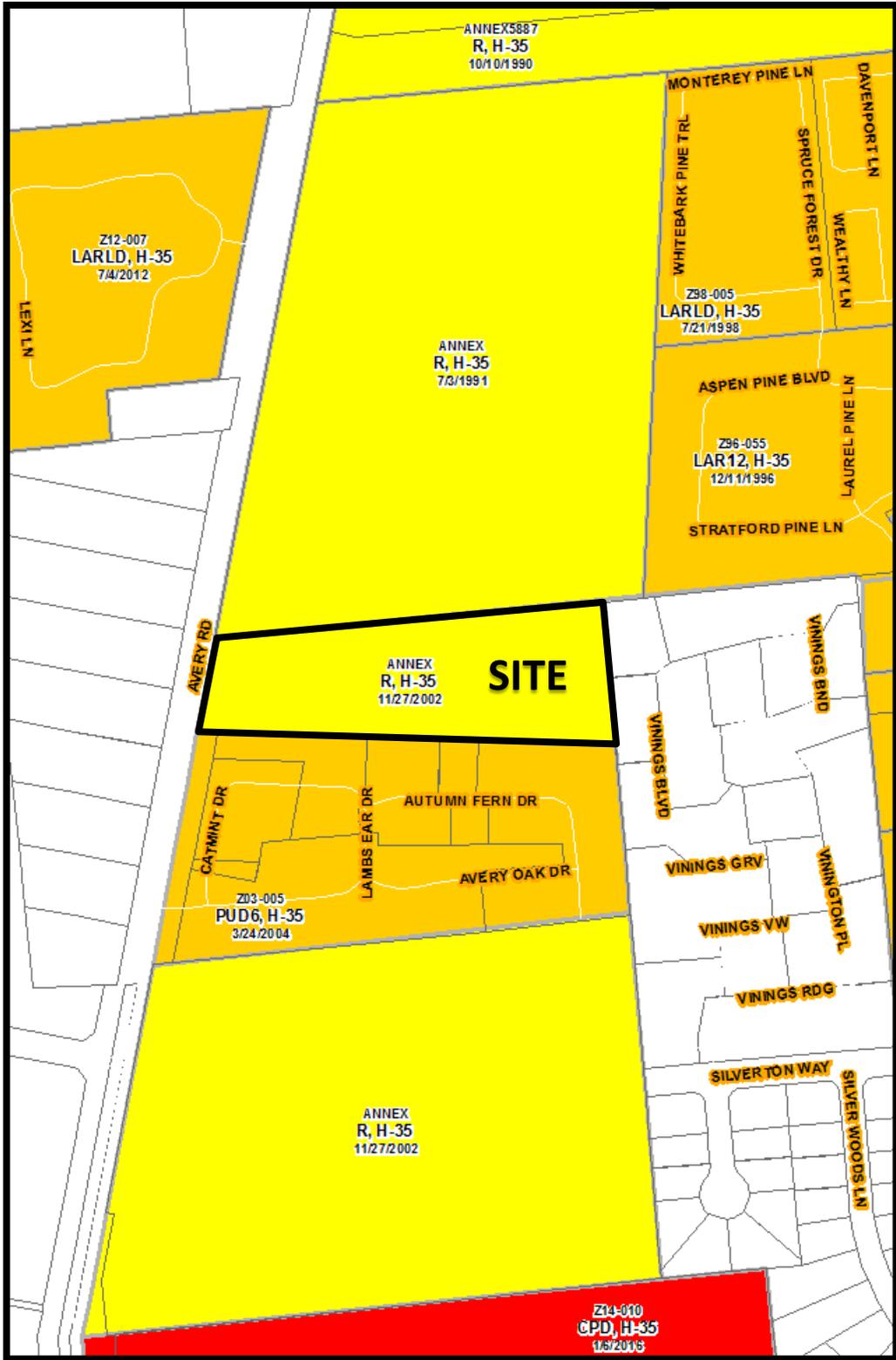
AVERY ROAD
 PREPARED FOR PREFERRED LIVING

DATE: 10.21.16

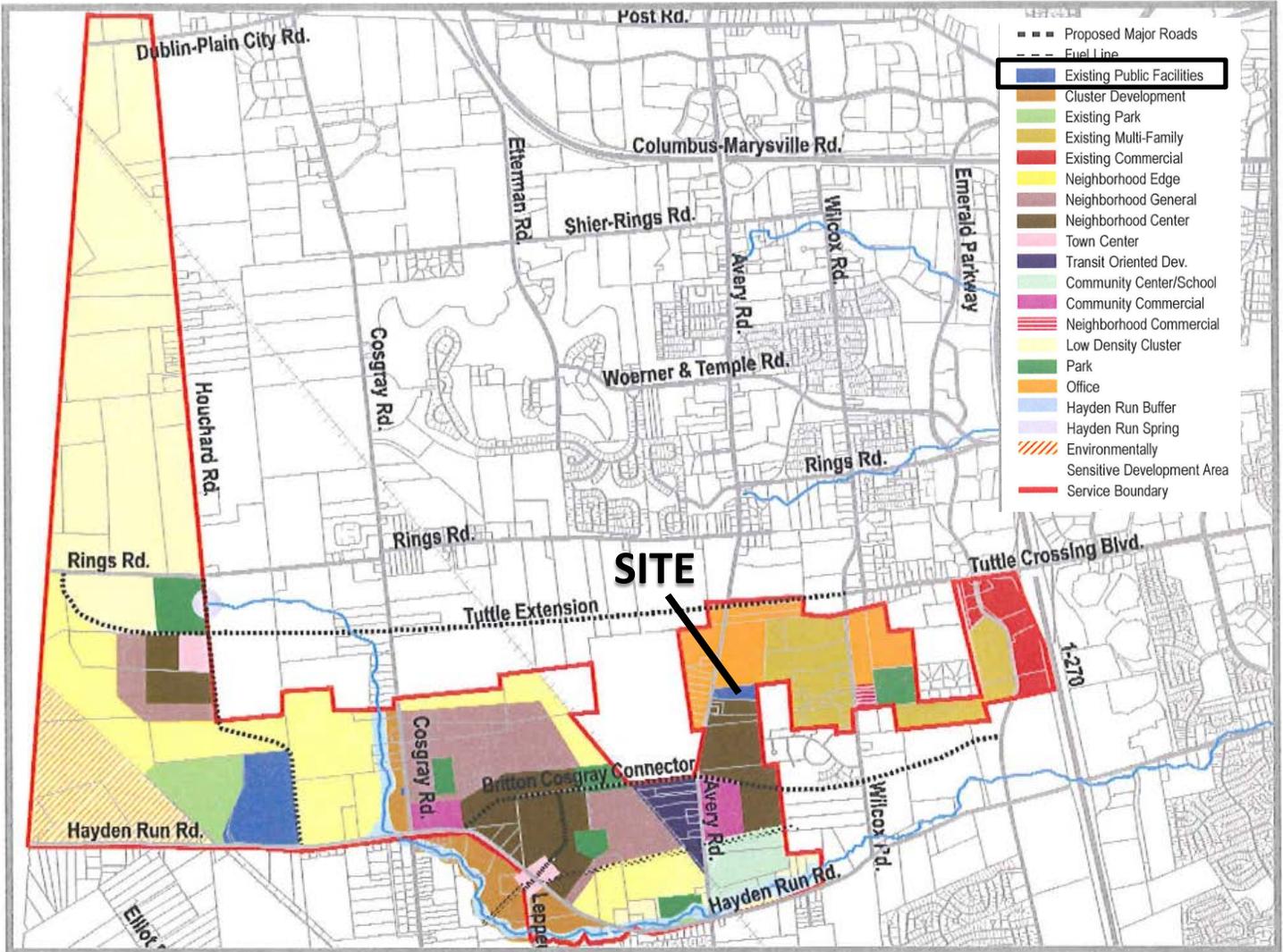


Farris Planning & Design
 LAND PLANNING
 LANDSCAPE ARCHITECTURE
 248 N. 5th Street
 P.O. Box 467194
 Columbia, OH 45216
 614.467.1964
 www.farrisplanninganddesign.com

216-077



Z16-077
 5284 Avery Road
 Approximately 7.0 acres
 R to L-AR-1



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