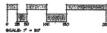


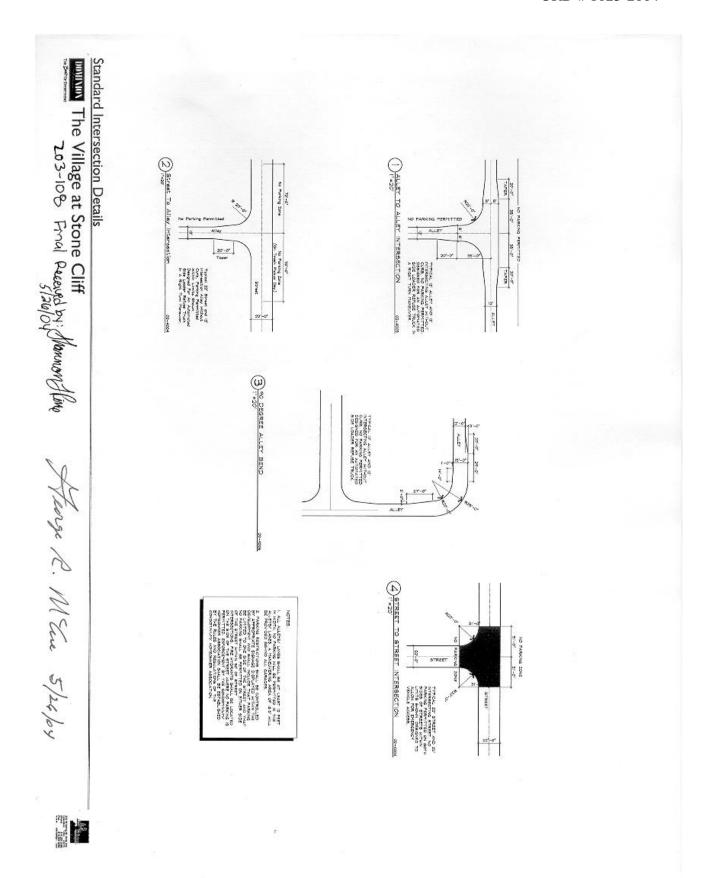
Conceptual Buffer Plan

| DOINTAIN | Village at Stone Cliff









PUD NOTES

2283 SUNBURY ROAD PUD-6, PLANNED UNIT DEVELOPMENT 44.9± ACRES

EXISTING DISTRICT: R, RURAL

PROPOSED DISTRICT: PUD-6, PLANNED UNIT DEVELOPMENT

PROPERTY ADDRESS: 2283 SUNBURY ROAD

OWNER: MT. HERMON BAPTIST CHURCH, ULRICA GLOVER, and

JOHN & REBECCA JACKSON

c/o CRABBE, BROWN & JAMES, LLP

George R. McCue, Esq.

500 S. Front Street, Suite 1200

Columbus, Ohio 43215

Phone: (614) 228-5511; Fax: (614) 229-4559

GMcCue@cbjlawyers.com

APPLICANT: DOMINION HOMES, INC.

c/o CRABBE, BROWN & JAMES, LLP

George R. McCue, Esq.

500 S. Front Street, Suite 1200

Columbus, Ohio 43215

Phone: (614) 228-5511; Fax: (614) 229-4559

GMcCue@cbjlawyers.com

DATE OF TEXT: May 26, 2004

APPLICATION NO.: Z03-108

1. Introduction

The property subject of this rezoning ("Site") consists of approximately $44.9\pm$ acres and is located generally along Sunbury Road, south of Agler Road. The Site is bounded to the west by Alum Creek. The proposed development of the Site consists of 229 single-family homes, with a total gross density of 5.10 units per acre. An additional sub-area consisting of approximately 14.0+ acres of open space is also provided along Alum Creek.

A. <u>Site Data:</u>

1.	Gross Acreage:	44.90 <u>+</u> acres
2.	Gross Density	5.10± units/acre
3.	Right-of-Way to be Dedicated	2.67 <u>+</u> acres
4.	Net Acreage	42.78 <u>+</u> acres
5.	Net Density	$5.35 \pm \frac{1}{2}$ units/acre

6. Required Open Space $4.21\pm$ acres 7. Proposed Open Space $15.26\pm$ acres 8. Dwellings 229 homes

2. PUD Plan Notes:

- 1. This tract will be developed with 229 single-family homes as a PUD, with standards as follows:
 - a. Minimum lot width shall be 36 feet;
 - b. Minimum lot square footage shall be 3,050 sq. ft.
 - c. Minimum side yards may be 3 feet, not including projections such as windows, fireplaces and/or roof overhangs, etc).
 - d. Minimum side yards on corner lots may measure 25.5 feet from center line of the street, and 20.5 feet measured from the center of the alley.
 - e. Garages shall be provided via alleyways, and have a minimum 8-foot rear yard and 3-foot side yard setback.
 - f. Minimum building setbacks shall be 31 feet on private streets, as measured from the center line of the street.
 - g. No more than fifteen (15) homes within the development will be constructed with less than 1,200 sq. ft. of total living area.
 - h. Homes fronting Sunbury Road will be two-story, and will not be constructed with less than 1,200 sq. ft. of living area, and the front facades will include a diversity of building materials and natural treatments.
 - i. At least one decorative light fixtures will be installed on the rear of garages, along the alleys.
 - j. Maximum lot coverage shall be sixty (60%) percent.
- 2. a. Access and other traffic-related commitments shall be determined in accordance with the specifications of the City of Columbus Transportation Division.
 - b. As required by the City of Columbus Transportation Division, the Applicant shall be permitted two (2) drive entrances off of Sunbury Road.
 - c. The north entrance shall be full access. The Applicant shall construct a northbound left turn lane on Sunbury Road, into the north entrance, approximately 225 feet in length (including diverging taper), as set forth in the Applicant's approved Traffic Impact Study. The Applicant shall construct a southbound right turn lane on Sunbury Road, into the north entrance, approximately 225 feet in length (including taper).
 - d. The south entrance shall be full access with full north and southbound access, during the entire construction phase of the development. Thereafter, the south entrance shall be right-in and right-out only.
- 3. The street alignments and connectivity shall be developed as shown on this plan,

as required by the City of Columbus Transportation Division. However, they are subject to modification with final engineering, and may be adjusted to reflect engineering, topographical or other factors established at the time development and engineering plans are completed. The director of development or the director's designee may approve adjustments to the street alignments and connectivity upon submission of the appropriate data regarding the proposed adjustment.

- 4. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building, or a model home with adjacent or appurtenant parking areas, may be used as a sales office during the development of the project and the construction of homes therein.
- 5. With regard to landscaping, the following commitments are made:
 - (a) The developer shall install one (1) street tree per dwelling unit and three (3) street trees per corner dwelling unit. Street trees shall be installed at regular intervals as shown on the development plan. Street trees shall be of a minimum 2.5" caliper. Species shall not be mixed on individual streets.
 - The Site shall be landscaped/buffered in substantial compliance with the (b) Landscape Buffer Plan. As depicted, the developer shall install/maintain a 2-3 foot (with adjustments/gaps mound as needed engineering/drainage) within the eastern boundary setback (along the adjacent Mount Hermon Church site). Integrated into this mounding shall be a tree row, which shall consist of evergreen trees (approximately 1 tree per 15 linear feet) and ornamental trees (3 trees per 100 linear feet). The mound will be planted with grass, and each tree will have a mulched planting saucer.
 - (c) The developer shall install a landscape buffer within the Site's southern boundary setback. This landscape buffer shall consist of a mixture of evergreen trees (approximately one tree per 15 feet) and ornamental trees (interspaced at approximately 3 trees per 100 linear feet).

The minimum size of all trees at installation (excluding street trees, detailed above) shall be 5 feet in height for evergreen trees, 2.5-inch caliper for deciduous trees, and 1.5-inch caliper for ornamental trees. Caliper is measured 6 inches from the ground at the time of planting.

The landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

- 6. For private streets, the Developer shall install decorative street lamps at regular intervals, similar to City of Columbus standard spacing. For public streets, the Developer shall comply with Columbus City Code §1165.01, et seq., for street lighting.
- 7. Concrete sidewalks shall be provided by the developer along Sunbury Road and on both sides of private streets, except for single-loaded streets, which shall have sidewalks on the house side of the street only.
- 8. On private streets, the minimum building setback shall be thirty-one (31) feet, measured from the centerline of the street. Porches may not encroach setback areas. The Minimum side yard building setback on corner lots shall be 25.5 feet, measured from the centerline of the street, and 20.5 feet measured from the centerline of the alley.
- 9. Private streets shall be at least twenty-two (22) feet in width. All alleys shall be private and shall be at least twelve (12) feet in width. Intersection details, including turning radii and tapers, will comply with the City of Columbus standards for 22-feet wide streets and 12-foot lanes, as depicted on Sheet 2 of the Development Plan. Public street(s) shall be twenty-two (22) feet in width. Right-of-way for public street(s) shall be forty-eight (48) feet, unless a lesser distance is approved by the City of Columbus. The minimum setback from public street(s) shall be twelve (12) feet where a home fronts on that public street, and three (3) feet where the side of a home is adjacent to that public street.
- 10. Minimum separation between buildings shall be at least six (6) feet, unless otherwise permitted by the director of the Department of Development, or the director's designee.
- 11. Attached garages shall be provided off of alleys and shall provide at least two (2) enclosed spaces per dwelling unit. A minimum maneuvering area of 18.5 feet shall be provided behind all garages. This maneuvering area includes the alley. Garage footprints shall not exceed 720 square feet. Garage height shall not exceed fifteen (15) feet.
- 12. Parking restrictions shall be controlled by appropriate signage displayed within the development, and include that parking shall be limited to one side of the street and that no parking shall be permitted on either side of any street within twenty-five (25) feet of street intersections. Fire hydrants shall be located on the side of the street where no parking is permitted. Enforcement by the condominium / homeowners association shall be established by the rules and regulations of that association.
- 13. The Site entrance points shall be designed and landscaped as follows:

- a. The Site's southern entrance shall have one stone column on each side of the entranceway. Residential-scale landscaping, in the nature of deciduous and evergreen shrubs, deciduous trees and plantings, which plantings shall be clustered on both sides of the entries, shall be provided around each column.
- b. A white, wooden 3-rail fence shall be installed along the Site's Sunbury Road frontage (excluding drives or drive/entrance ways), so as to connect at the stone columns, or project identity sign.
- c. The Site's northern entrance shall include a stone column on one side of the entranceway, and a project identity sign on the other side. The project identity sign shall be similar in appearance and character to the existing stone entry feature across Sunbury Road. Residential-scale landscaping, in the nature of deciduous and evergreen shrubs, deciduous trees and plantings, which plantings shall be clustered on both sides of the entries, shall be provided around the column.
- 14. Signage regulating parking shall be installed consistent with City signage requirements for private streets, and parking requirements shall be enforced through an agreement between the association of homeowners and a private towing company. Such agreement, together with the association's governing documents, shall be filed with the City of Columbus Division of Fire, Fire Prevention Bureau, and Refuse Division, consistent with Columbus City Code §3320.15(A)(10).
- 15. Parking is not to be allowed anywhere but in garages, as designated on the site plan; on streets as set forth in Note 12 above; and in driveways where applicable. There will be no parking allowed in alleys. In conjunction with Note 12 above, the owner, developer, their successors and assigns (including the association of homeowners) must provide and maintain adequate and proper signage to designate all no-parking zones.
- 16. The owner, developer and/or the association of homeowners must establish and maintain an agreement(s) with a private towing company(s), which agreement(s) authorizes the private towing company(s) to remove/tow any vehicles parking in restricted areas. There may be one or more such agreements with one or more towing company(s), for any time/lengths, terms, etc., as the association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement/removal/towing, as required above. Towing agreements shall be filed with the City of Columbus Division of Fire, Fire Prevention Bureau, upon execution of contract.
- 17. The owner, developer, or the association of homeowners, as applicable, shall designate the City of Columbus as an authorized agent for the sole and specific purpose of enforcement of parking restrictions and the issuance of citations and/or

- removal of vehicles parked in violation of posted parking restrictions on private streets or alleys.
- 18. The Site shall be developed in substantial accordance with the site plans submitted herewith. The site plans may be adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any adjustment to the site plans shall be reviewed and approved by the director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.
- 19. The Applicant will comply with applicable Parkland Dedication requirements, per the specifications of the City of Columbus Recreation and Parks Department.
- 20. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to Site development standards, including any and all specific Site development standards contained in this ordinance.
- 21. The Applicant shall prepare a storm water management plan in connection with development of the Site, which will include a safety shelf for any pond constructed on site.
- The Applicant will comply with all Federal, State of Ohio EPA, and City of Columbus regulations.The Applicant will work in conjunction with the U.S. Army Corps of Engineers for relevant applicable Site development issues.
- 23. The Applicant will obtain all necessary permits and approvals for Site construction, development and/or stormwater management, which may include filling of the floodplain. The Applicant may modify the site plan to incorporate stormwater management permit requirements.
- 24. Applicant hereby agrees to make a good neighbor commitment, separate and apart from this document and not to be enforced by the City of Columbus, to address concerns should the wells of the four properties to the immediate south of this Site go dry or become unuseable due to the direct and proximate actions of the Applicant or its sub-contractors, during the construction of this proposed development. Said commitment will be kept on file with the City's Department of Development and provided to each applicable neighbor by the Applicant and/or developer.

STAFF REPORT DEVELOPMENT COMMISSION ZONING MEETING CITY OF COLUMBUS, OHIO MAY 6, 2004

16. APPLICATION: Z03-108

Location: 2283 SUNBURY ROAD (43219), being 44.9± acres located on

the west side of Sunbury Road, 1275± feet south of Agler Road

(North East Area Commission) (010-242771).

Existing Zoning: R, Rural District.

Request: PUD-6, Planned Unit Development District. **Proposed Use:** Single-family residential development.

Applicant(s): Dominion Homes, Inc.; c/o George R. McCue, Atty.; Crabbe,

Brown and James, LLP; 500 South Front Street, Suite 1200;

Columbus, Ohio 43215.

Property Owner(s): Mt. Herman Baptist Church; c/o George R. McCue, Atty.;

Crabbe, Brown and James, LLP; 500 South Front Street, Suite

1200; Columbus, Ohio 43215.

Planner: Shannon Pine, 645-2208; spine@columbus.gov

BACKGROUND:

- The 44.9± acre site is comprised of three single-family dwellings and the rear portion of a lot developed with Mt. Herman Baptist Church and is zoned in the R, Rural District. The applicant requests the PUD-6, Planned Unit Development District to develop 229 single-family dwellings with a net density of 5.35 units/acre and 15.26 acres of open space.
- To the north is undeveloped land in the R, Rural District. To the east is a church and single-family dwellings in the R, Rural District, and across Sunbury Road are single-family dwellings in Mifflin Township and in the R-1, Residential District, and multi-family residential development in the PUD-8, Planned Unit Development District. To the south is a church in the R, Rural District. Alum Creek borders the western property line.
- The site lies within the planning area of *The Northeast Area Plan* (1994), which recommends low-density residential development for this location (8-9 units/acre).
- The site lies within the boundaries of the North East Area Commission whose response is for disapproval of the proposed development.
- The PUD text limits the use to single-family dwellings on separate lots and a minimum net floor area of 1,200 square feet per unit for all but 15 homes, and provides development standards addressing lot widths, front and side-yard setbacks, street alignments, street trees, landscaped open space along Sunbury Road, and a provision allowing the Board of Zoning Adjustment (BZA) to consider requests to vary

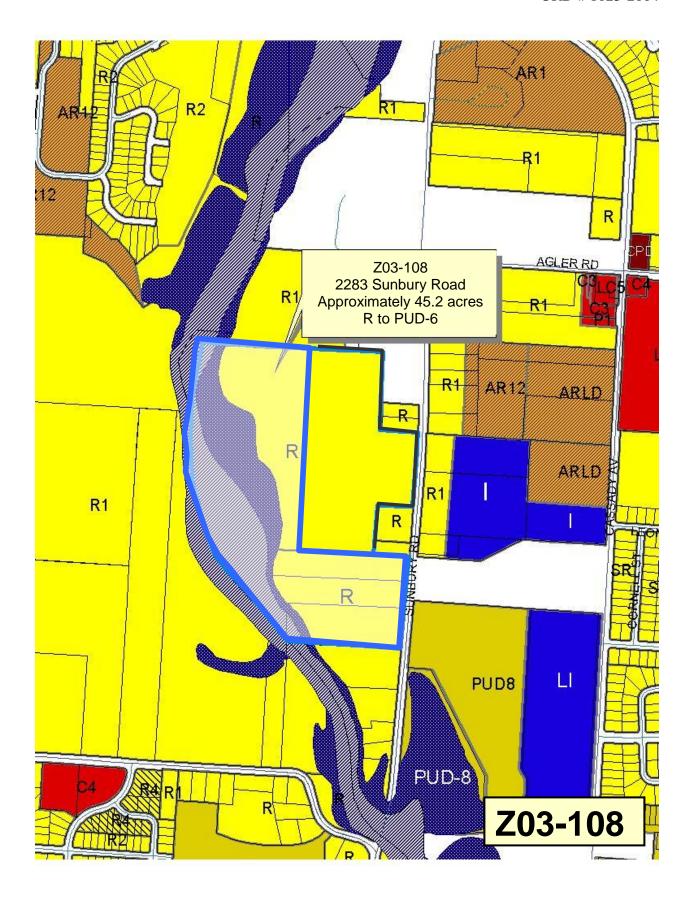
development standards, including those depicted on the PUD-6 plan.

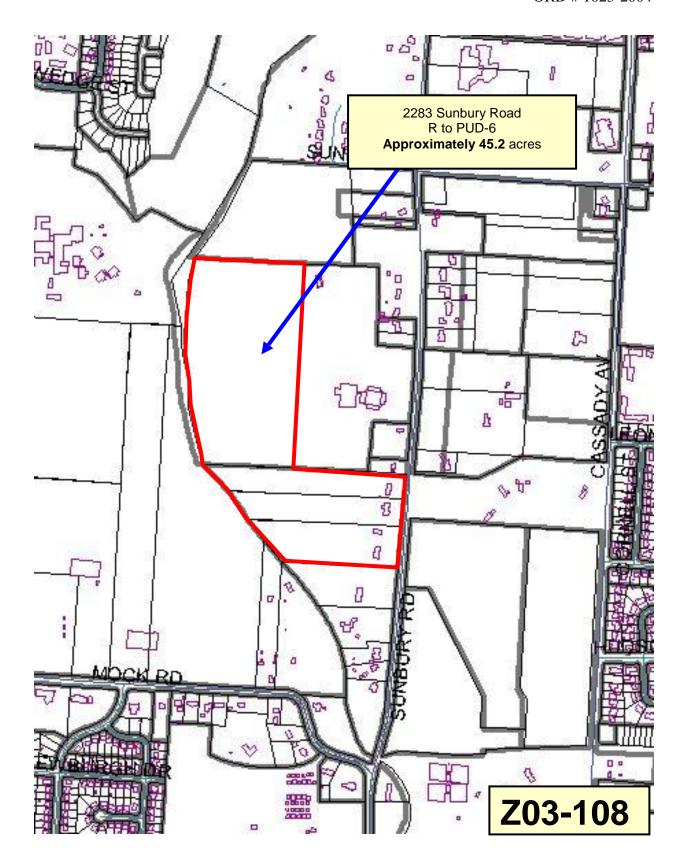
- There may be remaining Recreation and Parks Department issues regarding storm water collection in the floodway and wetlands as stated in the attached letter.
- The Columbus Thoroughfare Plan identifies Sunbury Road as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

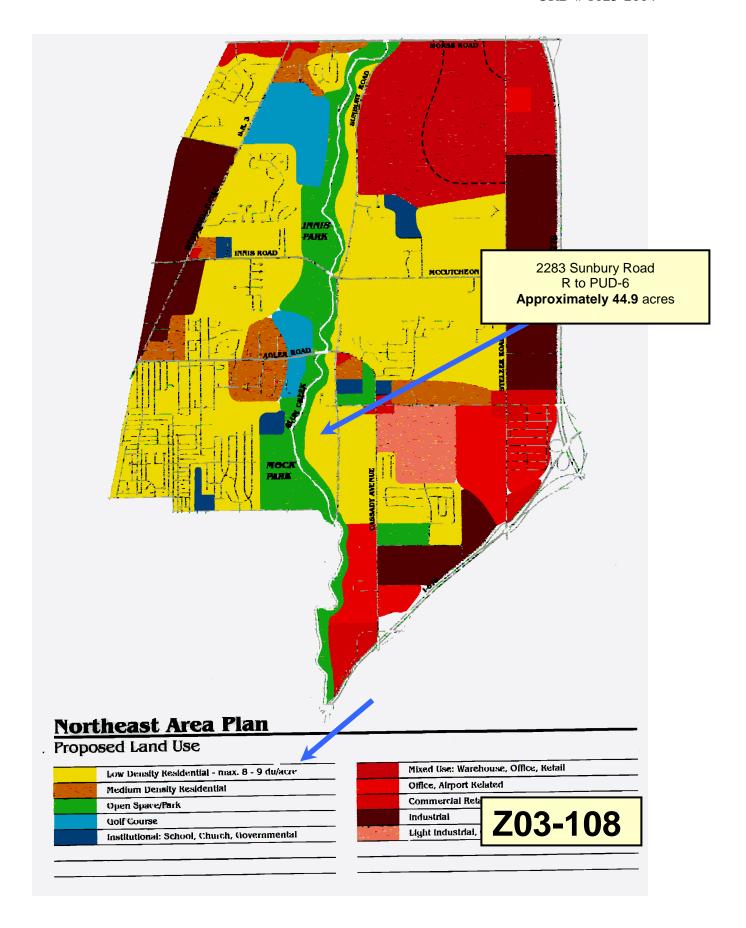
<u>CITY DEPARTMENTS' RECOMMENDATION:</u> **Approval.

The requested PUD-6, Planned Unit Development District would permit 229 single-family dwellings at a net density of 5.35 units/acre and 15.26 acres of open space. The proposed development is consistent with *The Northeast Area Plan* (1994) recommendation and the established zoning and development patterns of the area. Staff approval is conditioned upon the fulfillment of Recreation and Parks Department requirements.

^{**}Recreation and Parks Department requirements have been met.







"Together We Can Make a World of Difference"

North East Area Commission

April 5, 2004

Ms. Shannon Pines
Department of Development
Building Services Division
757 Carolyn Avenue
Columbus, Ohio 43224

Dear Ms. Pines:

Subject:

Application No Z03-108; Request by Dominion Homes to rezone property located at 2283, being 44.9 +/- acres, from

R-Rural to PUD-6, for the purpose single family homes development

The Northeast Area Commission, at a public hearing on April 1, 2004, voted 7-0 with one abstinence to recommend disapproval of the above indicted application.

We appreciate the applicant's cooperation in spending considerable time meeting with the Northeast Area Commission Zoning Committee (3 sessions), area residents, and the Northeast Area Commission (3 hearings), during the review process at this level.

The Northeast Area Commission's rationale for the unfavorable recommendation on this application includes:

- Applicant proposes to build 229 homes in the development of this 44.9 +/- acres resulting in undesirable density of homes on this site.
- Applicant's treatment of water areas, floor plain, Alum Creek and Tributaries is inadequate to provide compatible residential living with the natural environment abutting this site.
- Applicant proposes to construct streets without sufficient width to accommodate traffic circulation.

Please consult if you have questions or additional information is required.

Sincerely,

(Mrs.) Alice Porter, Chair Zoning Committee

Northeast Area Commission

(614) 844-0992

E-Mail: a-porter190@cs.com

cc: Attorney George R. McCue



COLUMBUS DEVELOPMENT COMMISSION

Basis for Recommendation

Date: May 6,, 2004

# Hearings:	plication #: Z03-108 Requested : PUD-6			Address: 2283 Sunbury Road				
# Hearings: Length of Testimony: 8:5			50 3:56	Staff Approval Disapproval Position: Conditional Approval				
~		opment Commission Vote: es Abstain		Area Comm/Civic Assoc:		Approval Disapproval Conditional Approval		
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Use Controls		+	+				+	
Density or Number of Units		4				-	+	_
Lot Size		4				+	+	
Scale		4				+	+	
Environmental Considerations		4	V			_	_	-
Emissions								
Landscaping or Site Plans		+	+			+	+	
Buffering or Setbacks		+	+			+	+	
Traffic Related Commitments							T	
Other Infrastructure Commitments		*						
Compliance with City Plans		+	+			+	4	
Fimeliness of Text Submission			1			-	1	
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City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

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 # STATE OF OHIO COUNTY OF FRANKLIN Being first duly cautioned and sworn (NAME) Laura MacGregor Comek, Esq. of (COMPLETE ADDRESS) 500 S. Front St., Suite 1200, Columbus, OH 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 and their mailing addresses: NAME COMPLETE MAILING ADDRESS Mt. Herman Baptist Church, c/o CRABBE, BROWN & JAMES Ulrica Glover, c/o CRABBE, BROWN & JAMES John & Rebecca Jackson, c/o CRABBE, BROWN & JAMES 500 S. Front St., Suite 1200 Columbus, OH 43215 SIGNATURE OF AFFIANT 2nd Subscribed to me in my presence and before me this day of Decamber , in the year 2003 SIGNATURE OF NOTARY PUBLIC My Commission Expires: This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here

RITA MARTIN NOTARY PUBLIC, STATE OF OHIO MY COMMISSION EXPIRES 09-24-05

page 7 — Rezoning Packet