

PUD-6 Development Text

Current Zoning District: R, Rural
Requested Zoning District: PUD-6, Planned Unit Development
Address: 5091 East Walnut St.
Applicant: Joe Ciminello,
Ciminello's Inc.
~~567 Lazelle Rd Westerville, Ohio 43081~~
~~614-207-7607~~
ciminelloj@aol.com
M/I Homes of Central Ohio LLC
c/o Laura MacGregor Comek, Esq.
~~501~~ 17 S. High St., **STE 400**
Columbus, Ohio 43215
614.560.1488
laura@comeklaw.com
Owners: Robert N Phillips Farm LLC and
Carl L and Ila M Souder
Date of Text: ~~June 13, 2019~~ **January 10, 2020**
Application No.: Z18-050A

Introduction

The Site is comprised of 153+/- acres, with approximately 1350 feet of frontage on the south side Walnut St. North of Walnut street, across from the Site, is the Rocky Fork Metro Park and several residences in Plain Township

During the early 2000s the far northeast side of Columbus experienced tremendous growth and development. During that time, this Site was annexed to the City and was known as the Phillips and Souder tracts. The Site is located immediately north of the MI Upper Albany West, ((TND) development, and the recently rezoned Harlem Road Real Estate LLC tract (PUD-4). To the east, the Site is bordered by undeveloped and unincorporated property in Plain Township. To the west, the Site shares approximately 725 feet of common property line with City of Columbus Park Ground, +/- 1625 feet of common property line with residential properties in Plain Township, and +/- 250 feet with the Smith cemetery.

The property lies within the Rocky Fork Blacklick Accord (RFBA) planning area, with the western most 40 +/- acres of the Site designated as Edge, and the balance of the Site designated as West Village. The proposed Site Plan aligns with the RFBA principles and is intended to be an extension of the prior developments with a TND neighborhood feel and offering mixed housing types.

The Site is divided into 3 sub-areas, as on the attached Site Plan. The purpose of the delineated sub-areas is to effectively allow for different housing types while allowing for flexibility in the eventual number of each housing type, and to provide an area for a possible school site. The Site Plan provides for the expansion of two existing City Parks along with multi use paths throughout the development, ensuring pedestrian connectivity, consistent with the City masterplan, from the existing neighborhoods to the south up to the Rocky Fork Metro Park. Additional ample open space is provided throughout the Plan for connectivity, scenic vistas, and community facilities. The Site Plan provides for the extension of Hamilton Rd through the Site, the extension of Tournament Ave, and a yet to be named road, from the Upper Albany West neighborhood. The rural corridors are preserved with 250 and 230-foot building setbacks from Walnut St and Hamilton Rd. respectively.

This development is submitted as an overall PUD 6 with 153+/- acres, and a maximum 765 total units, 5 units per acre density overall, if developed without school/daycare site. The maximum number of units permitted will be reduced if there is a school/daycare site. The reduction will be calculated by multiplying the acreage of the school/daycare site times 5 units per acre (i.e., if the school /day care site is 10 acres the maximum number of permitted units would be 715). Notwithstanding anything that may be interpreted herein with regard to sub-areas or shifting density to the contrary herein, the total number of units to be built shall be a maximum of 765 units for the entire site, if developed without a school/daycare site, and if developed with a school/daycare site, the maximum number of units shall be calculated as described above.

The development will occur in phases. It is anticipated that development will commence on the west end of the site off Walnut Street, connecting into the existing roads to the south. Development will progress to the east, and be completed when there is access to Hamilton Rd. extended.

I. Sub-Area A – R-4 Development Standards (84.95 acres, maximum 300 units, 3.53 gross units per acre, 67.45 net acres, 4.17 net units per acre density)

1. Introduction: The Site shall be developed with single family, two family, three family and/or four family dwelling units, with a maximum of 15 three and/or four family buildings and a maximum of 45 two family buildings, in the area as shown on the Site Plan attached hereto as Exhibit A (Site Plan), applying the R-4 development standards as amended herein. The Site Plan provides open space and parkland as shown. The Site Plan also permits a possible future school/daycare site.

2. Permitted Uses: The development of a maximum of a 300 dwelling units, along with open space, community facilities, club houses, pools, sports courts, school, daycare and parkland shall be the Permitted Uses. Additionally, permitted uses may include, but not

be limited to bocce courts, squash courts, tennis courts, passive use benches, gazebos, and the like.

3. Development Standards: The sub-area shall be developed under the R-4 development standards with the following exceptions and additions:

A. Setbacks/Lot Dimensions/ Lot Commitments

1. The minimum Side Yard permitted on one side of each lot may be a minimum zero (0) feet, provided that there is a minimum ten feet (10') of separation between dwelling unit buildings, and that there be, provided by plat, suitable maintenance easements on adjoining property. The projection of fireplaces, chimneys, bay windows and/or other architectural projections of not more than 2 feet in each instance are permitted into minimum building separation.

2. Rear Yard shall be no less than 20% of the total lot area, unless otherwise permitted under the R-4 development standards.

3. In ground improvements such as pools or hot tubs may be built in side yards provided they are a minimum of five feet (5') away from adjacent dwelling unit.

4. The following standards shall apply for residential buildings in Sub-Area A:

Front loading garages shall set back a minimum of 2 feet from the front façade of the building or front porch. Side loading or courtyard loading garages may extend beyond the front façade of the unit or front porch.

Or, in the alternative, garages may extend up to 5 feet in front of front porch setback line, so long as there is a full front porch with a minimum of 100 square feet.

Additionally, the current home models attached hereto within the Sub-Area A Architecture exhibit (name of home models may change) shall be specifically permitted:

ASHLAND - Elevations B and C (optional full porch only)

BEXLEY - Elevations A, B, C

DEARBORN - Elevations A (full porch required), B and C (optional full porch only)

ERIE - Elevation A (full porch required), B and C (optional full porch only)

FINDLAY - All Elevations; A, B, C

FREMONT - Elevations A, B, C

HILLIARD - Elevations A, B, C

RIVERSIDE - Elevations A, B, C

WORTHINGTON - Elevations A, B, C

And, other similar home models as may change from time to time subject to the approval of the Director of Building and Zoning Services, or his/her designee.

5. The maximum width of a single-family lot shall be 90 feet.
6. Buildings shall be set back a minimum of 250' from centerline of Walnut St. (210 feet from the right of way, as required by the City of Columbus Thoroughfare Plan, or Franklin County Thoroughfare Plan, as may apply).

B. Buffering, Landscape, Open Space, Park Dedication and Related Commitments.

1. Street trees shall be installed 30 feet on center, along all new public roads.
2. Groupings of trees at a minimum of 4 trees per 100 feet of road frontage shall be installed in the passive open spaces along Walnut Street.
3. There shall be a minimum of 12 acres of open space as shown on the Site plan to be maintained by a home owners association, and 13 acres total of dedicated park land adjacent to the City of Columbus park at the south east corner of the site and adjacent to and north of the City of Columbus park in the Upper Albany West subdivision as shown on the Site Plan and as approved by the Recreation and Parks Department.
4. Existing trees shall be preserved as noted and where indicated on Site plan.
5. Regional leisure path to be installed and integrated with the 5-foot sidewalk system to provide connectivity from the dedicated park land above to the eastern entrance off Walnut St as generally shown on the site plan. Final location of such leisure trail to be approved by the Recreation and Parks Department.

C. Building Design and/or Exterior Treatment Commitments.

1. The main exterior building materials will be wood, wood composition, brick, brick veneer, stone, stone veneer, vinyl, beaded vinyl, or cultured stone, metal, glass and/or a combination thereof. The architecture of the buildings shall be in keeping with the established treatment in the existing West Village, as delineated by the Rocky Fork Accord Plan, and as generally represented by the renderings and photos submitted herein.
2. Dwelling units may be used as model for marketing and sales. A paved parking lot shall be permitted on ground, a lot or lots adjacent to model to provide off-site parking for model homes.
3. Entry features, including, signage, structures, fencing, and landscaping, and paths, benches, and gazebos are permitted in the Passive Open Spaces indicated along

Walnut St and other open spaces, and if lit, will be lit with concealed up-lights or internally illuminated graphics. Community facilities, such as but not limited to, sports courts, sports fields, pools, clubhouses, dog parks, and gardens, shall be permitted in open spaces not indicated as passive. All utilities shall be underground.

4. Prior to a site compliance plan being submitted for the potential school site, the Developer shall submit a site plan to the Department of Development Division of Planning for review and comment.

D. Graphics.

All signage and graphics for shall conform to the Columbus Graphics Code as it applies to R-4 zoning classification. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

II. Sub-Area B – ARLD Development Standards (42.65 acres, maximum 480 units, 11.25 gross units per acre density, 39.55 net acres, 12.14 net units per acre density)

1. Introduction: Sub-Area B shall be developed in the area shown on the Site Plan, with multi-unit residential under ARLD development standards. This sub area shall accommodate the Hamilton Road extension as shown on Plan.

2. Permitted Uses: Permitted uses may include multi-unit residential and accessory uses, such as a pool, community facilities, compactor, garages, mail kiosk(s), sports courts, clubhouse and the like. Also permitted are other recreational activities and courts for bocce, squash, tennis and similar other endeavors. The permitted uses may include passive benches and gazebos to facilitate and promote the use and walkability of the development, both with and without the extensive path system proposed herein. This sub-area also allows for a future (possible) school and/or daycare use within the areas as conceptually shown on the Site Plan.

3. Development Standards: Except as set forth herein, the standards of Columbus City Code, Chapter 3333, Apartment Districts shall apply.

A. Setbacks/Lot Dimensions/ Lot Commitments/Building Height

1. Setbacks, lot dimensions, and area standards shall be in accordance with ARLD requirements.

2. Buildings shall be set back a minimum of 250 feet from the centerline of Walnut St. (210 feet from right of way) and 230 feet from the centerline of Hamilton Road (170 feet from the right of way, as required by the City of Columbus Thoroughfare Plan, or Franklin County Thoroughfare Plan, as may apply) as shown on the Site Plan.

3. Maximum building height shall be 50 feet.
4. A 20 foot wide pedestrian easement at the southern end of Subarea B shall be provided to connect to the 20 feet wide pedestrian easement within Subarea A of Z16-086. Final location to be determined at the time of final site compliance and with approval of the Department of Recreation and Parks.

B. Buffering, Landscape, Drainage, Open Space and/or Screening Commitments.

1. Landscaping shall be installed along Hamilton Road to be consistent with landscaping along Hamilton Road on the Parcel to the south, at the minimum a minimum of 4 trees per 100' of road frontage shall be installed.
2. There shall be a minimum of 13 acres open space, as shown on the Site Plan to be maintained by a home owners association.
3. Existing trees shall be preserved as noted and where indicated on the Site Plan.

C. Building Design and/or Interior-Exterior Commitments.

1. Entry features, including, signage, structures, fencing, and landscaping, and paths, benches, and gazebos are permitted in the Passive Open Spaces indicated along Walnut St and other open spaces, and if lit, will be lit with concealed up-lights or internally illuminated graphics. Community facilities, such as but not limited to, sports courts, sports fields, pools, clubhouses, dog parks, and gardens, shall be permitted in open spaces not indicated as passive. All utilities shall be underground.
2. Lighting poles shall be cut-off fixture types. All lighting poles, signs, frames and/or supports shall be uniform and be either black or dark bronze in color. No pole shall exceed fourteen (14) feet in height.
3. The main exterior building materials may be wood, wood composition, brick, brick veneer, stone, stone veneer, vinyl, beaded vinyl, or cultured stone, metal, glass and/or a combination thereof. The architecture of the buildings shall be in keeping with the established treatment in the existing West Village area, as delineated by the Rocky Fork Accord Plan, and as generally represented by the renderings and photos submitted herein.
4. Dwelling units may be used as models for marketing and sales. A paved parking lot shall be permitted on ground, lot or lots adjacent to models to provide off-site parking for model homes.
5. Prior to a site compliance plan being submitted for the potential school site, the Developer shall submit a site plan to the Department of Development Division of Planning for review and comment.

D. Graphics.

All signage and graphics for shall conform to the Columbus Graphics Code as it applies to ARLD zoning classification. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

III. Sub-Area C – AR-12 Development Standards (26.11 gross acres; maximum 148 units, 5.67 gross units per acre density 25.91 net acres, ~~5.67~~ 5.71 net units per acre density)

1. Introduction: Sub-Area C shall be developed in the area as shown on the Site Plan, with maximum 2 story, multi-unit residential or detached residential under AR-12 development standards.

2. Permitted Uses: Maximum 2 story multi-unit residential and or detached residential units, and accessory uses such as pool(s), club house, tennis courts, bocce courts, community facilities, compactor, garages, mail kiosk, sports courts and other similar recreational activities and amenities. Also permitted are benches and gazebos intended to facilitate and promote the walkability of the development both within and without the extensive path system provided herein.

3. Development Standards: Except as set forth herein, the standards of Columbus City Code, Chapter 3333, Apartment Districts shall apply.

A. Setbacks/Lot Dimensions/ Lot Commitments

1. Setbacks, lot dimensions, and area standards shall be in accordance with AR-12 requirements.
2. Buildings shall be set back a minimum of 250 feet from the centerline of Walnut St. (210 feet from the right of way, as required by the City of Columbus Thoroughfare Plan, or Franklin County Thoroughfare Plan, as may apply).

B. Buffering, Landscape, Drainage, Open Space and/or Screening Commitments.

1. There shall be a minimum of 6 acres of open space, as shown on the PUD Site Plan.
2. Groupings of trees at a minimum of 4 trees per 100 feet of road frontage shall be installed in the passive open space along Walnut St.
3. Existing trees shall be preserved as noted and where indicated on the Site Plan.

C. Building Design and/or Interior-Exterior Commitments.

1. Community facilities and entry features, including structures, fencing, landscaping are permitted in the open spaces, and if lit, will be lit with concealed up-lights or internally illuminated graphics. All utilities shall be installed underground.
2. Lighting poles shall be cut-off fixture types. All lighting poles, signs, frames and/or supports shall be uniform and be either black or dark bronze in color. No pole shall exceed fourteen (14) feet in height.
3. The main exterior building materials will be wood, wood composition, brick, brick veneer, stone, stone veneer, vinyl, beaded vinyl, or cultured stone, metal, glass and/or a combination thereof. The architecture of the buildings shall be in keeping with the established treatment in the existing West Village area, as delineated by the Rocky Fork Accord Plan, and as generally represented by the renderings and photos submitted herein.
4. Dwelling units may be used as models for marketing and sales. A paved parking lot shall be permitted on ground, lot or lots adjacent to models to provide off-site parking for model homes.

D. Graphics.

All signage and graphics for shall conform to the Columbus Graphics Code as it applies to ARLD zoning classification. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission

IV. Miscellaneous Commitments Applicable to All Sub-Areas.

1. Site area to be developed shall be in general accordance with the PUD Plan titled "Souder Phillips Farms," with an expressed intent to allow flexibility for a possible future school site and a shift of density as between sub-areas, in consideration thereof. The Site Plan may be adjusted otherwise to reflect engineering, topographical, environmental or other site data developed at the time the development and engineering plans are completed. Any adjustment to the Site Plan is subject to review and approval by the Director of Building and Zoning Services, or his/her designee, upon submission of the appropriate data regarding the proposed adjustment.
2. The Developer shall participate in the Northeast Pay as We Grow Area (NEPAWG).
3. Duplexes, triplexes, and four-plexes shall have a unifying color and materiality.
4. The architecture in the development should match the architecture in the surrounding area. Conceptual elevations are provided with this submission.

5. Flat roofs are only permitted as long as they include highly detailed or decorative cornices.

6. Height variance to 3345.08(a) is included to permit buildings in Subarea B to be a maximum of 50 feet in height.

7. Traffic commitments.

- A. The Developer will dedicate right-of-way to the City of Columbus for the extension of Hamilton Road as shown on the Site Plan, and right-of-way along Walnut St. to the City of Columbus or Franklin County in accordance with the City's or County's Thoroughfare Plan, as may apply at the time of development.
- B. Public roads, with minimum 5 feet sidewalks on each side, to be installed in accordance with the Site Plan, taking into consideration final engineering, and approval of the City of Columbus Department of Public Service, Traffic Management.
- C. The pathway/multi-use path shall be provided along Hamilton Road extension, from its development through sites to the south. Final location and specifications to be determined at the time of final site compliance. Pedestrian paths shall be provided in each sub-area, and along Walnut Street. Design and location subject to final engineering and approval by the City of Columbus Public Service. A connected sidewalk/pathway/multi-use path system shall be provided throughout the development and determined at the time of final site compliance.
- D. A 20 foot wide pedestrian easement at the southern end of Subarea B shall be provided to connect to the 20 feet wide pedestrian easement within Subarea A of Z16-086. Final location to be determined at the time of final site compliance and with approval of the Department of Recreation and Parks.
- E. Prior to approval of the proposed access points to future Hamilton Road, at the time such access is sought:
 - 1. A sight distance exhibit will need to be provided for each access point to show that the Columbus sight distance policy will be met.
 - 2. Unsignalized capacity analysis will need to be provided for each access point for the opening and horizon years.
- F. Sight distance exhibits shall be provided at the time of applying for a driveway permit for the two proposed access points on Walnut Street.

- G. Access to Tournament Avenue and Kemp Street will need to be restricted to emergency, pedestrian and bicycle access only until direct access can be obtained to Hamilton Road via an extension of Hamilton Road through the site.
- H. Access to Walnut Street is under the jurisdiction of the Franklin County Engineer's office at the time of the rezoning passage. Any proposed access to Walnut Street shall be approved by the Franklin County Engineer's office or City of Columbus, Department of Public Service as may apply at the time of development and requests for driveway permits.
- I. The permitted uses with access to Walnut Street shall be limited to a maximum of 76 single family units or 140 multi-family/condominium dwelling units until northbound and southbound left turn lanes at the intersection of Central College Road and Lee Road are constructed and open to traffic except as follows:
 - 1. The Department of Public Service may approve permitted nonresidential uses that are shown to be ancillary to approved residential units.
 - 2. The Department of Public Service may approve permitted nonresidential uses or additional residential units in consideration of the current schedule for the anticipated improvements at the intersection of Central College Road and Lee Road at that time, or if the Design work for the Central College and Lee Road improvements is complete, the restrictions shall not apply.
 - 3. If the Department of Public Service does not approve a subdivision plat or final site compliance plan that would develop permitted nonresidential uses or result in greater than a total of 76 single family or 140 multi-family/condominium dwelling units with access to Walnut Street within the area subject to this rezoning application, the developer may update the traffic impact study for this rezoning application to reflect current traffic volumes and any other relevant information that may be available to determine if the anticipated improvements would still be needed to accommodate development traffic.
 - 4. The Department of Public Service may approve different numbers of residential units than the numbers per this Section 7 provided there is sufficient documentation submitted that the deviation in units is insignificant or otherwise reasonably equivalent to the stated figures above.
- J. A maximum of 255 units (including the School site) and a maximum of 300 units without the School Site that can access Walnut Street may be constructed prior to an extension of Hamilton Road to this site.
- K. Walnut Street is listed as a Local Collector on the Franklin County 2020 Thoroughfare Plan. This requires 80 feet of total right-of-way or 40 feet of half

- right-of-way from the centerline. If the jurisdiction of Walnut Street remains with Franklin County at the time the Site develops, this right-of-way dedication shall occur along the entire Walnut Street frontage of the property. This shall be dedicated in fee to the County. If the existing right-of-way is in highway easement, this shall also be dedicated in fee to the County. No entry features should be proposed within the Thoroughfare Plan right-of-way or within the sight distance triangles of the proposed accesses along Walnut Street.
- L. If the jurisdiction of Walnut Street remains with Franklin County at the time the Site develops and the Developer and Franklin County have come to no other agreement,(or is not otherwise placed on the NEPAWG improvement schedule) and if the Developer seeks access via Walnut Street, the Developer shall widen Walnut Street along the property frontage to a three-lane section including sidewalk, multi-use path, striped crosswalk coordinated with Metro Parks on the north side of Walnut Street, tree lawn, and street lighting, as shown in the Northeast Franklin County Traffic Study's typical section for Walnut Street.
- M. Based on the taper length requirements and the design speed of Walnut Street, one is not able to taper back to the existing two-lane section between the two Walnut Street frontages (PID 010-271873 & 010-267724). The Developer, provided Franklin County acquires the necessary right-of-way, will be responsible for maintaining a three-lane section between the two property frontages on Walnut Street. The Developer will be responsible, provided Franklin County acquires the necessary right-of-way, for maintaining a three-lane section west of their property line to provide a westbound left turn lane at Lee Road. In all, Walnut Street will be a three-lane section from the centerline of Lee Road to the Developer's eastern property line, approx. 2,773 feet east of the centerline of Lee Road. When the Developer receives the western access permit off of Walnut Street they shall construct or bond the improvements of Walnut Street from the centerline of Lee Road to the eastern property line of PID 010-271873 approximately 763.9 feet east of the centerline of Lee Road. When the Developer receives the eastern access permit off of Walnut Street they shall construct or bond the improvements from the eastern property line of PID 010-271873 approximately 763.9 feet east of the centerline of Lee Rd to the eastern property line of PID 010-267724 approx. 2,773' east of the centerline of Lee Road. Developer shall reimburse Franklin County the amount paid to other property owners for the above necessary right-of -way. In the event the relevant frontage of Walnut Street is within the jurisdiction of the City of Columbus or Walnut Street is placed on the NEPAWG Improvement Schedule B, the Developer shall construct the appropriate turn lanes/lengths for each access drive. At the time of development, the Developer shall submit a report that denotes the appropriate length of turn lanes, if required.

- N. If the jurisdiction of Walnut Street remains with Franklin County at the time the Site develops and the Developer and Franklin County have come to no other agreement, (or is not otherwise placed on the NEPAWG Improvement Schedule) the Developer shall contribute 7.99% of the total construction cost towards the County's roundabout improvement at the intersection of Harlem Road and Walnut Street. An estimate for this improvement has not yet been accepted; therefore the contribution shall not exceed 7.99% of the typical cost of a single-lane roundabout, which is \$1.8 million. Due to all of the different scenarios of Initial Build/School Alternative and Full Build/School Alternative with the Hamilton Diversion, this percentage is calculated based on a weighted average of the 2020 & 2030 development traffic entering the intersection of Harlem Road and Walnut Street. This contribution shall be received prior to the developer obtaining access onto Walnut Street. If the Developer applies for access on Walnut Street after the Harlem Road and Walnut Street roundabout project is constructed, Developer shall remain required to provide the above contribution prior to obtaining access to Walnut Street.

The undersigned, being the owner of the subject property together with the applicant in the subject application, do hereby agree 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 Code.

SIGNATURE: _____ /s/ Laura MacGregor Comek _____

DATE: _____ 1-10-20 _____