

**COMMERCIAL PLANNED DEVELOPMENT, PUD AND
LIMITATION OVERLAY TEXT**

PROPOSED DISTRICT: CPD, PUD-6, L-AR-12
PROPERTY ADDRESS: 6145 West Broad Street
OWNER: Blauser Capital Ltd.
APPLICANT: Blauser Capital Ltd.
DATE OF TEXT: ~~1/27/21~~ 10/4/21
APPLICATION NUMBER: Z18-065

I. INTRODUCTION: The subject property was originally a 203+/- acre tract between Alton Road and Galloway Road on the south side of West Broad Street. The applicant filed a rezoning application which was placed on hold due to the formation of the new Hellbranch regulations and then the Big Darby Moratorium. The City's Recreation and Parks Department approached the applicant to see if it would sell a portion of the site. The applicant agreed to a sale and the City with Clean Ohio funds purchased 46+/- acres along the west side of the site.

The City approached the applicant again in 2006 to see if additional ground could be purchased to create a new recreation center for the Westland Community. At the same time the Big Darby Moratorium expired and now the applicant wants to move forward with a zoning application. The 2008 application was approved by the Accord Panel and the Development Commission but did not go forward to City Council because of traffic issues. An updated traffic study is has been reviewed and approved by the city and the applicant wants to move forward with a revised site plan and zoning application.

II. TRAFFIC COMMITMENTS WHICH APPLY TO ALL THE SUBAREAS:

A. Site Drive 1 is the south leg of the Alton-Darby / West Broad Street intersection. Site Drive 2 is a right-in/right-out curb cut on West Broad Street in Subarea 1. Site Drive 3 is a full access curb cut on West Broad Street serving the L-AR-12/PUD-6 subareas.

B. The following commitments shall be required by the developer unless otherwise implemented or reimbursed as part of the Big Darby Accord Revenue Program or as otherwise approved by the Department of Public Service:

1. Convert the grass median on West Broad Street at Site Drive 3 to provide a westbound left turn lane with a total length of 225 feet.
2. Widen West Broad Street at Site Drive 3 to provide an eastbound right turn lane with a total length of 175 feet.
3. Build Site Drive 3 to provide a northbound right turn lane with a total length of 150 feet.
4. Upon the development of Subarea 1 the following improvements shall be required:
 - a. Convert the grass median on West Broad Street at Alton Darby Creek Road to provide a westbound left turn lane with a total length of 400 feet.

- b. Convert the grass median on West Broad Street at Alton Darby Creek Road to provide an eastbound left turn lane with a total length of 300 feet.
- c. Widen Alton Darby Creek Road to provide a southbound left turn lane with a total length of 225 feet.
- d. Build Site Drive 1 to provide a northbound left turn lane with a total length of 250 feet.
- e. Widen West Broad Street at Site Drive 2 to provide an eastbound right turn lane with a total length of 175 feet.
- f. Widen Galloway Road at West Broad Street to provide northbound dual left turns with a total length of 375 feet.
- g. Widen Galloway Road at West Broad Street to provide an eastbound right turn lane with a total length of 575 feet.

Notwithstanding these road improvements, the developer may develop two outparcels (not to exceed four acres in total) in Subarea 1 provided that the only access to these outparcels shall be thru Site Drive 2 and the only traffic improvement required shall be item 4(e) above.

C. The developer shall provide a shared access easement in the form customary for the jurisdiction to the City's Recreation and Park's Department to access the driveway coming onto the subject property from the Alton Darby/W Broad St intersection and in return the Recreation and Parks Department will provide a shared access easement in the form customary for the jurisdiction for the applicant to access subarea 2 on shown on the submitted site plan. Final location of the access points and the driveway shall be determined by the parties at the time of development of subarea 1.

III. SUBAREA 1: CPD

1. PERMITTED USES: Those uses permitted under Section 3356.03 C-4 Commercial District of the Columbus City Code with the following exclusions:

- Animal shelter
- Armored car, investigation, guard and security services
- Astrology, fortune telling and palm reading
- Automobile sales used, unless part of a new automobile dealership
- Billboards
- Blood and organ banks
- Cabarets and nightclubs
- Car wash self service
- Check cashing and loans (does not include banks, credit union or finance companies)
- Community food pantry
- Crematory
- Drive-in motion picture theaters
- Halfway house
- Missions/temporary shelters
- Outdoor power equipment stores
- Pawn broker

2. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District of the Columbus City Code.

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

1. Parking setback from West Broad Street shall be fifty (50) feet.
2. Building setback from West Broad Street shall be sixty (60) feet.
3. Maximum gross floor area for all uses in this Subarea excluding the outlots shall not exceed 150,000 sq. ft.

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

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

1. Within the setback areas along West Broad Street and any interior public street, a 4 rail white horse fence shall be installed as well as one deciduous tree per forty (40) feet of frontage thereof. Trees do not have to be equally spaced, but may be grouped. In addition the developer shall screen any parking lot adjacent to West Broad Street or any other public street with a minimum three (3) foot high continuous planting hedge. (Plantings shall be a minimum height of 3 feet at installation.) Said screening shall be installed within the parking setback adjacent to that public street.

2. In addition to the fifty (50) foot setback, the developer shall create two open space areas within the proposed outparcel areas shown on the site plan. One open space shall be the stream corridor protection zone on both sides of Reese ditch and the other shall be a vegetated swale to convey stormwater from the northern part of the CPD subarea to Reese ditch and to create appropriate open space areas along West Broad Street.

3. The developer shall preserve at least half of the mature trees along West Broad Street that are six inches or larger in caliper within the 50 foot setback. Wherever appropriate, understory brush will be cleared and trees will be pruned, fertilized and limbed up to enhance their chances of survival. Before this subarea is developed the developer shall walk the West Broad Street frontage with the City's forester to consult with him/her on the tree removal as outlined in this section.

4. Any automotive body shop use shall be required to screen all parking areas where damaged cars are kept with a six foot high opaque wooden fence.

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

1. Except for the outparcels, the building material for the elevations which face West Broad Street shall be brick, brick veneer, stone, stone veneer (including manufactured stone, fiber-cement siding wood individually or in any combination thereof except for the doors, windows and trim / flashing treatments.

2. The outparcel buildings shall have the same finished materials on all four sides. Building materials for the outparcels shall be brick, brick veneer, stone, stone veneer (including manufactured stone, fiber-cement siding wood individually or in any combination thereof individually or in any combination

thereof. Metal may be used as an accent material not exceeding 10% of any building elevation.

3. Poured concrete exterior walls are prohibited except for the side and rear elevations of the commercial buildings excluding outparcels buildings.

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

1. The developer shall install a sidewalk or shared use path along its frontage on West Broad Street and any interior public streets as approved by the Department of Public Service. An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access proposed buildings through their parking lots.

2. Mechanicals on the top of the commercial building shall be screened to the height of the equipment.

F. Graphics and Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. A Preliminary Jurisdictional Waters Delineation (PJWD) has been completed for the site and a verification (jurisdictional determination) request has been submitted to the United States Army Corps of Engineers (USACE). The existing wetland areas identified onsite shall be protected to the extent possible, in accordance with Section 4.2.2 of the Big Darby Accord, by modifying the layout to work around these areas, to maintain adequate hydrology for the preservation of wetland areas, and to protect them from construction site runoff and untreated post-construction stormwater runoff. The wetland areas will be incorporated into the Stream Corridor Protection Zone in accordance with the Big Darby Accord and into the open space and stormwater management areas. Subject to environmental regulatory approval, all mitigation for impacted wetlands will be located within the 12-digit hydrologic unit code (HUC) watershed to the extent possible. There is a 0.089-acre, Category 2 (gray zone), as determined by the Ohio Rapid Assessment Methodology (ORAM), wetland (Wetland 3) located west of the existing stream (Stream 1) along the northern section. The wetland will be included as part of the Stream Corridor Protection Zone and will be protected as much as possible given the amount of disturbance proposed to the surrounding area and the drainage area. Any impacts to this wetland will be mitigated according to the requirements stated in the Darby Accord, the State of Ohio anti-degradation rules, and the Clean Water Act. To the extent possible, the developer shall place a minimum 50-foot buffer around Wetland 3.

2. The buildable area for the non-outlots' portion of the CPD is shown on the submitted drawing titled, "Development Plan Blauser Farm." However, the layout of the parking areas and building footprint is not be committed to in this zoning. The final form of the environmental features may be modified or changed upon final engineering so long as the standards of the Big Darby Accord are met. The environmental features shall have a minimum acreage of one acre.

3. If additional ground is required to comply with the stormwater requirements then that ground shall come from the developable areas of the site, (CPD, L-AR-12 and PUD-6 except for areas labeled open space or open space and trails) the open space areas designated for stormwater management as shown on

the PUD zoning site plan or from additional ground controlled by the developer.

III. SUBAREA 2

1. PERMITTED USES: Those uses permitted under Section 3353.03 Office Commercial District of the Columbus City Code.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text or shown on the submitted drawing the applicable development standards of Chapter 3353, Office Commercial District of the Columbus City Code shall apply.

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

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

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

1. The developer shall install one deciduous tree for every forty (40) feet of private street frontage within the parking setback.

2. The developer shall install a minimum 3 foot high planting hedge, fence or earth mound individually or on any combination thereof within the parking setback to screen adjacent parking spaces from the private street.

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

E. Dumpsters, Lighting, Outdoor Display areas and/or other environmental Commitments.

Parking lot lighting fixtures shall not exceed 14 feet in height.

F. Graphics and Signage Commitments.

All signage and graphics shall conform to Article 15 of the Columbus City Graphics as it applies to the Office Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

G. Miscellaneous Commitments.

1. A PJWD has been completed for the site and a verification (jurisdictional determination) request has been submitted to the USACE. The existing wetland areas identified onsite shall be protected to the extent possible, in accordance with Section 4.2.2 of the Big Darby Accord, by modifying the layout to work around these areas, to maintain adequate hydrology for the preservation of wetland areas, and to protect them from construction site runoff and untreated post-construction stormwater runoff. The wetland areas will be incorporated into the Stream Corridor Protection Zone in accordance with the Big Darby Accord and into the open space and stormwater management areas. Subject to environmental regulatory approval, all mitigation for impacted wetlands will be located within the 12-digit HUC watershed to the extent possible. No wetlands were identified in the L-C-2 area.

2. If additional ground is required to comply with the stormwater requirements then that ground shall come from the developable areas of the site, (CPD, L-AR-12 and PUD-6 except for areas labeled open space or open space and trails) the open space areas designated for stormwater management or from additional ground controlled by the developer.

IV. CPD CRITERIA FOR BOTH SUBAREAS 1 AND 2:

- a. Natural Environment: The site is located on the south side of West Broad Street west of Galloway Road. The site has wooded areas and open fields.
- b. Existing Land Use: The site is undeveloped.
- c. Circulation: Access to the site will be from West Broad Street as approved by the Ohio Department of Transportation.
- d. Visual Form of the Environment: The site is surrounded by single family subdivision under development to the east; undeveloped ground to the south; park ground to the west; and residential and commercial on the north side of West Broad Street.
- e. Visibility: The site fronts on and is visible from Broad Street.
- f. Proposed Development: The size, type and character of the proposed development will meet the standards set forth in this development text.
- g. Traffic Behavior Patterns: Traffic will access the site from the east and west directions from Broad Street.

V. CPD SITE PLAN FOR BOTH SUBAREAS 1 AND 2:

The site shall be developed in accordance with the submitted site plan titled, "Development Plan Blauser Farm." The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development. Any slight adjustment shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or a designee upon submission of the appropriate information regarding the adjustment.

VI. PUD-6 SINGLE FAMILY AREA

- 1. PERMITTED USES:** Those uses permitted under Section 3332.033 R-2, Residential District of the Columbus City Code.
- 2. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the written text or shown on the submitted drawing the applicable development standards of Chapter 3332, R-2, Residential District of the Columbus City Code shall apply.
 - A. Density, Height, Lot and/or Setback Commitments.
 - 1. Maximum number of dwelling units shall be 191.

2. Minimum Net Floor Area:

a. Ranch: minimum: net floor area 1,200 sq. ft.

b. Two story: minimum net floor area 1,600 sq. ft.

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

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

The developer shall plant one street tree per lot.

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

1. Each dwelling unit shall have at least a two car garage.

E. Dumpsters, Lighting, Outdoor display areas and/or other Environmental Commitments. N/A

F. Graphics and Signage Commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics as it applies to the R-2 District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

G. Miscellaneous Commitments.

1. A PJWD has been completed for the site and a verification (jurisdictional determination) request has been submitted to the USACE. The existing wetland areas identified onsite shall be protected to the extent possible, in accordance with Section 4.2.2 of the Big Darby Accord, by modifying the layout to work around these areas, to maintain adequate hydrology for the preservation of wetland areas, and to protect them from construction site runoff and untreated post-construction stormwater runoff. The wetland areas will be incorporated into the Stream Corridor Protection Zone in accordance with the Big Darby Accord and into the open space and stormwater management areas. Subject to environmental regulatory approval, all mitigation for impacted wetlands will be located within the 12-digit HUC watershed to the extent possible. There is a 0.080-acre, Category 2 wetland (Wetland 1) located along the northeastern property line that is part of a larger wetland located adjacent to the site. This wetland will be protected by a no build zone and/or conservation easement around the wetland and maintaining the existing drainage area. A 0.070-acre, Category 1 wetland (Wetland 4) is located north of Stream 1 on the central portion of the site. There is also a 0.571-acre, Category 1 wetland (Wetland 5) in the center of the site, south of the Stream 1. Wetlands 4 and 5 are within the stormwater management area set aside for the residential development. The wetlands will be protected by pre-treating any stormwater runoff from the residential area prior to flowing into the wetland and maintaining the hydrologic and hydraulic characteristics as close as possible to the existing conditions. No impacts to the wetlands are anticipated. However, if wetland impacts are necessary, mitigation will be completed according to the requirements stated in the Darby Accord, the State of Ohio anti-degradation rules, and the Clean Water Act. To the extent possible, the developer shall place a minimum 50-foot buffer around Wetlands 4 and 5.

2. The lot layout, open space and street layout are shown on the submitted plan titled, "PUD-6 Development Plan Blausser Farm." These items may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the drawing shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

3. If additional ground is required to comply with the stormwater requirements then that ground shall come from the developable areas of the site, (CPD, L-AR-12 and PUD-6 except for areas labeled open space or open space and trails) the open space areas designated for stormwater management or from additional ground controlled by the developer. The developer proposes to discharge treated stormwater into an existing wetland, in part to maintain hydrology. Consideration of this approach by the City and OEPA will be required. Should this approach not meet with governmental approval then an alternative approach should be developed and submitted as part of a revised proposal.

4. The developer shall install a pedestrian pathway that would connect the single family lots which are east of the City's to that park ground owned by the City. The developer shall consult with the City's Recreation and Parks Department as to where the pedestrian connection should be made to the City's property.

5. The developer shall create a playground area including playground equipment within the open space.

VII. L-AR-12 MULTI-FAMILY AREA

1. PERMITTED USES: Those uses permitted under Section 3333.02 AR-12, Apartment Residential District of the Columbus City Code.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text or shown on the submitted drawing the applicable development standards of Chapter 3333, AR-12, Apartment Residential District of the Columbus City Code shall apply.

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

1. No three story buildings shall be located in Phase II.

2. Maximum Density is 260 units.

3. Building and parking setback shall be 25 feet from all Subarea lines; except in Phase II where building setback from the east property line shall be 120 feet.

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

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

1. The developer shall install one deciduous tree for every forty (40) feet of public street frontage within the parking setback.

2. The developer shall install a 3 foot high planting hedge, fence or earth mound individually or on any combination thereof within the parking setback to screen adjacent parking spaces from the public street. The developer shall install landscape buffer within the 50 foot setback along the east property line of Phase II.

3. The landscape buffer shall consist of two staggered rows of evergreens planted 20 feet on center. A privacy fence with a minimum height of 6 feet shall be installed also along the eastern boundary of Phase II portion of the L-AR-12 district beginning at the southeast corner of Phase II and extending northward to the stub street.

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

The buildings shall be constructed in accordance with the submitted building elevations titled, “Elevations Sheets A-200 through A-203”. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

E. Dumpsters, Lighting, Outdoor Display areas and/or other environmental Commitments.

1. Parking lot lighting fixtures shall not exceed 14 feet in height.

F. Graphics and Signage Commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics as it applies to the AR-12 Apartment Residential District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

G. Miscellaneous Commitments.

1. A PJWD has been completed for the site and a verification (jurisdictional determination) request has been submitted to the USACE. The existing wetland areas identified onsite shall be protected to the extent possible, in accordance with Section 4.2.2 of the Big Darby Accord, by modifying the layout to work around these areas, to maintain adequate hydrology for the preservation of wetland areas, and to protect them from construction site runoff and untreated post-construction stormwater runoff. The wetland areas will be incorporated into the Stream Corridor Protection Zone in accordance with the Big Darby Accord and into the open space and stormwater management areas. Subject to environmental regulatory approval, all mitigation for impacted wetlands will be located within the 12-digit hydrologic unit code (HUC) watershed to the extent possible. There is a 0.400-acre, Category 2 (modified) wetland (Wetland 2) located east of Stream 1 on the northeast portion of the site. The wetland will be included as part of the Stream Corridor Protection Zone and will be protected as much as possible given the amount of disturbance proposed to the surrounding area and the drainage area. Any impacts to the wetland will be mitigated according to the requirements stated in the Darby Accord, the State of Ohio anti-degradation rules, and the Clean Water Act. To the extent possible, the developer shall place a minimum 50-foot buffer around Wetland 2. A 0.099-acre, Category 2 wetland (Wetland 6) is located in a forested area on the southeast portion of the site. Wetland 6 is located in a designated open space and no impacts are

proposed

2. If additional ground is required to comply with the stormwater requirements then that ground shall come from the developable areas of the site, (CPD, L-AR-12 and PUD-6 except for areas labeled open space or open space and trails) the open space areas designated for stormwater management or from additional ground controlled by the developer.

3. The multi-family layout **shown on the Development Plan does not apply to this subarea and a new site plan and buildings elevations have been added to this ordinance for this subarea** ~~is conceptual and is not being committed to as part of this zoning application.~~

4. The multi-family development shall include a clubhouse and an outdoor swimming pool. Clubhouse will include fitness area and residents business office.

5. The open space part of the L-AR-12 at the southeast corner of the site shall remain in its natural state subject to installing and maintaining a pedestrian pathway and utilities.

6. Site Plan Revision Allowance. The Property shall be developed in accordance with the site plan titled "Architectural Site Plan"; however, the plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department of Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.