



Legislation Details (With Text)

File #: 2670-2017 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 10/3/2017 **In control:** Zoning Committee

On agenda: 10/23/2017 **Final action:** 10/25/2017

Title: To rezone 700 FAIRWAY BOULEVARD (43123), being 3.87± acres located on the north side of Fairway Boulevard, 400± feet west of Etna Road, From: PUD-2, Planned Unit Development District, To: PUD-4, Planned Unit Development District (Rezoning # Z17-015) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2670-2017_Attachments, 2. ORD2670-2017_Labels

Date	Ver.	Action By	Action	Result
10/25/2017	2	CITY CLERK	Attest	
10/24/2017	2	MAYOR	Signed	
10/23/2017	2	COUNCIL PRESIDENT	Signed	
10/23/2017	1	Zoning Committee	Approved as Amended	Pass
10/23/2017	1	Zoning Committee	Amended to Emergency	Pass
10/16/2017	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z17-015

APPLICANT: 14th Hole Development, LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-1) on August 10, 2017.

FAR EAST AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the PUD-2, Planned Unit Development District permitting three single-unit dwellings at a net density of 0.78 units/acre. The requested PUD-4, Planned Unit Development District will permit fourteen attached dwelling units, arranged in two buildings containing four units each and one building containing six units, with a net density of 3.62 units/acre and with 0.28 acres of provided open space. The development text includes commitments for the number of dwelling units and their arrangement on-site, first floor minimum net floor areas, garage requirements, building materials, building setbacks, landscaping, tree/vegetation preservation, and a commitment to a plan and elevation drawings. Variances to reduce the building setback for a guardhouse/monument feature and golf cart garages and perimeter yard adjacent to a private golf course are included in the request. The site lies within the planning area of the *Broad-Blacklick Area Plan* (2011), which recommends open space for this location. Although the Plan calls for open space, staff recognizes that the site was already zoned for residential development and was privately owned prior to the Plan's adoption. The development text and site plan submitted are sensitive to the existing natural resources of the site, provide alternatives to private

automobiles for transportation, include elevation drawings that are generally consistent with the Plan's design guidelines, and are compatible with surrounding land uses.

To rezone **700 FAIRWAY BOULEVARD (43123)**, being 3.87± acres located on the north side of Fairway Boulevard, 400± feet west of Etna Road, **From:** PUD-2, Planned Unit Development District, **To:** PUD-4, Planned Unit Development District (Rezoning # Z17-015) **and to declare an emergency.**

WHEREAS, application # Z17-015 is on file with the Department of Building and Zoning Services requesting rezoning of 3.87± acres from PUD-2, Planned Unit Development District, to PUD-4, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Far East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested PUD-4, Planned Unit Development District is sensitive to the existing natural resources of the site, provides alternatives to private automobiles for transportation, and includes elevation drawings that are generally consistent with the *Broad-Blacklick Area Plan's* design guidelines;

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

700 FAIRWAY BOULEVARD (43123), being 3.87± acres located on the north side of Fairway Boulevard, 400± feet west of Etna Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Reserve "B" of The Fairway No. 2, as same is delineated upon the recorded plat thereof, of record in Plat Book 19, Page 12, Recorder's Office, Franklin County, Ohio, also being part of the 239 Acre tract (First Tract) as conveyed to The Columbus Country Club, Inc., as shown of record in Deed Book 1549, Page 320 and being more particularly described as follows:

Beginning at a found 1" iron pipe in the northerly line of Fairway Boulevard (80 feet wide as dedicated in Plat Book 19, page 12), at the southwest corner of said Reserve "B" and the southeast corner of Lot 97 of said subdivision;

Thence, along part of the west line of said Reserve "B", along part of the east line of said Lot 97, North 07° 17' 37" West, 200.00 feet to a set iron pipe;

Thence, across said Reserve "B", South 71° 14' 00" East, 450.58 feet to a set iron pipe;

Thence, continuing across said Reserve "B", South 61° 00' 00" East, 379.48 feet to a set iron pipe in a south line of said Reserve "B", the north line of Lot 98 of said The Fairway No. 2 subdivision;

Thence, along part of a south line of said Reserve "B", along part of a north line of said Lot 98, South 60° 29' 28" West, 350.89 feet to a found 1" iron pipe at the northwest corner of said Lot 98, also being on the north line of Fairway Boulevard (80 feet wide as dedicated in P.B. 19, P. 12);

Thence, along a south line of said Reserve "B", along the north line of said Fairway Boulevard, along the arc of a curve to the left, said curve having a radius of 1,680.00 feet, a delta of 01° 15' 59", a tangent of 18.57 feet, an arc length of 37.13 feet and a chord bearing and distance of North 53° 46' 00" West, 37.13 feet to a point of tangency, referenced by a set iron pipe that bears South 35° 36' 00" West, 30.00 feet;

Thence, continuing along said line, North 54° 24' 00" West, 431.03 feet, to a found 1" pipe at a point of curvature;

Thence, continuing along said line, along a curve to the left having a radius of 580.00 feet, a delta of 05° 34' 00", a tangent of 28.20 feet, an arc length of 56.35 feet and a chord bearing and distance of North 57° 11' 00" West, 56.33 feet to the place of beginning **CONTAINING 3.874 ACRES** (168,772 Square Feet), subject however, to all legal highways easements, leases and restrictions of record, and of records in the respective utility offices.

The foregoing description was prepared from an actual field survey made by Myers Surveying Company, Inc. in June 2007. Iron pipes set are 30" X 1" (O.D.) with orange plastic caps inscribed "P.S. 6579". Bearings are based on the centerline of Fairway Boulevard, held as North 54° 24' 00" West, per Plat Book 19, Page 12.

Myers Surveying Company, Inc.

Joseph P. Myers, P.S. #7361.

JPM (312272016 entire 3.874 acre tract)

Parcel Number: 010-109334

To Rezone From: PUD-2, Planned Unit Development District,

To: PUD-4, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-4, Planned Unit Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved PUD-4, Planned Unit Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.09 of the Columbus City Codes; said plan being titled, "**FAIRWAY BLVD**," said elevation drawings titled, "**ZONING ELEVATIONS**," and said text being titled, "**PUD TEXT**," all dated September 27, 2017, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

PUD Text

PROPOSED DISTRICT: PUD-4

PROPERTY ADDRESS: 700 Fairway Boulevard

OWNER: 14th Hole Development LLC

APPLICANT: 14th Hole Development LLC

DATE OF TEXT: 9/27/17

APPLICATION: Z17-015

1. **INTRODUCTION:** The site is located on the east side of Fairway Blvd. The property backs up to a golf course which is in the City. The rest of the property around the site is in the City of Whitehall.
2. **PERMITTED USES:** Attached dwelling units in three buildings
3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted text or on the submitted PUD drawing, the applicable development standards are contained in Chapter 3333 of the Columbus City Code as they apply to the AR-12 Apartment Residential

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

Maximum number of dwelling units 14.

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

N/A

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

1. There shall be a stream corridor preservation zone adjacent to the east property line. No buildings, sheds, play equipment, fences, walls or structures shall be permitted within that area. If there are gaps in the vegetation within the stream protection zone adjacent to the easternmost building on the site, then the applicant will plant minimum 5 foot tall evergreen 15 feet on center in open areas in the east side yard beginning at the northeast corner of the stream corridor preservation zone and extending south along that area to the southeast corner of the east most building located to screen that building from the adjacent house to the east (Parcel #090-001774) provided that the City of Columbus will permit such planting within the stream corridor preservation zone. The last fifteen feet of the no build zone adjacent to the golf course shall be a tree/vegetation preservation area. No trees, shrubbery or undergrowth shall be removed from this fifteen foot wide tree/vegetation area unless approved by the Columbus Country Club upon submission of the landscape plan.
2. Prior to construction a snow fence shall be installed in front of the fifty foot rear setback to protect the existing trees and vegetation. After construction of the dwelling units, the developer shall install markers at the edge of the 15 foot/tree vegetation preservation area every fifty feet along that line.
3. Utilities and a golf cart path may be installed within the No Build Zone and No Disturb Zone.
4. The location of the utilities in the stream corridor preservation zone along the east property line shall be reviewed and may be approved by the City of Columbus.
5. Evergreen screening shall be installed along the west property line as shown on the submitted site plan.

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

1. Minimum Net Floor Area For Living Quarters: 1400 sq. ft.
2. Garage: Minimum of a two car garage for each dwelling unit.
3. Building Materials: The exteriors of all homes shall be constructed of all natural materials, brick, stone, wood, glass, stucco and/or hardy plank.

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

There will be no pole lighting on the site.

F. Graphics

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the AR-12 Apartment Residential District and any variances to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. Variances.

a. Section 3333.255 perimeter yard: to reduce the perimeter yard along the west property line from 25 feet to 7 feet for pavement and 18 feet for buildings.

b. Section 3333.18 Building lines: to reduce the setback for the guard house/monument from 25 to 7 feet and for the golf cart garages from 25 to 14 feet.

2. Site Plan. The subject site shall be developed in accordance with the site plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment of the Site Plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Building Elevations. The building shall be developed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect architectural, engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the submitted building elevations shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.