



## Legislation Details (With Text)

**File #:** 1528-2005      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 9/12/2005      **In control:** Zoning Committee

**On agenda:** 10/17/2005      **Final action:** 10/20/2005

**Title:** To rezone 7349 EAST BROAD STREET (43004), being 22.22± acres located 465± feet south of East Broad Street, 1,760± feet east of Reynoldsburg-New Albany Road, From: L-R-2, Limited Residential District, To: PUD-6, Planned Unit Development District and to declare an emergency. (Rezoning # Z05-040)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1528-2005.Site.pdf, 2. ORD1528-2005.SiteDetails.pdf, 3. ORD1528-2005.SiteNotes.pdf, 4. ORD1528-2005.StfRpt.pdf, 5. ORD1528-2005.zon.pdf, 6. ORD1528-2005.gis.pdf, 7. ORD1528-2005.PrjDscI.pdf, 8. ORD1528-2005Labels.pdf, 9. City Council Data FormZ05-040.pdf

Date	Ver.	Action By	Action	Result
10/20/2005	2	ACTING CITY CLERK	Attest	
10/19/2005	2	MAYOR	Signed	
10/17/2005	1	Zoning Committee	Amended to Emergency	Pass
10/17/2005	2	Zoning Committee	Approved as Amended	Pass
10/17/2005	2	COUNCIL PRESIDENT	Signed	
10/3/2005	1	Dev Zoning Drafter	Sent for Approval	
10/3/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Disapproved	
10/3/2005	1	Dev Zoning Drafter	Sent for Approval	
10/3/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
10/3/2005	1	Dev Zoning Drafter	Sent for Approval	
10/3/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/3/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	

**REZONING APPLICATION:** Z05-040

**APPLICANT:** Dominion Homes, Inc.; c/o Robert Meyer, Jr., Atty.; Porter, Wright, Morris & Arthur LLP; 41 South High Street; Columbus, Ohio 43215.

**PROPOSED USE:** Detached single-family residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0-1) on August 11, 2005.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The Applicant is requesting the PUD-6, Planned Unit Development District to develop a maximum of 117 detached single-family dwellings on private streets with a proposed net density of 5.27 dwelling units per acre. The PUD-6 minimum required open space for this density is 2.15 acres. This proposal provides 3.83 acres of open space. The proposed development is consistent with the *East Broad Street Study*, and with the development patterns of the area.

To rezone **7349 EAST BROAD STREET (43004)**, being 22.22± acres located 465± feet south of East Broad Street, 1,760± feet east of Reynoldsburg-New Albany Road, **From:** L-R-2, Limited Residential District, **To:** PUD-6, Planned Unit Development District **and to declare an emergency.** (Rezoning # Z05-040)

**WHEREAS**, application #Z05-040 is on file with the Building Services Division of the Department of Development requesting rezoning of 22.22± acres from L-R-2, Limited Residential District, to PUD-6, Planned Unit Development District; and

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

**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 permit prompt and orderly processing of administrative review and approval and to permit desired and necessary progress on development of the property in advance of the onset of winter weather, for the immediate preservation of the public peace, property, health and safety; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the Applicant is requesting the PUD-6, Planned Unit Development District to develop a maximum of 117 detached single-family dwellings on private streets with a proposed net density of 5.27 dwelling units per acre. The PUD-6 minimum required open space for this density is 2.15 acres. This proposal provides 3.83 acres of open space. The proposed development is consistent with the *East Broad Street Study*, and with the development patterns of the area; 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:

**7349 EAST BROAD STREET (43215)**, being 22.22± acres located 465± feet south of East Broad Street, 1,760± feet east of Reynoldsburg-New Albany Road, and being more particularly described as follows:

**DESCRIPTION OF A 22.22 ACRE TRACT OF LAND**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 1, Range 16, United States Military Lands, and being 22.22 acres out of that original 96.418 acre tract of land as conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200501140009808, said 22.22 acres being more particularly bounded and described as follows:

**Beginning** at a point in the southerly right-of-way line of Reynolds Crossing Drive, being a northeasterly corner of Reserve "D" of that plat entitled "Reynolds Crossing Dedication Plat for Reynolds Crossing Drive, South Reynoldsburg New Albany Road, Shallotte Drive, Tatum Way, Easements and Reserve "D"" of record in Plat Book 106, Pages 100 and 101;

Thence **N 80° 54' 35" E**, across said 96.418 acre tract, being the southerly right-of-way line of proposed Reynolds Crossing Drive Extension, a distance of **363.91 feet** to a point of curvature of a curve to the left;

Thence Northeasterly, continuing with the southerly right-of-way line of proposed Reynolds Crossing Drive Extension, with the arc of said curve (**Delta = 13° 02' 01"**, **Radius = 331.50 feet**, **Arc length = 75.41 feet**) a chord bearing and distance of **N 74° 23' 34" E**, **75.25 feet** to a northwesterly corner of that 4.660 acre tract as conveyed to Michael A. Ornstein, et al, by deeds of record in Instrument Number 200502180030597 and Instrument Number 200502180030603;

Thence **S 22° 52' 00" E**, with the westerly line of said 4.660 acre tract, a distance of **257.23 feet** to the southwesterly corner of said 4.660 acre tract;

Thence **N 82° 06' 48" E**, with the southerly line of said 4.660 acre tract, a distance of **383.00 feet** to the southwesterly corner of lot 43

of that subdivision entitled "Pleasant View Heights No. 2" of record in Plat Book 35, Page 118, being the southeasterly corner of said 4.660 acre tract;

Thence **S 85° 53' 22" E**, with the southerly line of said "Pleasant View Heights No. 2", and a portion of the southerly line of that subdivision entitled "Pleasant View Heights" of record in Plat Book 19, Page 18, a distance of **498.81 feet** to the northwesterly corner of lot 71 of that subdivision entitled "Kingswood Farm Section 2" of record in Plat Book 82, Page 19;

Thence **S 03° 28' 26" W**, with a portion of the westerly line of said "Kingswood Farm Section 2", a distance of **819.10 feet** to a point;

Thence across said original 96.418 acre tract, the following courses;

**N 86° 31' 34" W**, a distance of **14.85 feet** to a point of curvature of a curve to the left;

Southwesterly, with the arc of said curve (**Delta = 27° 44' 20"**, **Radius = 735.00 feet**, **Arc length = 355.84 feet**) a chord bearing and distance of **S 79° 36' 16" W**, **352.37 feet** to a point of tangency;

**S 65° 44' 06" W**, a distance of **365.95 feet** to a point; and

**N 24° 15' 54" W**, a distance of **851.91 feet** to a point in the southerly line of said Reserve "D";

Thence with the southerly and easterly lines of said Reserve "D", the following courses;

**N 52° 02' 27" E**, a distance of **45.27 feet** to a point;

**N 49° 02' 51" W**, a distance of **62.01 feet** to a point;

**N 40° 52' 02" W**, a distance of **62.10 feet** to a point;

**N 33° 05' 05" W**, a distance of **55.51 feet** to a point;

**N 24° 57' 49" W**, a distance of **68.55 feet** to a point;

**N 16° 19' 34" W**, a distance of **62.10 feet** to a point;

**N 09° 40' 12" W**, a distance of **30.69 feet** to a point;

**S 80° 54' 35" W**, a distance of **165.00 feet** to a point; and

**N 09° 05' 25" W**, a distance of **110.00 feet** to the **Point of Beginning**, and containing **22.22 acres** of land, more or less, as calculated by the above courses. The above description was prepared by Clark E. White, P.S. #7868 on August 16, 2005.

All references used in this description can be found at the Franklin County Recorder's Office, Franklin County, Ohio.

**To Rezone From:** L-R-2, Limited Residential District,

**To:** PUD-6, Planned Unit Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD -6, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plans being titled, "**PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN 1 OF 2 and 2 OF 2**," signed by Robert A. Meyer Jr., Attorney for the Applicant, dated August 30, 2005.

**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.**