



## Legislation Details (With Text)

**File #:** 1826-2008      **Version:** 1

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

**File created:** 11/7/2008      **In control:** Zoning Committee

**On agenda:** 12/8/2008      **Final action:** 12/10/2008

**Title:** To rezone 8134 WORTHINGTON-GALENA ROAD (43081), being 4.81± acres located on the east side of Worthington-Galena Road, 121± feet south of Park Place Drive, From: R, Rural, and AR-12, Apartment Residential Districts, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z08-024).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1826-2008Attachments.pdf, 2. ORD1826-2008Labels.pdf, 3. ORD1826-2008DataSheet.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
12/10/2008	1	CITY CLERK	Attest	
12/9/2008	1	MAYOR	Signed	
12/8/2008	1	COUNCIL PRESIDENT	Signed	
12/8/2008	1	Zoning Committee	Approved	Pass
12/1/2008	1	Columbus City Council	Read for the First Time	
11/19/2008	1	Dev Zoning Drafter	Sent for Approval	
11/19/2008	1	Dev Zoning Reviewer	Reviewed and Approved	
11/19/2008	1	Dev Zoning Drafter	Sent for Approval	
11/19/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/19/2008	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	

**Rezoning Application Z08-024**

**APPLICANT:** State Street Partners LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

**PROPOSED USE:** Multi-family residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on July 10, 2008.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-12, Limited Apartment Residential District will allow a maximum of 48 multi-family units. The limitation text includes commitments for perimeter yard landscaping, tree preservation, and a 75-foot stream-protection zone which is consistent with recommendations from *The Far North Plan* (1994) to preserve natural resources. The proposal is consistent with the zoning and development patterns of the area.

To rezone **8134 WORTHINGTON-GALENA ROAD (43081)**, being 4.81± acres located on the east side of Worthington-Galena Road, 121± feet south of Park Place Drive, **From:** R, Rural, and AR-12, Apartment Residential Districts, **To:** L-AR-12, Limited

Apartment Residential District (Rezoning # Z08-024).

**WHEREAS**, application #Z08-024 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.81± acres from R, Rural, and AR-12, Apartment Residential Districts, to L-AR-12, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-AR-12, Limited Apartment Residential District would allow a 48-unit multi-family development with perimeter yard landscaping, tree preservation, and a 75-foot stream-protection zone which is consistent with recommendations from *The Far North Plan* (1994) to preserve natural resources. The requested L-AR-12, Limited Apartment Residential District is consistent with the zoning and 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:

**8134 WORTHINGTON-GALENA ROAD (43081)**, being 4.81± acres located on the east side of Worthington-Galena Road, 121± feet south of Park Place Drive, and being more particularly described as follows:

Tract 1:

Situated in the County of Franklin, in the State of Ohio, and in the Township of Sharon and bounded and described as follows:

Being part of Lots Eight (8) and Nine (9), of SMITH AND JENKINS SUBDIVISION in Quarter Township 1, Township 2, Range 18, United States Military Lands and being more particularly described as follows:

Beginning at a point in the center line of the Worthington and Galena Road North 38 deg. East, 1046.4 feet from the center line intersection of said Road with Park Road; thence continuing with Center line of said Worthington and Galena Road, North 38 deg. East, 406.5 feet to a spike at the Southwesterly corner of Solsberry's 29.726 acre tract; thence with South line of said tract on the following courses, South 60 deg. 16' East, 280.0 feet to an angle point, South 44 deg. 05' East 108.4 feet to a stake, and South 88 deg. 18' East, 13.7 feet to an iron pipe; thence South 17 deg. 29' West 265.8 feet to an iron pipe; thence North 82 deg. 08' West, 254.0 feet to an iron pipe; thence South 36 deg. 37' West, 68.6 feet to an iron pipe; thence North 50 deg. 54' West, 269.5 feet to the place of beginning (passing an iron pipe at 249.3 feet) and containing 3.956 acres, more or less, and subject to legal highways.

**To Rezone From:** from R, Rural, District

**To:** L-AR-12, Limited Apartment Residential District

Tract 2:

Being part of Lots Eight (8) and Nine (9) of SMITH AND JENKINS SUBDIVISION in Quarter Township 1, Township 2, Range 18, United States Military lands, Sharon Township, Franklin County, State of Ohio, and being more particularly described as follows:

Beginning at an iron pin in the intersection of the Worthington-Galena Road and Park Road; thence with the centerline of said Worthington-Galena Road, N. 38 deg. 00' E. 1046.40 feet to a point in said centerline, said point being also the Southwest corner of a 3.956 acre tract owned by Hugh E. Kirkwood, Jr. and Mildred M. Kirkwood; thence S. 50 deg. 54' E. 269.50 feet, along Kirkwood's South property line, to an iron pin and passing an iron pin at 20.20 feet, to the true place of beginning. Thence N. 36 deg. 37' E. 68.60 feet along Kirkwood's property line, to an iron pin; thence S. 82 deg. 08' E. 254.00 feet, following Kirkwood's property line, to an iron pin; thence, departing from the Kirkwood property, S. 17 def. 29' W. 215.40 feet to an iron pin; thence N. 50 deg. 54' W. 293.57 feet to the true place of beginning, containing 0.850 acres of land, more or less.

**To Rezone From:** from AR-12, Apartment Residential District

**To:** L-AR-12, Limited Apartment Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential 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 L-AR-12, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled "**PROPOSED APARTMENT COMMUNITY**," said text being titled "**LIMITATION OVERLAY TEXT**," both signed by Jill S. Tangeman, Attorney for the Applicant, dated November 6, 2008, and the text reading as follows:

**LIMITATION OVERLAY TEXT**

**Zoning District:** L-AR-12  
**Property Location:** 4.806 +/- acres located at 8134 Worthington Galena Road,  
Columbus, Ohio 43081  
**Owner:** Worthington Galena Partners LLC  
**Applicant:** State Street Realty Partners LLC  
**Date of Text:** November 6, 2008  
**Application No.:** Z08-024

**1. Introduction:** The subject site is approximately 4.806 +/- acres located on Worthington-Galena Road. The site is currently owned by Worthington Galena Partners LLC. The applicant is proposing to rezone the property for a multi-family development with a density not to exceed twelve units per acre.

**2. Permitted Uses:** The uses permitted shall be those uses permitted in Section 3333.02 of the Columbus City Zoning Code.

**3. Development Standards:** Unless otherwise indicated in this text, the applicable development standards of Chapter 3333 Apartment Districts of the Columbus City Code shall apply. A site plan is attached hereto as Exhibit A. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of development and/or when engineering plans are completed. Any slight adjustment to the plan shall be subject to review and approval by the director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

A. Density, Height and Setback Commitments.

1. A maximum of forty eight (48) units may be built on the site.

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

1. Access shall be in accordance with the review and approval of the City of Columbus Division of Transportation.

2. Parking restrictions will be installed per current City policy on signage for private streets and alleys/lanes. There will be no parking permitted at the main entrance. No parking signs will be posted as appropriate. Fire hydrants will be located on the side of the street where no parking is permitted.

The owner and/or developer must establish and maintain an agreement(s) with a private towing company(s), which authorizes the private towing company(s) to remove/tow any vehicles parked in the restricted areas. There may be one or more such agreements with one or more towing company(s) for any times/lengths, terms, etc. as the owner and/or developer determines, so long as at least one such agreement will always, at all times be in force for the purposes of enforcements/removal towing as required above. Towing agreements will be filed annually with the Columbus Division of Fire, Fire Prevention Bureau, Plans Review Office, upon execution of contract.

The owners and/or developer will designate the City of Columbus as an authorized agent for the sole and specific purposes 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 and alleys/lanes.

Intersection details concerning turning radii, parking restrictions and intersection configurations will conform to the Fire Vehicle Access Plan.

3. Sidewalks shall be provided in front of each building and along the bridge over the stream. There will also be a pedestrian connection to the sidewalk on Worthington-Galena Road.
4. A contribution in the amount of \$60,000 shall be paid to the Division of Transportation in lieu of a requested left turn lane to be applied to the existing Worthington-Galena road improvement project at Lazelle Road.

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

1. There shall be a seventy-five (75) foot buffer zone (the "Buffer Zone") encompassing the Creek Preservation Easement that runs through the site. Except where crossings are shown on the site plan, the trees located within the Buffer Zone will be preserved.
2. A cash payment may be made in lieu of parkland dedication.
3. Street trees shall be added along Worthington-Galena Road equal to one street tree per forty (40) lineal feet of street frontage for both sides of the street, which trees may be evenly spaced at 1 tree per 40', or grouped. Developer reserves the right to place trees based on the site conditions.
4. Five (5) evergreen trees shall be installed in the north, east and south setbacks, for a total of fifteen (15) trees. Trees shall be placed based on site conditions.
5. Existing trees in the north, east and south setbacks shall be preserved.
6. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
7. All trees shall meet the following minimum size at the time of planting: Street trees - 2" caliper; all other deciduous trees - 3" caliper; ornamental trees - 1 ½" caliper; evergreen trees - 5 feet in height. Tree caliper is measured six inches (6") from the ground.
8. Per requirements of the Division of Sewerage and Drainage, the stream corridor protection zone shall be 75 feet in width. The applicant shall also submit a stream mitigation plan to the Division of Sewerage and Drainage which shall include methods to return the stream to a stable condition and a plant list for vegetation enhancements. Construction fencing and erosion control measures will be utilized during construction.

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

1. Dwelling units may be used as model homes for the purpose of marketing and sales.

E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.

1. Main entry features will be landscaped and lit with concealed uplights.
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 sixteen (16) feet in height.
3. Subject to approval of a Dumpster Waiver, refuse collection shall be provided by private hauler. All residents shall have a private refuse container(s). If a Dumpster Waiver is not granted or revoked by the City of Columbus, or if a future owner requests refuse service by the City of Columbus, dumpsters will be provided in accordance with applicable city code.

F. Graphics.

All signage and graphics shall conform to the Columbus Graphics Code. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.