



Legislation Details (With Text)

File #: 0079-2005 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 1/7/2005 **In control:** Zoning Committee
On agenda: 11/14/2005 **Final action:** 11/16/2005
Title: To rezone 5191 WILCOX ROAD (43016), being 1.09± acres located on the west side of Wilcox Road, 32± feet north of Noor Drive, From: R, Rural District To: L-AR-12, Limited Apartment Residential District. (Rezoning # Z04-049)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0079-2005.StfRpt.pdf, 2. ORD0079-2005.zon.pdf, 3. ORD0079-2005.gis.pdf, 4. ORD0079-2005.lup.pdf, 5. ORD0079-2005.prjdscl.pdf, 6. ORD0079-2005.lbls.pdf, 7. City Council Data FormZ04-049.pdf

Date	Ver.	Action By	Action	Result
11/16/2005	2	MAYOR	Signed	
11/16/2005	2	CITY CLERK	Attest	
11/14/2005	1	Zoning Committee	Taken from the Table	Pass
11/14/2005	2	Zoning Committee	Approved as Amended	Pass
11/14/2005	2	Zoning Committee	Amended as submitted to the Clerk	Pass
11/14/2005	2	COUNCIL PRESIDENT PRO-TEM	Signed	
11/7/2005	1	Zoning Committee	Tabled to Certain Date	Pass
11/7/2005	1	Zoning Committee	Waive the 2nd Reading	Pass
10/24/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
10/21/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
10/21/2005	1	Dev Zoning Drafter	Sent for Approval	
10/21/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
1/13/2005	1	Dev Zoning Drafter	Sent for Approval	

Rezoning Application Z04-049

APPLICANT: AI Limited; c/o Khaled A. Farag; 733 Weston Park Drive; Powell, Ohio 43016.

PROPOSED USE: Multi-family development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on May 12, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The proposed L-AR-12, Limited Apartment Residential District would permit multi-family development with limitations providing for street trees, pedestrian connections and lighting restrictions which is consistent with zoning and development patterns of the area and complies with guidelines contained in the *Interim Hayden Run Corridor Plan* (2004).

To rezone **5191 WILCOX ROAD (43016)**, being 1.09± acres located on the west side of Wilcox Road, 32± feet north of Noor Drive, **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District. (Rezoning # Z04-049)

WHEREAS, application #Z04-049 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.09± acres from R, Rural District, 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 proposed L-AR-12, Limited Apartment Residential District would permit multi-family development with limitations providing for street trees, pedestrian connections and lighting restrictions which is consistent with zoning and development patterns of the area and complies with guidelines contained in the *Interim Hayden Run Corridor Plan (2004)* 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:

5191 WILCOX ROAD (43016), being 1.09± acres located on the west side of Wilcox Road, 32± feet north of Noor Drive, being more particularly described as follows:

LEGAL DESCRIPTION FOR THE 1.09 ACRE TRACT
KNOWN AS 5191 WILCOX ROAD
OWNED BY A.I. LIMITED, LLC

Situated in the State of Ohio, County of Franklin, and being part of the Virginia Military Survey #3012, being a 1.00 acre tract owned by A.I. Limited, trustee by deed of record in INST. #200105080100276, at the Franklin County Recorders Office, and further being described as follows.

Beginning at an iron pin found at a northeast corner of the A.I. Limited tract (O.R. 28839F07) as the POINT OF BEGINNING;

THENCE North 84°07'11"East a distance of 475.65 feet to a point on the east right-of-way of Wilcox Road passing the A.I. Limited tract east property line and the Wilcox Road centerline at 435.65 feet;

THENCE South 06°03'06"East a distance of 100.08 feet to a point on the same east right-of-way;

THENCE South 84°07'11"West a distance of 475.62 feet passing the A.I. Limited tract east property line and the Wilcox Road centerline at 40.00 feet, and passing an iron pin found at 70.00 feet to an iron pin found;

THENCE North 06°04'10"West a distance of 100.08 feet to an iron pin found and the POINT OF BEGINNING;

CONTAINING 1.00 acre of the A.I. Limited tract plus 0.09 acres of the east half of the Wilcox Road right-of-way for a total of 1.09 acres, and subject to all easements and rights-of-way of previous record. This document prepared from an actual field survey on March 2-6, 2000, and from records on file in the Recorder's office, Franklin County, Ohio.

Basis of Bearings: The bearings shown herein are based on Franklin County Monument 4461 and a railroad spike found in the centerline of Wilcox Road, Ohio State Plane Coordinate System. South zone and determines the centerline of Wilcox Road to be North 06°03'06"West.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment 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 District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION TEXT**", signed by Khaled A. Farag, Applicant, dated October 14, 2005, and reading as follows:

LIMITATION TEXT

APPLICATION: Z04-049
PROPOSED DISTRICT: L-AR-12
PROPERTY ADDRESS: 5191 Wilcox Road, Columbus, OH 43016,
Being 0.9± acres located on the west side of Wilcox Road, 32± feet north of Noor Drive.
OWNER: AI Limited; 6265 Riverside Drive, Suite B; Dublin, Ohio 43017.
APPLICANTS: AI Limited c/o Dr. Khaled A. Farag; President & CEO AI Limited 6265 Riverside Drive Suite B, Dublin Ohio 43017.

DATE OF TEXT: October 14, 2005

1. INTRODUCTION: Owner and applicant desire to rezone the property for use as Multi Family with the following L-AR-12 text:
2. PERMITTED USES: The permitted uses of the site will be those allowed by the AR-12 zoning district.
3. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text, the applicable development standards of Chapter 3333.02 (AR-12) Multi Family Zoning District of the Columbus City Codes shall apply.

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

1. The new structure(s) shall comply with the setbacks of the AR-12 District

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

1. The existing unrestricted entrance on Wilcox Road shall temporarily remain open until the existing building is demolished.
2. The existing unrestricted entrance on Wilcox Road shall be closed permanently after demolition of the existing building and completion of construction of the new building(s).
3. The new permanent access to the site shall be on Noor Drive. A new curb cut / approach shall be constructed on Noor Drive (with a minimum width of 36 feet at the property line) **as approved by the City of Hilliard.**
4. An additional driveway or access connecting this site to the private driveway to the north may be constructed subject to review and approval by the Transportation Division.

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

1. The site will be landscaped with non-paved areas maintained as lawn or landscape.
2. Parking lots abutting public road frontage shall be screened with a wall, fence, and earth-mound or hedge 36" minimum in height measured from the parking lot elevation.
3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

4. Street trees (approved by the City Forester) will be installed on Wilcox Road. Street trees on Noor Drive have already been installed.
5. All trees meet the following minimum size at the time of planting: Shade trees 2" caliper; Ornamental trees 1 1/2" caliper; Evergreen Trees 5 Feet in Height. Tree caliper is measured six (6) inches from the ground.
6. Trash dumpster shall be screened on four sides by fencing and/or vegetation with the dumpster opening not visible from Wilcox Road.

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

1. The new structure(s) shall have a pitched roof with a minimum roof pitch of 3/12.

E. Lighting, Outdoors Display Areas, and/or other Environmental Commitments.

1. The lighting of the parking lot shall be a maximum height of 14 feet.
2. The light poles will incorporate either pylon or concrete bases.
3. Lights shall be uniform in design and architecturally compatible/similar to the adjacent developments on Wilcox Rd.
4. External lighting for the proposed building(s) may be used to accent walkways and architectural design.
5. All new wiring shall be underground.
6. Outdoor lighting fixtures shall be equipped with automatic timers/light sensors to shut lights off when not needed.

F. Pedestrian and bicycle paths.

1. Pedestrian walkways have already been installed on Noor Drive by the owner. A 7-foot wide bicycle path will be built on the west side of Wilcox Road along the site frontage within the public right of way. The bike path shall be maintained by the City of Columbus.

G. Graphics and/or Signage Commitments.

All signage and graphics shall conform to Article 15 of the Columbus Graphics Code. Any variance to these requirements will be submitted to the Columbus Graphics Commission for consideration.

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