



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 2642-2021, **Version:** 2

Rezoning Application: Z21-061

APPLICANT: Fair Enough, LLC; 274 Marconi Boulevard, Suite 400; Columbus, OH 43215.

PROPOSED USE: Residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on September 9, 2021.

MIDEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel partially developed with two 5-unit apartment buildings and a 4-unit dwelling in the ARLD, Apartment Residential District. The requested PUD-8, Planned Unit Development District will permit the existing development to remain with the remainder of the parcel to be developed with 40 platted single-unit dwellings, resulting in a total of 54 units on 7.53 acres (7.17 du/acre). The PUD text includes appropriate use restrictions and development standards that address both the existing and proposed residential developments. While the site is not subject to a Council adopted land use plan, the request has been reviewed utilizing *Columbus Citywide Planning Policies (C2P2) Design Guidelines*. The requested PUD-8 will permit residential development with a density that is consistent with the surrounding zoning pattern. Additionally, the submitted text and site plan commit to building materials and design, sidewalk connections, tree preservation, and additional landscaping and fencing along the southern property line, all consistent with C2P2 Design Guidelines.

To rezone **2480-2484 FOREST GREEN CT. (43232)**, being 7.53± acres located on the west side of Weyburn Road, 1,360± feet north of Refugee Road, **From:** ARLD, Apartment Residential District, **To:** PUD-8, Planned Unit Development District (Rezoning #Z21-061) **and to declare an emergency.**

WHEREAS, application #Z21-061 is on file with the Department of Building and Zoning Services requesting rezoning of 7.53± acres from ARLD, Apartment Residential District, to PUD-8, Planned Unit Development District; and

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

WHEREAS, the West Scioto Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed PUD-8, Planned Unit Development District will allow residential development at a density consistent with adjacent zoning districts. The request includes commitments to building materials and design, sidewalk connections, tree preservation, and additional landscaping and fencing along the southern property line, all consistent with C2P2 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 which is critical for this single family-affordable housing project to get in as much construction site prep work prior to the cold and/or rainy seasons before us 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:

2480-2484 FOREST GREEN CT. (43232), being 7.53± acres located on the west side of Weyburn Road, 1,360± feet north of Refugee Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio and is described as follows”

A tract of land lying in the State of Ohio, Franklin County, City of Columbus, being in Section 29, Township 12 North, Range 21 West, Refugee Lands and being land owned by Walnut Builders and recorded in Deed Volume 3352 at Page 530 and more particularly described by metes and bounds as follows:

Beginning at the existing iron pipe which marks the Northwest corner of Helen Development Subdivision (Plat Book 51, Page 72), the Southwest corner of said Walnut Builders property, said point being in the East line of the First Church of God property (instrument No. 1998022300939216);

Thence North 02 degrees 26 minutes 48 seconds East along the east line of the church property 561.19 feet to a 5/8” rebar set with cap (at the Southwest corner of the City of Columbus property as recorded in Deed Volume 3346 at Page 286);

Thence South 87 degrees 27 minutes 48 seconds East 454.24 feet to a 5/8” rebar set with a cap in the west line of Weyburn Road;

Thence in a southeasterly direction along the West line of Weyburn Rd in a curve to the left (said curve having a radius of 235.00 feet, a tangent of 19.95 feet, a central angle of 09 degrees 42 minutes 19 seconds, a chord bearing and distance of South 32 degrees 57 minutes 28 seconds East 39.78 feet) a total arc distance of 39.81 feet to a 5/8’ rebar set with a cap;

Thence South 02 degrees 00 minutes 33 seconds West 91.14 feet to a nail; Thence leaving the west side of Weyburn Rd. North 88 degrees 02 minutes 10 seconds West (passing an existing iron pipe at 0.15 feet) along the North line of said Helen Development Subdivision 638.37 feet to the Point of beginning;

Containing 7.533 acres all in Franklin County, Ohio.

Parcel No: 010-02788

Known as address: 24802484 Forest Green Ct., Columbus, OH 43232

To Rezone From: ARLD, Apartment Residential District,

To: PUD-8, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-8, 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-8, 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, "**FOREST GREEN SUBDIVISION**," dated September 18, 2021, and said text being titled, "**DEVELOPMENT PLAN - PUD-8 DEVELOPMENT TEXT**," dated August 26, 2021, and both signed by Eric J. Ward, Agent for the Applicant, and the text reading as follows:

Development Plan - PUD-8 Development Text

Address: 2480-2484 Forest Green Ct., Columbus 43232

PID: 010-027889

Current Zoning District: ARLD, Apartment Residential District

Requested Zoning District: PUD-8, Planned Unit Development District

Applicant: Eric Ward, 614 216-3828; 7049 Riverside Dr. Dublin OH 43016; Attn: maja9999@yahoo.com
<<mailto:maja9999@yahoo.com>>; Columbus, Ohio 43215;

Owner: Fair Enough, LLC

Date of Text: August 26, 2021

Application No.: Z21-061

1. Introduction: The Site is comprised of 7.53+/- acres, with frontage on Weyburn Road, located approximately 3,000 feet north of the intersection of Refugee Road.

The site is surrounded by residential development to the east and south, a Columbus City park to the north, and a large church open space area to the west.

The property lies within the Mideast Area Commission and has already been presented and approved by them for residential development up to 40 units. This project was initially applied for under a Council variance. It is being changed to a PUD-8 to allow for greater flexibility in the variances, platting, and lot split as planned.

This site (utilities- water, sanitary, and storm infrastructure) was fully developed in the 1970s when the apartments were built. The concept behind the design is to maximize green space and preserve trees by utilizing existing infrastructure with smaller homes, which also minimizing costs, thereby helping provide an affordable product to Columbus.

2. Permitted Uses: The permitted uses shall be the development of a maximum of 40 new, detached single-unit dwellings on platted lots, and two 5-unit apartment buildings and one 4-unit apartment building (currently existing on Lot A).

A. Dwelling units may be used as model homes for the purpose of marketing and sales. A paved parking lot shall be permitted on a lot or lots adjacent to model homes to provide off-street parking for model homes.

3. Development Standards: Unless otherwise noted on the site plan or in this text, the applicable development standards for the single-unit dwellings on platted lots and the existing multi-unit residential development on Lot A shall be the standards of Chapter 3332, Residential District as applicable to the R-4, Residential District, of the Columbus City Codes

A. Density, Height, Lot and/or Setbacks Commitments:

1. There shall be a maximum of 40 single-unit dwellings on platted lots and a maximum of 14 multi-family dwelling units on Lot A totaling 54 dwellings on 7.53 acres resulting in a gross density of 7.17 dwelling units per acre.

2. The minimum Side Yard permitted on one side of each lot platted shall be five (5) feet and at total least 20% of lot width, with a minimum of ten feet (10') of separation between dwelling units. There is no required perimeter yard.

3. Corner lots (#9, 12, 13, 28, 31, 32) shall have a minimum 10' side yard setback from the private drive. The existing buildings (apartment units on Lot A) shall have a minimum of 10' setback from the drive right of way. The existing carport at the north end of Forest Green Ct. shall remain as is, where-is (straddling 2 parcels).

4. Rear Yard shall be no less than 15' (and no less than 15%) for all platted lots. Lot A (existing apartments) shall have a minimum of 10' perimeter setback around entire Lot A with 25' setback off of Weyburn Rd.

5. Lot width shall be a minimum of 40' wide except at cul-de-sacs and pie shaped lots, which shall have a minimum of 30' at building setback line, and 80' deep, and a minimum lot size of 2500 sf.
6. Area requirements shall be a minimum of 2500 sf per dwelling unit including cul-de-sac and irregular shaped lots.
7. Fronting shall be on a private drive with a minimum of 25' building setback.
8. The (2) five-unit dwellings on Weyburn Rd. shall have a 25' setback.
9. Platted lots shall operate under a master Home Owner's Association that will include 40 new lots, the streets, and the existing 14-unit apartment complex. This HOA will be responsible for street and utility maintenance and repair, and charges incurred through Columbus for water service. The existing streets (Walnut and Forest Green) will have easements allowing the existing apartments to use.

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

1. Vehicular access will be from the existing private drive, Forest Green Ct. and Walnut Drive, and in accordance with the review and approval of the City of Columbus Department of Public Service, Traffic Management Division.
2. The new streets will be private. There will be no parking on streets.
3. The second parking space, if not in a covered garage, will be a minimum 9'x18' off street space stacked behind the garage.
4. There will be signs every 200 feet indicating unauthorized parking will be towed.
5. The Developer shall install a 4' wide leisure path along the inside of the site connecting to the existing sidewalk to the east on Weyburn and extend along Weyburn the length of the property, per attached site plan.

C. Buffering, Landscape, Drainage, Open Space and/or Screening Commitments:

1. Developer shall install street trees along all internal roads at a rate of 1 per lot.
2. Developer shall install street trees along Weyburn Road at a rate of 2 per 100 linear feet which may be evenly spaced or grouped.
3. Developer will keep as many trees as possible within 10' of the site perimeter along the north, south, and west sides as shown on the Development Plan. There shall be no tree or brush removal with the exception of growth that is determined to be poisonous or a public health or safety concern by the City Health Department or City Recreation and Parks Department. It is the intent of this provision to allow existing trees and brush within the 10' perimeter buffer area to remain undisturbed to the greatest extent practicable in order to buffer new development from neighbors to south, north, and west.
4. Developer will insure that there is a deciduous tree at least every 50' along south property line within the 10' buffer area, by either verifying existing trees or planting new trees.
5. Developer will also build a 6' high opaque privacy fence along south property line.
6. There shall be 32,600 sf of PUD open space, including detention pond, located in the south side of the Site as depicted on the PUD Plan.

7. With the exception of requirements that may be imposed by the Department of Public Utilities with regard to location and specifications of sanitary sewer and water line installation, the developer shall use best construction practices, including construction fencing and signage as needed, so as to preserve the existing trees during the course of construction activities on site.

8. Final parkland, open space, and or the preservation of trees may be modified based upon final engineering and/or utilities (storm water or sewer lines) as required by the Department of Public Utilities or other City Departments, as may apply.

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

1. The main exterior building materials will be wood, wood composition, brick, brick veneer, stone, stone veneer, vinyl, beaded vinyl or cultured stone, metal, glass and/or a combination thereof. There shall be pitched roofs for each unit. All units will have min. 30-year architectural shingles or metal roofs.

2. The minimum square footage shall be 800 square feet for single story homes and 1,200 square feet for two story homes, or above. All dwelling units will be one or two stories.

E. Dumpsters, Lighting and other environmental commitments:

N/A

F. Graphics and Signage Commitments:

All signage and graphics for shall conform to the Columbus Graphics Code as it applies to R-4 zoning classification. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

G. Modifications of Code Standards:

1. Section 3332.05(A)(4)(B)(4), Area district lot width requirements: reduced lot width for single-unit dwellings on platted lots from 50' to 40', and on cul-de-sacs from 40' to 30'.

2. Section 3332.15, R-4 area district requirements: reduce the minimum lot size for single-unit dwellings on platted lots from 5,000 square feet to 2,500 square feet.

3. Section 3332.19, Fronting: to permit 35 single-unit dwellings on platted lots to front on a private drive as shown on the submitted site plan. The remaining 5 lots are on an existing public street.

4. Section 3332.27, Reduce the Rear yard requirement from 25% of each lot to 15%.

H. Miscellaneous:

The applicant has submitted a Site Plan as part of its rezoning application. The site shall be developed in accordance with the submitted Site Plan dated September 18, 2021 and titled "**FOREST GREEN SUBDIVISION.**" The 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 adjustments to the plans 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 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