



Legislation Text

File #: 1979-2017, **Version:** 2

Rezoning Application: Z16-054

APPLICANT: Homewood Corporation; c/o Laura MacGregor Comek, Atty.; 300 East Broad Street, Suite 450; Columbus, OH 43215.

PROPOSED USE: Commercial and mixed-residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Disapproval (based on Conditional Approval recommendation (3-1) on June 8, 2017, with Staff conditions not being satisfied).

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The site is undeveloped and zoned in the NE, Neighborhood Edge, NC, Neighborhood Center, and R, Rural districts. The existing NE and NC districts (Z01-064) permit 650 units. The requested CPD, Commercial Planned Development District (6.39 acres; Subarea 1) proposes limited C-4 and all C-5 uses with commitment to some Community Commercial Overlay standards, and a private dog shelter. The proposed dog shelter is also subject to concurrent Council variance (Ordinance # 1980-2017; CV17-020) to permit outdoor runs in the commercial district subject to approval of a Special Permit by the Board of Zoning Adjustment. The requested PUD-8, Planned Unit Development District (63.71 acres; Subareas 2-4) will permit 260 multi-unit residential units and 131 single-unit dwellings for a total of 391 dwelling units at a net density of 6.31 units/acre with 20± acres of provided open space. The site lies within the planning area of the *Southeast Area Plan* (2000), which recommends "Neotraditional Village/Neighborhood" and "Park" uses for this location. The Plan recommends traditional neighborhood development (TND) standards for mixed-use development. Although the use of TND zoning districts is not required, the underlying principles should be incorporated into new developments. TND elements include the use of open space as an organizational element, the placement of parking behind buildings, bicycle/pedestrian connectivity, buildings that address the street and open spaces and that foster walkability. Another neotraditional element is dwellings that do not have garage-forward designs. While the proposal includes appropriate use restrictions, substantial natural resource preservation, and incorporates many neotraditional elements, staff recommends disapproval because the applicant has not agreed to Planning Division's request to limit garage-forward dwelling designs and to provide minimum 100 square foot front porches which are important neotraditional elements recommended by the Plan and which have been provided in other residential developments in the area.

To rezone **6261 WRIGHT ROAD (43130)**, being 74.38± acres located at the southeast corner of Wright Road and Gender Road, **From:** NE, Neighborhood Edge, NC, Neighborhood Center, and R, Rural districts, **To:** CPD, Commercial Planned Development, and PUD-8, Planned Unit Development districts (Rezoning # Z16-054). **(AMENDED BY ORD. 3171-2017; PASSED 12/11/2017)**

WHEREAS, application # Z16-054 is on file with the Department of Building and Zoning Services requesting rezoning of 74.38± acres from NE, Neighborhood Edge, NC, Neighborhood Center, and R, Rural districts, to the CPD, Commercial Planned Development, and PUD-8, Planned Unit Development districts; and

WHEREAS, the Development Commission recommends disapproval of said zoning change because two conditions

requested by staff are unmet; and

WHEREAS, the Greater South East Area Commission recommends approval; and

WHEREAS, the City Departments recommend disapproval of said zoning change because, while the proposal includes appropriate use restrictions, significant natural resource protection, and incorporates many neotraditional elements, the applicant has not agreed to Planning Division's request to limit garage-forward dwelling designs and to provide minimum 100 square foot front porches in Subarea 3 which are important neotraditional elements recommended by the Plan and which have been provided in other residential developments in 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:

6261 WRIGHT ROAD (43130), being 74.38± acres located at the southeast corner of Wright Road and Gender Road, and being more particularly described as follows:

**SUBAREA 1
6.39 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 12, Township 11, Range 21, Congress Lands, being part of that tract of land conveyed to George A. Skestos Jr. IRT One by deed of record in Instrument Number 201402130018764 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at a northwesterly corner of said Skestos tract, in the southerly right-of-way line of Wright Road;

Thence with said southerly right of way line the following courses and distances:

South 84° 38' 24" East, a distance of 300.00 feet to a point;

North 05° 25' 56" East, a distance of 25.00 feet to a point; and

South 84° 38' 24" East, a distance of 222.40 feet to a point;

Thence crossing said Skestos tract the following courses and distances:

South 04° 19' 34" West, a distance of 406.12 feet to a point;

South 49° 19' 34" West, a distance of 170.83 feet to a point;

North 85° 40' 26" West, a distance of 284.85 feet to a point;

North 04° 19' 34" East, a distance of 25.41 feet to a point; and

North 85° 37' 16" West, a distance of 156.50 feet to a point in the easterly right-of-way line of Gender Road;

Thence North 04° 19' 34" East, with said easterly right-of-way line, a distance of 450.25 feet to a point;

Thence North 52° 14' 09" East, with said easterly right of way line, a distance of 53.02 feet to the POINT OF BEGINNING, containing 6.39 acres of land, more or less.

To Rezone From: R, Rural, and NC, Neighborhood Center districts,

To: CPD, Commercial Planned Development District.

**SUBAREA 2
20.32 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 12, Township 11, Range 21, Congress Lands, being part of that tract of land conveyed to George A. Skestos Jr. IRT One by deed of record in Instrument Number 201402130018764 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of said Skestos tract in the easterly right-of-way line of Gender Road;

Thence North 04° 19' 34" East, with said easterly right-of-way line, a distance of 835.51 feet to a point;

Thence crossing said Skestos tract the following courses and distances:

South 85° 37' 16" East, a distance of 156.50 feet to a point;

South 04° 19' 34" West, a distance of 25.41 feet to a point;

South 85° 40' 26" East, a distance of 284.85 feet to a point;

North 49° 19' 34" East, a distance of 170.83 feet to a point; and

South 39° 52' 59" East, a distance of 1293.07 feet to a point in the northerly line of that tract conveyed to Tiger Construction Inc. by deed of record in Official Record 29917D20;

Thence North 85° 49' 32" West, with said northerly line, a distance of 1463.78 feet to the POINT OF BEGINNING, containing 20.32 acres of land, more or less.

To Rezone From: R, Rural, NE, Neighborhood Edge, and NC, Neighborhood Center districts,

To: PUD-8, Planned Unit Development District.

**SUBAREA 3
13.19 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 12, Township 11, Range 21, Congress Lands, being comprised of a part of each of those tracts of land conveyed to George A. Skestos Jr. IRT One by deeds of record in Instrument Numbers 201402130018764 and 201402130018765 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a northwesterly corner of said Skestos tracts, in the centerline of Wright Road;

Thence South 05° 25' 56" West, crossing the right of way of said Wright Road, a distance of 25.00 feet to a point in the

southerly right of way line of said Wright Road;

Thence with said southerly right of way line the following courses and distances:

South 84° 38' 24" East, a distance of 222.40 feet to the TRUE POINT OF BEGINNING for this description;

South 84° 38' 24" East, a distance of 576.76 feet to a point of curvature to the right;

With the arc of said curve, having a central angle of 15° 05' 33", a radius of 691.22 feet, an arc length of 182.08 feet, a chord bearing of South 77° 05' 37" East and a chord length of 181.55 feet to a point; and

South 69° 32' 51" East, a distance of 146.66 feet to a point;

Thence crossing said Skestos tracts the following courses and distances:

South 20° 27' 09" West, a distance of 743.51 feet to a point;

South 50° 07' 01" West, a distance of 225.59 feet to a point;

North 39° 52' 59" West, a distance of 758.45 feet to a point; and

North 04° 19' 34" East, a distance of 406.12 feet to the TRUE POINT OF BEGINNING, containing 13.19 acres of land, more or less.

**SUBAREA 4
34.48 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 12, Township 11, Range 21, Congress Lands, being comprised of a part of each of those tracts of land conveyed to George A. Skestos Jr. IRT One by deed of record in Instrument Numbers 201402130018764 and 201402130018765 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the southeasterly corner of said 68.359 acre tract, in the westerly line of that tract conveyed to Board of Park Commissioners of The Columbus and Franklin County Metropolitan Park District by deed of record in Instrument Number 199901080006518, the northeasterly corner of that tract conveyed to Tiger Construction Inc. by deed of record in Official Record 29917D20;

Thence North 85° 49' 32" West, with the northerly line of said Tiger Construction tract, a distance of 1218.77 feet to a point;

Thence crossing said Skestos tracts the following courses and distances:

North 39° 52' 59" West, a distance of 534.62 feet to a point;

North 50° 07' 01" East, a distance of 225.59 feet to a point; and

North 20° 27' 09" East, a distance of 743.51 feet to a point in the southerly right of way line of Wright Road;

Thence with said southerly right of way line the following courses and distances:

South 69° 32' 51" East, a distance of 1016.83 feet to a point of curvature to the right;

With the arc of said curve, having a central angle of 11° 24' 54", a radius of 691.19 feet, an arc length of 137.71 feet, a chord bearing of South 63° 50' 24" East and chord length of 137.48 feet to a point;

South 58° 07' 57" East, a distance of 84.42 feet to a point of curvature to the left; and

With the arc of said curve, having a central angle of 04° 22' 39", a radius of 661.61 feet, an arc length of 50.55 feet, a chord bearing of South 60° 19' 16" East and a chord length of 50.54 feet to the northwesterly corner of said Park District tract;

Thence South 04° 26' 08" West, with the westerly line of said Park District tract, a distance of 857.30 feet to the POINT OF BEGINNING, containing 34.48 acres of land, more or less.

To Rezone From: NE, Neighborhood Edge, and NC, Neighborhood Center districts,

To: PUD-8, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development and PUD-8, Planned Unit Development districts 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 change on the said original zoning map and shall register a copy of the approved PUD-8, Planned Unit Development and CPD, Commercial Planned Development districts and Application among the records of the Department of Building and Zoning Services as required by Sections 3311.09 and 3311.12 of the Columbus City Codes; said plans being titled, "CPD/PUD PLAN," "SITE PLAN," "SITE PLAN ENLARGEMENT," "PUD TEXT - EXHIBIT A," and "PUD TEXT - EXHIBIT B," all dated July, 10, 2017, and said text being titled, "PLANNED UNIT DEVELOPMENT TEXT AND CPD TEXT," all dated July 10 31, 2017, and all being signed by Laura MacGregor Comek, Attorney for the Applicant, and the text reading as follows:

(SEE ATTACHMENT FILE TITLED, "ORD1979-2017_PUD & CPD_TEXT_AMENDED".)

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