



# City of Columbus

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

## Legislation Text

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**File #:** 1994-2005, **Version:** 1

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### **REZONING APPLICATION # Z05-048**

**APPLICANT:** Dominion Homes; c/o George R. McCue, Atty.; Crabbe, Brown and James LLP; 500 South Front Street, Suite 1200; Columbus, Ohio 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on October 13, 2005.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested PUD-6, Planned Unit Development District will allow a maximum of 102 detached single-family dwellings on private streets with a proposed density of 5.95 units per acre and 3.94 acres of provided open space. The PUD plan and notes provide customary development standards such as street trees, sidewalks, exterior building materials, parking/towing provisions, and adequate landscaped buffer areas. The open space includes tree preservation areas, and 1.72± acres that will be dedicated to Columbus Recreation and Parks Department to protect the ravine located in the southwestern part of the site. The proposal is consistent with the land use recommendation of *The Far North Plan* (1994), and the zoning and development patterns of the area.

To rezone **220 PARK ROAD (43235)**, being 17.55± acres located on the north side of Park Road, 1059± feet east of Flint Road, **From:** R, Rural District, **To:** PUD-6, Planned Unit Development District (Rezoning # Z05-048).

**WHEREAS**, application #Z05-048 is on file with the Building Services Division of the Department of Development requesting rezoning of 17.55± acres from R, Rural District, to PUD-6, Planned Unit Development 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 PUD-6, Planned Unit Development District will allow a maximum of 102 detached single-family dwellings on private streets with a proposed density of 5.95 units per acre and 3.94 acres of provided open space. The PUD plan and notes provide customary development standards such as street trees, sidewalks, exterior building materials, parking/towing provisions, and adequate landscaped buffer areas. The open space includes tree preservation areas, and 1.72± acres that will be dedicated to Columbus Recreation and Parks Department to protect the ravine located in the southwestern part of the site. The proposal is consistent with the land use recommendation of *The Far North Plan* (1994) and 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:

**220 PARK ROAD (43235)**, being 17.55± acres located on the north side of Park Road, 1059± feet east of Flint Road:

**17.550 ACRES**  
**NORTH OF PARK ROAD AND EAST OF FLINT ROAD**

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 53 and 54, Section 2, Township 2, Range 18, of the United States Military District and being all of the 13.4734 acre tract conveyed to the Board of Education Worthington City School District by deed of record in Deed Book 851, Page 847 and all of the remainder of an original 6.00 acre tract conveyed to the Board of Education of the Worthington Exempted Village School District by deed of record in Deed Book 2879, Page 295, all records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Begin for Reference at Franklin County Monument FCGS 2252 at the centerline intersection of Park Road (width varies) and Flint Road (60 feet in width);

Thence North 31°57'12" East, a distance of 693.03 feet, along the centerline of said Flint Road to a PK nail found at the northwest corner of a 2.419 acre tract conveyed to Susan A. Mamone by deed of record in Deed Book 3724, Page 395, being a common corner to said 13.4734 acre tract and the Point of True Beginning for the herein described tract;

Thence North 31°57'12" East, a distance of 73.78 feet, continuing along the centerline of said Flint Road to a PK nail found at the southwest corner of a 0.5146 acre tract conveyed as (Parcel One) to Marilyn L. Dula by deed of record in Instrument 200407260172006, being a common corner to said 13.4734 acre tract;

Thence South 85°40'01" East, a distance of 291.69 feet, passing an iron pin found (Bird & Bull cap) at 33.86 feet, along the southerly line of said 0.5146 acre tract, a line common to said 13.4734 acre tract, to an iron pin found (pinch top) at the southeast corner of said 0.5146 acre tract, also being a common corner to said 13.4734 acre tract;

Thence North 12°02'29" East, a distance of 200.00 feet, passing an iron pin found (3/4") at 97.85 feet, along the easterly lines of said 0.5146 acre then a 0.483 acre tract conveyed as (Parcel Two) to Marilyn L. Dula by deed of record in Instrument 200407260172006, a line common to said 13.4734 acre tract, to an iron pin found (Bird & Bull cap) at the northeast corner of said 0.483 acre tract, also being a common corner to said 13.4734 acre tract, and being in the southerly line of a 1.002 acre tract conveyed to Julia A. Norman and Jeanne Norman by deed of record in Instrument 200410260247093;

Thence South 85°40'38" East, a distance of 982.24 feet, passing iron pins found (Patridge cap) at 215.56 feet, 324.45 feet, and 596.47 feet, along the northerly line of said 13.4734 acre tract, being a line common to said 1.002 acre tract, a 0.261 acre tract conveyed to John P. Starks and Narcissia V. Starks by deed of record in Official Record 25010 A-15, a 0.677 acre tract conveyed to Willie H. Caudill by deed of record in Instrument 200211180293519, a 0.499 acre tract conveyed to Lawrence Bolden by deed of record in Instrument 199707280056321 and a 0.558 acre tract conveyed to Helen O. Epps by deed of record in Official Record 19450 I-05, at the northwest corner of a 8.117 acre tract conveyed to Norfolk & Western RY. Co. by deed of record in Deed Book 2599, Page 623, reference by a post found (0.31'south);

Thence South 02°52'04" East, a distance of 452.66 feet, along the westerly right-of-way line of said Norfolk & Western RY. Co., a line common to said 13.4734 acre tract to the northeast corner of a 1.826 acre tract conveyed to Instalube and Tire Co. by deed of record in Instrument 199803270071666, reference by an iron pin found (Bird & Bull cap) 0.09' east, a common corner to said 13.4734 acre tract;

Thence North 86°42'06" West, a distance of 200.00 feet, along the northerly line of said 1.826 acre tract, a line common to said 13.4734 acre tract, to an iron pin found (Bird & Bull cap) at the northwest corner of said 1.826 acre tract, a common corner to said 13.4734 acre tract;

Thence South 02°52'02" East, a distance of 400.00 feet, passing an iron pin found (Bird & Bull cap) at 379.88 feet, along the westerly line of said 1.826 acre tract, a line common to said 13.4734 acre tract, to a railroad spike found in the centerline of said Park Road at the southwest corner of said 1.826 acre tract, a common corner to said 13.4734 acre tract;

Thence North 86°42'07" West, a distance of 504.64 feet, passing a railroad spike found at 294.90 feet, at the southeast corner of said original 6.00 acre tract, along the centerline of said Park Road to a railroad spike set, being located South 86°42'07" East, a distance of 1058.78 feet along the said centerline from Franklin County Monument FCGS 2252, said railroad spike set being the southeast corner of a 6.274 acre tract conveyed to City of Columbus by deed of record in Instrument 200503160048271;

Thence North 43°45'41" West, a distance of 520.92 feet, passing an iron pin set at 29.36 feet, along the easterly line of said 6.274 acre tract, a line common to said original 6.00 acre tract, to an iron set at the northeast corner of said 6.274 acre tract, a common corner to said original 6.00 acre tract;

Thence North 86°51'48" West, a distance of 6.57 feet, along the northerly line of said 6.274 acre tract to an iron pin found (Bird & Bull cap) at the southeast corner of said 2.419 acre tract, a common corner to said 13.4734 acre tract;

Thence North 01°37'14" East, a distance of 268.30 feet, along the easterly line of said 2.419 acre tract, a line common to said 13.4734 acre tract, to an iron pin found (Bird & Bull cap) at the northeast corner of said 2.419 acre tract, a common corner to said 13.4734 acre tract;

Thence North 89°16'48" West, a distance of 331.01 feet, passing an iron pin found (Bird & Bull cap) at 295.93 feet, along the northerly line of said 2.419 acre tract to the Point of True Beginning, containing 17.550 Acres, (there being 14.280 acres from Parcel Number 610-216466 and 3.270 acres from Parcel Number 610-216460) more or less and being subject to all easements, restrictions and rights-of-way of record.

The bearings shown herein are based on the grid bearing of North 31°57'12" East for the centerline of Flint Road as measured between Franklin County Engineer's Monuments FCGS 2252 and FCGS 8856 as determined by a GPS network of field observations performed in August, 2005, (State Plane Coordinate System, South Zone, 1986 Adjustment).

All iron pin set are ¾ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "R.D. Zande".

Based on an actual field survey performed by R.D. Zande & Associates, Inc.

**To Rezone From:** R, Rural 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 plan being titled, "**VILLAGE AT FLINT PARK,**" and said notes being titled "**VILLAGE AT FLINT PARK - PUD PLAN NOTES,**" both dated November 3, 2005, and signed by George R. McCue, Attorney for the Applicant, and the notes reading as follows:

**DOMINION HOMES  
VILLAGE AT FLINT PARK - PUD PLAN NOTES  
November 3, 2005**

1. The street alignments shall be developed as shown on this plan, however, they are subject to refinement with final engineering and may be adjusted to reflect engineering, topographical, or other site data established at the time development and engineering plans are completed. The Director of Development or the Director's designee may approve minor adjustments to the street alignments upon submission of the appropriate data regarding the proposed adjustment.
2. The Developer shall install an eastbound left turn lane, 175 feet in length, on Park Road at the entrance to the development. This left turn lane will be constructed to the specifications of the City of Columbus, Transportation Division. Prior to construction, the Developer will pay the appraised fair market value or an agreed negotiated value for any right-of-way needed in addition to that which already exists and which cannot otherwise be acquired by the developer and dedicated to the City for right-of-way purposes to build the eastbound left turn lane into the site.
3. An entry structure will be constructed near the entrance into the development, and shall be set back a minimum distance of 15 feet from the Park Road right-of-way, as well as a minimum of 15 feet from the easement line of the entrance drive into the development. The footprint of this structure shall not exceed 300 square feet. The structure shall be no more than 25 feet in height.
4. A median will be constructed within the entranceway to the development. It shall be no more than 150 feet in length. On either side of the median, the street will be a minimum of 14 feet wide, and no parking shall be permitted. Within this median will be planted a minimum of five (5) ornamental trees, and other perennial plantings.

5. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building or a model home, with appurtenant parking, may be used as a sales office during the development of the project and the construction of homes therein.

**With Regard to Landscaping, the Following Commitments Are Made (Notes 6 Through 11):**

6. The Developer shall install the equivalent of one street tree per dwelling unit and two street trees per corner dwelling unit. Street trees shall be installed along the roadways, alleys, and entry areas. Street trees shall be 2-inch caliper, and species shall not be mixed on individual streets. The Developer reserves the right to install trees in the most appropriate locations, based on field conditions.

7. The Developer shall install within the open space along Park Road, the equivalent of one tree per each dwelling unit which has frontage along Park Road, as well as a taxus hedge between each tree.

8. A minimum ten (10)-foot wide buffer (or wider, as noted on the site plan) along the northern and western boundaries which abut existing single-family lots, shall remain in its current condition (demarcated as "Tree Preservation Area" on the site plan). This area consists of brush and trees, and provides a significant buffer for the neighboring lots. A minimum fifteen (15)-foot wide landscape buffer area shall abut this "Tree Preservation Area" along the northern and western boundaries which abut existing single-family lots (as noted on the site plan). This "Tree Preservation Area" and/or landscape buffer area will be supplemented with evergreen, deciduous, and/or ornamental trees to further buffer the neighboring lots. The number of trees added to this area will be equivalent to one (1) tree for every fifteen (15) linear feet as measured along the northern and western property lines, and the trees will be spaced and/or grouped to provide the best landscaped appearance, as well as to maximize the buffer to the neighboring lots. Developer is permitted to remove dead, diseased, or dying trees and brush, and may also remove trees and brush as necessary for installation of utilities within this "Tree Preservation Area" and landscape buffer area.

9. The border of the site which abuts existing commercial property will be planted with trees to create a natural buffer. The trees within this buffer shall be provided at a rate of 1 tree per 15 feet, along the existing commercial property's western property line and the portion of its northern property line adjacent to this site. Trees may be clustered in groups of 5 to 7 trees. A total of 21 trees shall be provided along the western property line, and a total of 13 trees shall be provided along the northern property line of the commercial property. The tree species may be a mixture of Green Colorado Spruce, Serbian Spruce and/or Douglas Fir.

10. The minimum size of all trees at installation shall be 5 feet in height for evergreen trees, 2-inch caliper for deciduous trees, and 1.5-inch caliper for ornamental trees. Caliper is measured six (6) inches from the ground at the time of planting.

11. All landscaping installed by the Developer shall be maintained in a healthy state. Any dead materials shall be removed and replaced with like materials within six (6) months or the next planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

12. The Applicant will comply with applicable parkland dedication requirements of the Columbus City Code. Land transferred to the City pursuant to the parkland dedication ordinance shall be transferred by deed at the time zoning clearance is approved if the dwellings are developed as a condominium, or at the time the final plat is accepted if the dwellings are developed on platted lots.

13. This development provides approximately 3.94± acres of open space, consisting of ponds, tree preservation, landscape buffer, and open space areas, as illustrated on the Development Plan. This area shall be owned and maintained by the condominium/homeowner's association to be established for the development.

14. Developer shall install decorative street lamps at regular intervals similar to City of Columbus standard spacing.

15. Concrete sidewalks shall be provided by the developer on both sides of private streets, except for single-loaded streets, which shall have sidewalks on the house side of the street only. Pursuant to City Code, a sidewalk will be installed along the Park Road frontage of the development.

16. On private streets: the minimum building setback shall be 31 feet measured from the centerline of the street. Porches may encroach setback areas up to eight (8) feet. Minimum side yard building setback on corner lots shall be 25.5 feet measured from the centerline of the street and 20.5 feet measured from the centerline of the alley.

17. Minimum separation between buildings shall be 6 feet, unless otherwise permitted by the Director of the Department of Development, or the Director's designee.

18. Dwellings may be developed on platted lots or as a condominium.

19. If single family lots are platted, the following minimum standards shall apply: lot width: 36 feet, lot area: 2,700 sq. Ft., front building setback: 12 feet from front property line, side yard: 3 feet, total side yard: 6 feet, rear yard 3 feet, maximum building coverage: 60%.

20. Private streets shall be at least 22 feet in width. All alleys shall be private and shall be at least 12 feet in width. Intersection details, including turning radii and tapers, will comply with the City of Columbus standards for 22-foot wide streets and 12-foot wide lanes, as depicted on the development plan.

21. Garages shall be provided off of alleys and shall provide at least two (2) enclosed parking spaces per dwelling unit. A maneuvering area of 18.5 feet, including alley, shall be provided behind all garages. Garage footprints shall not exceed 720 square feet. Garage height shall not exceed 15 feet.

22. The front facade of homes will include a natural materials element on a portion of the facade. Natural materials shall include brick, stone (cultured or synthetic), stucco, cedar, or cementitious fiber board.

23. Parking is not to be allowed anywhere but in garages, on streets as set forth in note 24, below, and in driveways where applicable. There will be no parking allowed in alleys. In conjunction with note 24, below, the owner, developer, their successors and assigns (including the condominium/homeowner association) must provide and maintain adequate and proper signage to designate all no-parking zones.

24. Parking restrictions shall be controlled by appropriate signage displayed within the development and will provide that parking shall be limited to one side of the street and that no parking shall be permitted on either side of any street within 25 feet of street intersections. Fire hydrants shall be located on the side of the street where no parking is permitted. Enforcement by the condominium/homeowner association shall be established by the rules and regulations of the condominium/homeowner association.

25. The owner, developer and or the condominium/homeowner association must establish and maintain an agreement(s) with private towing company(s), which agreements authorize the private towing company(s) to remove/tow any vehicles parking in 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 association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement/ removal/ towing, as required above. Towing agreements shall be filed with the City of Columbus Division of Fire, Fire Prevention Bureau, upon execution of said agreement(s).

26. Signage regulating parking shall be installed consistent with City signage requirements for private streets, and parking requirements shall be enforced through an agreement between the condominium/homeowner association and a private towing company. Such agreement, together with the association's governing documents, shall be filed with the City consistent with Columbus City Code §3320.15(A)(6).

27. The owner, developer, or the condominium/homeowner association, as applicable, shall 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 or alleys.

28. The Board of Zoning Adjustment (BZA) shall be the body to hear any and all variance requests, limited only to site development standards, including any and all specific site development standards included in and depicted on this plan.

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