



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 1037-2013, **Version:** 2

Rezoning Application Z13-026

APPLICANT: Dominion Homes, Inc.; c/o Robert A. Meyer, Jr., Atty.; Porter, Wright, Morris & Arthur LLP; 41 South High Street; Columbus, Ohio 43215.

PROPOSED USE: Single-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on April 11, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is mostly undeveloped except for a 3.5± open space/retention area, and is zoned in the NG, Neighborhood General District (Z03-104C). The applicant requests a rezoning to the NE, Neighborhood Edge District. The proposal includes a decrease in dwelling units from 36 to 24 and changes the internal circulation by removing alley-based dwellings. A companion Council Variance (CV13-018) is under consideration to vary the garage setback and tree planting pattern requirements in the NE District. The proposal remains consistent with the land use recommendations of the *Rocky Fork/Blacklick Accord* (2003), for Traditional Neighborhood Development, and is compatible with the zoning and development patterns of the area.

To rezone **5103 CENTRAL COLLEGE ROAD (43081)**, being 8.6± acres located at the southeast corner of Central College Road and Sedgemoor Drive, **From:** NG, Neighborhood General District, **To:** NE, Neighborhood Edge District **and to declare an emergency** (Rezoning # Z13-026).

WHEREAS, application # Z13-026 is on file with the Building Services Division of the Department of Development requesting rezoning of 8.6± acres from NG, Neighborhood General District to NE, Neighborhood Edge District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes this development will have bike racks located in the park enabling residents to choose an active lifestyle, and sidewalks that are at least five feet wide which creates a more walkable environment; 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 NE, Neighborhood Edge District results in a decrease in density, remains consistent with the land use recommendations of the *Rocky Fork/Blacklick Accord* for Traditional Neighborhood Development, and is compatible with the zoning and development patterns of the area; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to pass this ordinance as the Applicant requires the ability to seek and secure prompt City approval of development plans, including an amended regulating plan, to proceed with an orderly schedule for development and ensure compliance with the Zoning Code; 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:

5103 CENTRAL COLLEGE ROAD (43081), being 8.6± acres located at the southeast corner of Central College Road and Sedgemoor Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 15, Township 2, Range 16, United States Military Lands, being out of the remainder of that 60.492 acre tract conveyed to Dominion Homes, Inc., by deed of record in Instrument Number 200311040353156, and part of Sedgemoor Drive, of record in Plat Book 113, Page 97 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at the intersection of the southerly right-of-way line of Central College Road with the centerline of said Sedgemoor Drive, being in the southerly line of that 0.577 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200904030047118;

Thence South 86° 29' 28" East, with the southerly right-of-way line, with the northerly line of the remainder of that 60.492 acre tract, a distance of 239.49 feet to a point in the westerly line of that tract conveyed to Jennifer M. Moore by deed of record in Instrument Number 200609280194380;

Thence South 03° 30' 32" West, with the easterly line of the remainder of said 60.492 acre tract, a distance of 250.00 feet to a point;

Thence South 86° 29' 28" East, with the northerly line of the remainder of said 60.492 acre tract, a distance of 500.00 feet to a point in the westerly line of that tract conveyed to Marjorie G. Bevelhymmer, Trustee of the Marjorie G. Bevelhymmer Trust by deed of record in Instrument Number 200005120093584;

Thence South 03° 36' 10" West, with the easterly line of the remainder of said 60.492 acre tract, a distance of 344.21 feet to a point;

Thence across the remainder of said 60.492 acre tract, the following courses and distances:

North 86° 27' 50" West, a distance of 191.09 feet to a point;

South 03° 32' 10" West, a distance of 33.00 feet to a point; and

North 86° 27' 50" West, a distance of 678.00 feet to a point in the centerline of Sedgemoor Drive;

Thence with the centerline of Sedgemoor Drive, the following courses and distances:

North 03° 32' 10" East, a distance of 116.91 feet to a point of curvature; with the arc of said curve to the right, having a central angle of 24° 44' 50", a radius of 254.22 feet, an arc length of 109.80 feet, a chord bearing and distance of North 15° 54' 35" East, 108.95 feet to a point of tangency;

North 28° 17' 00" East, a distance of 216.26 feet to a point of curvature;

Thence with the arc of said curve to the left, having a central angle of 24° 46' 28", a radius of 175.00 feet, an arc length of 75.67 feet, a chord bearing and distance of North 15° 53' 46" East, 75.08 feet to a point of tangency; and

Thence North 03° 30' 32" East, a distance of 133.79 feet to the POINT OF BEGINNING, and containing 8.6 acre of land, more or less.

This description is for zoning purposes only and NOT to be used for transfer.

To Rezone From: NG, Neighborhood General District,

To: NE, Neighborhood Edge District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the NE, Neighborhood Edge 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 NE, Neighborhood Edge District and Application among the records of the Department of Building and Zoning Services as required by Section 3320.13 of the Columbus City Codes; said plans being titled, "**VILLAGE AT ALBANY CROSSING SHEETS 1-6**," and TND principles statement titled, "**ALBANY CROSSING TND PRINCIPLES STATEMENT**," all signed on April 18, 2013 by Robert A. Meyer, Jr., Attorney for the Applicant.

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.