



Legislation Text

File #: 1890-2006, **Version:** 1

REZONING APPLICATION # Z06-045

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

PROPOSED USE: Single-family and multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on September 14, 2006.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested PUD-6, Planned Unit Development District will allow a maximum of 1,554 single-family and multi-family residential units with an overall gross density of 4.99 units/acre and 54.5± acres of provided open space. Included in the request is a 5.5± acre Limited Institutional District intended for a police and/or fire station which is desired in this area. The PUD plan and notes provide for considerable open space including protective measures for *Hayden Run*, and land reserved for a public school site. Customary development standards such as sidewalks, bike paths, parking restrictions, street trees, and a 10-foot no-build zone for all subareas that abut the Heritage Trail and Metro Park are also provided. The incorporation of Traditional Neighborhood Development standards within the PUD subareas meets the intent of the *Interim Hayden Run Corridor Plan* (2004) with regard to the land use recommendations. Other Plan recommendations for protection of *Hayden Run*, a public school site, and park land have also been addressed. The proposal is consistent with several recommendations of the *Interim Hayden Run Corridor Plan*, and the zoning and development pattern of the area.

To rezone **5141 COSGRAY ROAD (43016)**, being 317± acres located on the west side of Cosgray Road, 1390± feet north of Hayden Run Road, **From:** R, Rural District, **To:** PUD-6, Planned Unit Development, and L-I, Limited Institutional Districts (Rezoning # Z06-045).

WHEREAS, application #Z06-045 is on file with the Building Services Division of the Department of Development requesting rezoning of 317± acres from R, Rural District, to PUD-6, Planned Unit Development, and L-I, Limited Institutional Districts; 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 1,554 single-family and multi-family residential units with an overall gross density of 4.99 units/acre and 54.5± acres of provided open space. Included in the request is a 5.5± acre Limited Institutional District intended for a police and/or fire station which is desired in this area. The PUD plan and notes provide for considerable open space including protective measures for *Hayden Run*, and land reserved for a public school site. Customary development standards such as sidewalks, bike paths, parking restrictions, street trees, and a 10-foot no-build zone for all subareas that abut the Heritage Trail and Metro Park are also provided. The incorporation of Traditional Neighborhood Development standards within the PUD subareas meets the intent of the *Interim Hayden Run Corridor Plan* (2004) with regard to the land use recommendations. Other Plan recommendations for protection of *Hayden Run*, a public school site, and park land have also been addressed. The proposal is consistent with several recommendations of the *Interim Hayden Run Corridor Plan*, and the zoning and development pattern 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:

5141 COSGRAY ROAD (43016), being 317± acres located on the west side of Cosgray Road, 1390± feet north of Hayden Run

Road, and being more particularly described as follows:

SUBAREA 1
29.2+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 6953, Virginia Military District, being part of the 75.566 acre tract conveyed to Dominion Homes, Inc. by deeds of record in Instrument Numbers 200501120007780 and 200501120007781, all of the 1.273 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200501120007778, and all of the 5.00 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200501120007777, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence North 84° 55' 35" East, a distance of 1435.95 feet, with the centerline of said Rings Road, to the northeasterly corner of the 100 acre tract conveyed to Florence Wuertz, Trustee by deeds of record in Official Record 24603B18, and Instrument Numbers 200112050282225 and 200112050282224;

Thence South 05° 23' 49" East, a distance of 2576.74 feet, with the easterly line of said 100 acre tract, to the northwesterly corner of said 75.566 acre tract;

Thence North 84° 41' 22" East, a distance of 1041.98 feet, with the northerly line of said 75.566 acre tract, to a northeasterly corner thereof;

Thence South 05° 49' 39" East, a distance of 510.63 feet, with an easterly line of said 75.566 acre tract, to the TRUE POINT OF BEGINNING;

Thence North 85° 35' 48" East, a distance of 1316.79 feet, with the northerly lines of said 75.566 and 5.00 acre tracts, to a point in the centerline of Cosgray Road;

Thence South 05° 51' 11" East, a distance of 749.15 feet, with said centerline, to the southeasterly corner of said 1.273 acre tract;

Thence South 84° 08' 40" West, a distance of 630.90 feet, with the southerly lines of said 1.273 and 75.566 acre tracts, to a point;

Thence South 03° 21' 54" East, a distance of 568.67 feet, with an easterly line of said 75.566 acre tract, to a southeasterly corner thereof;

Thence South 83° 37' 02" West, a distance of 545.86 feet, with the southerly line of said 75.566 acre tract, to a point;

Thence across said 75.566 acre tract, the following courses and distances:

North 04° 43' 31" West, a distance of 804.07 feet, to a point;

North 87° 04' 03" West, a distance of 132.56 feet, to a point;

North 05° 49' 39" West, a distance of 531.52 feet, to the TRUE POINT OF BEGINNING, containing 29.2 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 2A
55.4+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Numbers 7835, 6953, and 1618, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236 and the 75.566 acre tract conveyed to Dominion Homes, Inc. by deeds of record in Instrument Numbers

200501120007780 and 200501120007781, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 2590.86 feet, with the easterly lines of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, and said 164.07 acre tract, to the TRUE POINT OF BEGINNING;

Thence continuing with the perimeter of said 164.07 acre tract, the following courses and distances:

South 05° 25' 58" East, a distance of 490.36 feet, to a point;

North 84° 25' 07" East, a distance of 1438.15 feet, to a point in the westerly line of said 75.566 acre tract;

Thence South 05° 51' 32" East, a distance of 346.02 feet, with the line common to said 164.07 and 75.566 acre tracts, to a point;

Thence across said 75.566 acre tract, the following courses and distances:

South 78° 05' 48" East, a distance of 98.09 feet, to a point;

South 37° 49' 40" East, a distance of 160.97 feet, to a point;

South 08° 27' 30" East, a distance of 96.25 feet, to a point;

With a curve to the right, having a central angle of 06° 59' 18", a radius of 1501.49 feet, an arc length of 183.14 feet, and a chord which bears South 85° 02' 00" West, a chord distance of 183.03 feet, to a point in said common line;

Thence South 05° 51' 32" East, a distance of 119.68 feet, with said common line, to a southeasterly corner of said 164.07 acre tract;

Thence South 84° 12' 51" West, a distance of 2880.24 feet, with a southerly line of said 164.07 acre tract, to a point;

Thence across said 164.07 acre tract, the following courses and distances:

North 05° 47' 09" East, a distance of 441.04 feet, to a point;

North 48° 54' 59" East, a distance of 1351.57 feet, to a point;

North 84° 23' 26" East, a distance of 341.09 feet, to the TRUE POINT OF BEGINNING, containing 55.4 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 2B
26.2+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 7835, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236, and part of the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 1728.08 feet, with the easterly lines of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, and said 50 acre tract, to the TRUE POINT OF BEGINNING;

Thence continuing South 05° 25' 58" East, a distance of 862.77 feet, with the easterly lines of said 50 and 164.07 acre tracts, to a point;

Thence across said 164.07 acre tract, the following courses and distances:

South 84° 23' 26" West, a distance of 341.09 feet, to a point;

South 48° 54' 59" West, a distance of 601.66 feet, to a point;

With a curve to the left, having a central angle of 15° 08' 02", a radius of 1200.00 feet, an arc length of 316.97 feet, and a chord which bears North 54° 10' 24" West, a chord distance of 316.04 feet, to a point of reverse curvature;

With said curve to the right, having a central angle of 14° 29' 02", a radius of 1500.00 feet, an arc length of 379.19 feet, and a chord which bears North 54° 29' 54" West, a chord distance of 378.18 feet, to a point of tangency;

North 47° 15' 23" West, a distance of 116.98 feet, to a point;

North 42° 44' 37" East, a distance of 455.42 feet, to a point of curvature;

Thence with said curve to the left, having a central angle of 22° 00' 08", a radius of 1200.00 feet, an arc length of 460.81 feet, and a chord which bears North 31° 44' 33" East, a chord distance of 457.98 feet, across said 164.07 and 50 acre tracts, to a point;

Thence North 84° 23' 26" East, a distance of 815.16 feet, continuing across said 50 acre tract, to the TRUE POINT OF BEGINNING, containing 26.2 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 2C
41.8+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus and Township of Washington, lying in Survey Number 7835, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236, and part of the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence North 88° 22' 14" West, a distance of 1095.54 feet, with the centerline of said Rings Road, to the northwesterly corner of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600;

Thence South 05° 09' 41" East, a distance of 1225.36 feet, with the westerly line of said 30.619 acre tract, to a point in the northerly line of said 50 acre tract;

Thence North 88° 23' 01" West, a distance of 939.50 feet, with said northerly line, to the TRUE POINT OF BEGINNING;

Thence South 01° 36' 59" West, a distance of 896.99 feet, across said 50 and 164.07 acre tracts, to a point

Thence South 42° 45' 02" West, a distance of 1024.20 feet, continuing across said 164.07 acre tract, to a point in a southwesterly line thereof;

Thence with said southwesterly line, the following courses and distances:

North 47° 14' 58" West, a distance of 605.49 feet, to a point;

North 79° 25' 02" East, a distance of 11.22 feet, to a point;

North 47° 14' 58" West, a distance of 425.12 feet, to a point in the Franklin and Madison County line;

Thence North 02° 33' 14" East, a distance of 714.80 feet, across said 164.07 acre tract, and with said County line, to a point in a northwesterly line of said 164.07 acre tract;

Thence North 56° 53' 58" East, a distance of 479.79 feet, with said northwesterly line, to a point;

Thence South 88° 23' 01" East, a distance of 1032.79 feet, with the northerly lines of said 164.07 and 50 acre tracts, to the TRUE POINT OF BEGINNING, containing 41.8 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 3A
24.5+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 6953, Virginia Military District, being part of the 75.566 acre tract conveyed to Dominion Homes, Inc. by deeds of record in Instrument Numbers 200501120007780 and 200501120007781, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence North 84° 55' 35" East, a distance of 1435.95 feet, with the centerline of said Rings Road, to the northeasterly corner of the 100 acre tract conveyed to Florence Wuertz, Trustee by deeds of record in Official Record 24603B18, and Instrument Numbers 200112050282225 and 200112050282224;

Thence South 05° 23' 49" East, a distance of 2576.74 feet, with the easterly line of said 100 acre tract, to the northwesterly corner of said 75.566 acre tract, being the TRUE POINT OF BEGINNING;

Thence North 84° 41' 22" East, a distance of 1041.98 feet, with the northerly line of said 75.566 acre tract, to a northeasterly corner thereof;

Thence South 05° 49' 39" East, a distance of 1042.15 feet, with an easterly line of, and across, said 75.566 acre tract, to a point;

Thence continuing across said 75.566 acre tract, the following courses and distances:

With a curve to the left, having a central angle of 17° 12' 49", a radius of 1500.61 feet, an arc length of 450.83 feet, and a chord which bears South 84° 34' 05" West, a chord distance of 449.14 feet, to a point of tangency;

South 75° 57' 35" West, a distance of 266.51 feet, to a point of curvature;

With said curve to the right, having a central angle of 05° 34' 35", a radius of 1501.49 feet, an arc length of 146.14 feet, and a chord which bears South 78° 45' 04" West, a chord distance of 146.08 feet, to a point;

North 08° 27' 30" West, a distance of 96.25 feet, to a point;

North 37° 49' 40" West, a distance of 160.97 feet, to a point;

North 78° 05' 48" West, a distance of 98.09 feet, to a point in the westerly line of said 75.566 acre tract;

Thence North 05° 51' 32" West, a distance of 837.79 feet, with said westerly line, to the TRUE POINT OF BEGINNING, containing 24.5 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 3B
24.5+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 7835, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236, and part of the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 1728.08 feet, with the easterly lines of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, and said 50 acre tract, to a point;

Thence South 84° 23' 26" West, a distance of 815.16 feet, across said 50 acre tract, to the TRUE POINT OF BEGINNING;

Thence with a curve to the right, having a central angle of 22° 00' 08", a radius of 1200.00 feet, an arc length of 460.81 feet, and a chord which bears South 31° 44' 33" West, a chord distance of 457.98 feet, across said 164.07 and 50 acre tracts, to a point of tangency;

Thence continuing across said 164.07 acre tract, the following courses and distances:

South 42° 44' 37" West, a distance of 455.42 feet, to a point;

North 47° 15' 23" West, a distance of 281.51 feet, to a point of curvature;

With said curve to the left, having a central angle of 32° 10' 35", a radius of 1100.00 feet, an arc length of 617.74 feet, and a chord which bears North 63° 20' 40" West, a chord distance of 609.65 feet, to a point;

North 01° 36' 59" East, a distance of 896.99 feet, across said 164.07 and 50 acre tracts, to a point in the northerly line thereof;

Thence South 88° 23' 01" East, a distance of 811.79 feet, with said northerly line, to a point;

Thence South 01° 36' 59" West, a distance of 580.25 feet, across said 50 acre tract, to a point;

Thence South 85° 55' 05" East, a distance of 482.48 feet, continuing across said 50 acre tract, to the TRUE POINT OF BEGINNING, containing 24.5 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 3C
23.5+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Numbers 7835 and 1618, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence North 88° 22' 14" West, a distance of 196.53 feet, with the centerline of said Rings Road, to a point;

Thence with a curve to the left, having a central angle of 44° 07' 58", a radius of 1500.00 feet, an arc length of 1155.40 feet, and a

chord which bears South 22° 03' 59" West, a chord distance of 1127.04 feet, across the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, to a point of tangency;

Thence South 00° 00' 00" East, a distance of 468.49 feet, across said 30.619 acre tract and the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, to a point of curvature;

Thence with said curve to the right, having a central angle of 16° 48' 07", a radius of 1000.00 feet, an arc length of 293.25 feet, and a chord which bears South 08° 24' 04" West, a chord distance of 292.20 feet, across said 50 acre tract, to a point;

Thence continuing with said curve to the right, having a central angle of 25° 56' 30", a radius of 1000.00 feet, an arc length of 452.77 feet, and a chord which bears South 29° 46' 22" West, a chord distance of 448.91 feet, across and said 50 and 164.07 acre tracts, to a point of tangency;

Thence South 42° 44' 37" West, a distance of 460.02 feet, across said 164.07 acre tract, to the TRUE POINT OF BEGINNING;

Thence South 42° 44' 37" West, a distance of 1193.25 feet, across said 164.07 acre tract, to a point in the southwesterly line thereof;

Thence North 47° 14' 58" West, a distance of 867.41 feet, with said southwesterly line, to a point;

Thence across said 164.07 acre tract, the following courses and distances:

North 42° 45' 02" East, a distance of 1024.20 feet, to a point;

with a curve to the right, having a central angle of 32° 10' 35", a radius of 1100.00 feet, an arc length of 617.74 feet, and a chord which bears South 63° 20' 40" East, a chord distance of 609.65 feet, to a point of tangency;

South 47° 15' 23" East, a distance of 281.51 feet, to the TRUE POINT OF BEGINNING, containing 23.5 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 3D
23.8+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Numbers 7835 and 1618, Virginia Military District, being part of the 164.07 acre tract conveyed to Lloyd J. Kurtz by deed of record in Instrument Number 199801150010236, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 2590.86 feet, with the easterly lines of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, and said 164.07 acre tract, to a point;

Thence across said 164.07 acre tract, the following courses and distances:

South 84° 23' 26" West, a distance of 341.09 feet, to a point;

South 48° 54' 59" West, a distance of 601.66 feet, to the TRUE POINT OF BEGINNING;

Thence South 48° 54' 59" West, a distance of 749.91 feet, continuing across said 164.07 acre tract, to a point;

Thence South 05° 47' 09" East, a distance of 441.04 feet, continuing across said 164.07 acre tract, to an angle point in the southerly line thereof;

Thence South 59° 34' 03" West, a distance of 252.26 feet, with said southerly line, to a southwesterly corner of said 164.07 acre tract;

Thence North 47° 14' 58" West, a distance of 982.71 feet, with a southwesterly line of said 164.07 acre tract, to a point;

Thence across said 164.07 acre tract, the following courses and distances:

North 42° 44' 37" East, a distance of 1193.25 feet, to a point;

South 47° 15' 23" East, a distance of 116.98 feet, to a point of curvature;

With said curve to the left, having a central angle of 14° 29' 02", a radius of 1500.00 feet, an arc length of 379.19 feet, and a chord which bears South 54° 29' 54" East, a chord distance of 378.18 feet, to a point of reverse curvature;

With said curve to the right, having a central angle of 15° 08' 02", a radius of 1200.00 feet, an arc length of 316.97 feet, and a chord which bears South 54° 10' 24" East, a chord distance of 316.04 feet, to the TRUE POINT OF BEGINNING, containing 23.8 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

**SUBAREA 4A
21.8+/- ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 6953, Virginia Military District, being part of the 75.566 acre tract conveyed to Dominion Homes, Inc. by deeds of record in Instrument Numbers 200501120007780 and 200501120007781, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence North 84° 55' 35" East, a distance of 1435.95 feet, with the centerline of said Rings Road, to the northeasterly corner of the 100 acre tract conveyed to Florence Wuertz, Trustee by deeds of record in Official Record 24603B18, and Instrument Numbers 200112050282225 and 200112050282224;

Thence South 05° 23' 49" East, a distance of 2576.74 feet, with the easterly line of said 100 acre tract, to the northwesterly corner of said 75.566 acre tract;

Thence North 84° 41' 22" East, a distance of 1041.98 feet, with the northerly line of said 75.566 acre tract, to a northeasterly corner thereof;

Thence South 05° 49' 39" East, a distance of 1042.15 feet, with an easterly line of, and across, said 75.566 acre tract, to the TRUE POINT OF BEGINNING;

Thence continuing across said 75.566 acre tract, the following courses and distances:

South 87° 04' 03" East, a distance of 132.56 feet, to a point;

South 04° 43' 31" East, a distance of 804.07 feet, to a point in the southerly line of said 75.566 acre tract;

Thence South 83° 37' 02" West, a distance of 1156.50 feet, with said southerly line, to the southwesterly corner of said 75.566 acre tract;

Thence North 05° 51' 32" West, a distance of 789.29 feet, with the westerly line of said 75.566 acre tract, to a point;

Thence across said 75.566 acre tract, the following courses and distances:

With a curve to the left, having a central angle of 12° 33' 54", a radius of 1501.49 feet, an arc length of 329.28 feet, and a chord which

bears North 82° 14' 43" East, a chord distance of 328.62 feet, to a point of tangency;

North 75° 57' 35" East, a distance of 266.51 feet, to a point of curvature;

With said curve to the right, having a central angle of 17° 12' 49", a radius of 1500.61 feet, an arc length of 450.83 feet, and a chord which bears North 84° 34' 05" East, a chord distance of 449.14 feet, to the TRUE POINT OF BEGINNING, containing 21.8 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 4B
20.0+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 7835, Virginia Military District, being part of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, and part of the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 1728.08 feet, with the easterly lines of said 30.619 and said 50 acre tracts, to a point;

Thence South 84° 23' 26" West, a distance of 815.16 feet, across said 50 acre tract, to the TRUE POINT OF BEGINNING;

Thence continuing across said 50 acre tract, the following courses and distances:

North 85° 55' 05" West, a distance of 482.48 feet, to a point;

North 01° 36' 59" East, a distance of 580.25 feet, to a point in the northerly line of said 50 acre tract;

Thence South 88° 23' 01" East, a distance of 127.71 feet, with the northerly line of said 50 acre tract, to the southwesterly corner of said 30.619 acre tract;

Thence North 05° 09' 41" West, a distance of 1195.65 feet, with the westerly line of said 30.619 acre tract, to the southerly right-of-way line of said Rings Road;

Thence South 88° 20' 40" East, a distance of 522.78 feet, with said right-of-way line, to a point;

Thence South 00° 00' 00" East, a distance of 1361.48 feet, across said 30.619 and 50 acre tracts, to a point of curvature;

Thence with a curve to the right, having a central angle of 20° 44' 29", a radius of 1200.00 feet, an arc length of 434.41 feet, and chord which bears South 10° 22' 15" West, a chord distance of 432.04 feet, across said 50 acre tract, to the TRUE POINT OF BEGINNING, containing 20.0 acres of land, more or less.

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 5
PARK/SCHOOL
20.8+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 7835, Virginia Military District, being part of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600 and the 50 acre tract conveyed to Al A. Helmuth, Trustee by deed of record in Official Record 19885B03, (all references are to the records of

the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 427.78 feet, with the easterly line of said 30.619 acre tract, to the TRUE POINT OF BEGINNING;

Thence continuing h 05° 25' 58" East, a istance of 130.30 feet, withhe easterly lines of said 30.619 and 50 acre tracts, to a point;

Thence South 84° 23' 26" West, a distance of 815.16 feet, across said 50 acre tract, to a point;

Thence with a curve to the left, having a central angle of 20° 44' 29", a radius of 1200.00 feet, an arc length of 434.41 feet, and a chord which bears North 10° 22' 15" East, a chord distance of 432.04 feet, continuing across said 50 acre tract, to a point of tangency;

Thence North 00° 00' 00" West, a distance of 949.16 feet, across said 50 and 30.619 acre tracts, to a point;

Thence North 90° 00' 00" East, a distance of 610.37 feet, continuing across said 30.619 acre tract, to the TRUE POINT OF BEGINNING, containing 20.8 acres of land, more or less.

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

To Rezone From: R, Rural District,

To: PUD-6, Planned Unit Development District.

SUBAREA 6
5.5+/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey Number 7835, Virginia Military District, being part of the 30.619 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506240123600, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at the centerline intersection of Rings Road and Houchard Road;

Thence South 05° 25' 58" East, a distance of 30.23 feet, with the easterly line of said 30.619 acre tract, to a point in the southerly right-of-way line of said Rings Road, being the TRUE POINT OF BEGINNING;

Thence continuing South 05° 25' 58" East, a distance of 397.55 feet, with the easterly lines of said 30.619 acre tract, to a point;

Thence South 90° 00' 00" West, a distance of 610.37 feet, across said 30.619 acre tract, to a point;

Thence North 00° 00' 00" West, a distance of 412.32 feet, continuing across said 30.619 acre tract, to a point in said right-of-way line;

Thence South 88° 20' 40" East, a distance of 572.95 feet, with said right-of-way line, to the TRUE POINT OF BEGINNING, containing 5.5 acres of land, more or less.

To Rezone From: R, Rural District,

To: L-I, Limited Institutional District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development, and L-I, Limited Institutional Districts 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 and L-I, Limited Institutional Districts and Application among the records of the Building Services Division as required by Sections 3311.09 and 3370.03 of the Columbus City Codes; said plans being titled, "**CHAMBREY, SHEETS**

1-6," said text being titled, "LIMITATION TEXT," all signed by Robert A. Meyer, Jr., Attorney for the Applicant, dated October 26, 2006.

LIMITATION TEXT

PROPOSED DISTRICT: L-I, Limited Institutional
EXISTING DISTRICT: R, Rural
PROPERTY ADDRESS: 5141 Cosgray Road
OWNER: Dominion Homes, Inc.
APPLICANT: Dominion Homes, Inc.
DATE OF TEXT: October 26, 2006
APPLICATION NUMBER: Z06-045

1. INTRODUCTION: This property, consisting of 5.5 +/- acres, is being rezoned in combination with the rezoning to PUD-6 of the adjacent 311.5 +/- acres, and is to provide for a combined site for police and fire facilities.

2. PERMITTED USES: The permitted uses shall be fire station, police station, public park and public playground (Section 3349.03 (e), (l), (t), and (u) of the Columbus City Code (hereinafter "Code")), as well as a rooftop telecommunication installation under Section 3349.037 of the Code if necessary to serve the police station or fire station.

3. DEVELOPMENT STANDARDS:

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

Height, area and yard requirements shall be as set forth in Section 3349.04 of the Code.

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

Parking lots abutting road frontages shall be screened with a wall, earth mound or hedge (that will reach 75% opacity within five years) 36 inches minimum height above the parking lot surface. The requirement in Section 3342.11(a) for interior landscaping of parking lots of sixty (60) or more spaces shall be met with shade trees located in curbed islands. Any such trees shall have a minimum caliper of two inches at time of planting.

A bike path shall be installed along the public street frontage along the western boundary of the site and a sidewalk shall be constructed along Rings Road when the site is developed.

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

A twenty-five (25) foot landscape buffer shall be established along Rings Road and the street to be constructed along the western boundary of the site. Within the landscape buffer shall be trees planted at a minimum of seven (7) trees (five (5) evergreen and two (2) ornamental) per one hundred (100) feet. At time of planting, evergreen trees shall be a minimum of five (5) feet in height and ornamental trees shall have a minimum caliper of two (2) inches. The trees may be clustered in groups. Additionally, the Developer of the adjacent PUD-6 development may install fencing within the landscape buffer.

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

None specified.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

Waste/refuse containers shall be fully screened from off-site view by a solid wall or fence of six (6) feet in height, with a gate on one side, constructed so the gate is not visible from Rings Road or the street to be constructed along the west boundary of the site.

All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage. Accent lighting shall be

permitted provide such light source is concealed. Any wall-mounted lighting shall be shielded to prevent offsite spillage. Light poles in parking lots shall not exceed 15 feet in height.

F. Graphics Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

SECTION 4. The continuing applicability of this zoning ordinance to the real property described herein is contingent upon the signing by the applicant within sixty (60) days of the approval of this ordinance the Memorandum of Understanding titled "Hayden Run MOU II," Ordinance # 1991-2006, which establishes the Pay As We Grow commitments applicable to the development of this site.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.