



City of Columbus

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

Legislation Text

File #: 1460-2015, **Version:** 1

Rezoning Application Z15-006

APPLICANT: Jerry Kuyoth, Friendship Village of Dublin Ohio Inc., c/o Mike Milligan; JMM Architects; 4685 Larwell Drive; Columbus, OH 43220.

PROPOSED USE: Assisted living, nursing home, and housing for the elderly.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on May 14, 2015.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with an assisted living/nursing home/housing for the elderly complex, and is zoned in the I, Institutional and CPD, Commercial Planned Development Districts. The requested CPD, Commercial Planned Development District will consolidate the over-all development into one zoning classification that permits renovation and several additions to existing buildings, and proposes new independent living and detached garage buildings. The site is located within the planning area of *The Northwest Plan* (2007), but does not fall within a subarea that gives specific land use recommendations. The Plan, however, does contain concepts that are applicable regarding appropriate location for senior housing in areas where services and amenities exist or are planned, and that infill sites should develop in a manner that is consistent and compatible with the land use and density of the surrounding areas. The proposed CPD text permits I, Institutional District uses, and contains development standards addressing setbacks, building height limitations, access and parking restrictions, pedestrian connections, tree preservation, lighting, and building design. Variances for maneuvering over property lines, a parking reduction to permit one parking space per dwelling unit, and no perimeter yard along interior lot lines are included in the request. The proposal complies with relevant land use concepts in *The Northwest Plan*, and is consistent with the established zoning and development pattern of the area.

To rezone **6000 RIVERSIDE DRIVE (43017)**, being 26.55± acres located at the northeast corner of Riverside and Riverside Green Drive, From: CPD, Commercial Planned Development and I, Institutional Districts, To: CPD, Commercial Planned Development District (Rezoning # Z15-006).

WHEREAS, application #Z15-006 is on file with the Department of Building and Zoning Services requesting rezoning of 26.55± acres from CPD, Commercial Planned Development and I, Institutional Districts, to CPD, Commercial Planned 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 CPD, Commercial Planned Development District, is consistent with the established development pattern and complies with relevant land use concepts in *The Northwest Plan*; 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:

6000 RIVERSIDE DRIVE (43017), being 26.55± acres located at the northeast corner of Riverside and Riverside Green Drive, and being more particularly described as follows:

**DESCRIPTION OF 26.554 ACRES AT
6000 RIVERSIDE DRIVE, COLUMBUS, OHIO
FOR FRIENDSHIP VILLAGE OF DUBLIN, OHIO, INC.**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 2 North, Range 19 West, United States Military Lands and being all of the following tracts of land:

1. an 18.200 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc. by deed of record in Deed Book 3801, Page 588,
2. a 0.564 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc. by deed of record in Instrument No. 200211040279131,
3. a 1.219 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc. by deed of record in Instrument No. 200501180010500,
4. a 3.028 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc. by deed of record in Instrument No. 200110290248366,
5. a 2.742 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc. by deed of record in Instrument 200110180239126, and
6. a 0.802 acre tract of land conveyed to Friendship Village of Dublin, Ohio, Inc., by deed of record in Instrument 201407070085793, all references being to the Recorder's Office, Franklin County, Ohio, all bounded and described as follows:

Beginning at a 3/4" I.D. iron pipe set at the east end of a curve connecting the north line of Riverside Green (variable width) with the east line of Riverside Drive - U.S. Route 33 (variable width), as shown upon the recorded plat of Riverside Green, of record in Plat Book 50, Pages 66, 67 and 68, said iron pipe being 40.00 feet northerly by perpendicular measurement from the centerline of Riverside Green and 80.00 feet easterly by perpendicular measurement from the centerline of Riverside Drive, said iron pipe also being in a south line of said 18.200 acre tract;

thence northwesterly along said connecting curve, along the curved southwest line of said 18.200 acre tract and with a curve to the right, data of which is: radius = 20.00 feet, and delta = 90° 00' 00", an arc distance of 31.42 feet and a chord distance of 28.28 feet bearing N 36° 49' 15" W. to a 3/4" I.D. pipe set at the north end of said connecting curve, in the east line of Riverside Drive and in a west line of said 18.200 acre tract, said iron pipe being 60.00 feet easterly by perpendicular measurement from the centerline of Riverside Drive;

thence N 08° 10' 45" E along the east line of Riverside Drive and along a west line of said 18.200 acre tract a distance of 275.18 feet to a 3/4" I.D. iron pipe set at a point of curvature;

thence northerly along the curved east line of Riverside Drive, along a curved west line of said 18.200 acre tract and with a curve to the right, data of which is: radius = 5,669.65 feet, and delta = 01° 52' 00", an arc distance of 184.71 feet and a chord distance of 184.71 feet bearing N 09° 06' 45" E to a 3/4" I.D. iron pipe set at the point of tangency;

thence N 10° 02' 46" E along the east line of Riverside Drive and along a west line of said 18.200 acre tract a distance of 101.94 feet to a 3/4" I.D. iron pipe set at a point of curvature;

thence northerly along the curved east line of Riverside Drive, along a curved west line of said 18.200 acre tract, along the curved east line of a 0.954 acre tract of land conveyed as Strip No. 2 to City of Columbus, Ohio for Riverside Drive right-of-way purposes by deed of record in Deed Book 3462, Page 170 and with a curve to the right, data of which is: radius = 2,804.23 feet, and delta = 05° 12' 06", an arc distance of 254.59 feet and a chord distance of 254.50 feet bearing N 12° 38' 48" E to a 3/4" I.D. iron pipe set at the point of tangency;

thence N 15° 13' 08" E along the east line of Riverside Drive, along a west line of said 18.200 acre tract and along the east line of said 0.954 acre tract a distance of 569.43 feet to a 3/4" I.D. iron pipe set at the northwest corner of said 18.200 acre tract, at the northeast corner of said 0.954 acre tract and in the south line of a said 1.219 acre tract;

thence N 74° 56' 26" W along the north line of said 0.954 acre tract and along the south line of said 1.219 acre tract a distance of 60.00 feet to a MAG nail set in the centerline of Riverside Drive;

thence N 15° 13' 08" E along the centerline of Riverside Drive, along the west line of said 1.219 acre tract and along a portion of the west line of said 3.028 acre tract a distance of 271.10 feet to a Mag Nail set at a point of curvature;

thence northerly, along the curved centerline of Riverside Drive, along a curved portion of a west line of said 2.742 acre tract, along the curved west line of said 2.742 acre tract and with a curve to the left, data of which is: radius = 1,910.00 feet, delta = 03° 29' 53" and length = 116.61 feet, a chord distance of 116.59 feet bearing N 13° 28' 12" E to a Mag Nail set at the northwest corner of said 2.742 acre tract and at the southwest corner of a 0.748 acre tract of land conveyed to Doris D. Harding by deed of record in Official Record 11029, Page D 09;

thence N 81° 34' 22" E along a north line of said 2.742 acre tract and along the south line of said 0.748 acre tract a distance of 244.63 feet to a 3/4" I.D. iron pipe set at the southeast corner of said 0.748 acre tract;

thence N 13° 35' 22" E along a west line of said 2.742 acre tract and along the east line of said 0.748 acre tract a distance of 104.38 feet to a 3/4" I.D. iron pipe set at the northeast corner of said 0.748 acre tract, at a northwest corner of said 2.742 acre tract and in the south line of an original 1.007 acre tract of land conveyed to Doris D. Harding by deeds of record in Official Record 11029, Page D 09 and in Instrument 199809230242156;

thence S 82° 10' 09" E along a portion of a north line of said 2.742 acre tract and along a portion of the south line of said original 1.007 acre tract a distance of 55.98 feet to a 3/4" I.D. iron pipe found at the southwest corner of said 0.802 acre tract;

thence N 14° 31' 10" W along the west line of said 0.802 acre tract a distance of 113.14 feet to a 3/4" I.D. iron pipe found at a corner of said 0.802 acre tract;

thence N 61° 02' 41" W along the southwesterly line of said 0.802 acre tract a distance of 137.72 feet to a P.K. nail found at the west corner of said 0.802 acre tract, in the north line of said original 1.007 acre tract and in a south line of an original 11.270 acre tract of land conveyed to GSP Dunsinane, LLC, by deed of record in Instrument 199903300078500;

thence S 84° 30' 15" E along a north line of said 0.802 acre tract and along a portion of a south line of said original 11.270 acre tract a distance of 76.03 feet to a 3/4" I.D. iron pipe found at a corner of said 0.802 acre tract and said original 11.270 acre tract;

thence S 78° 26' 18" E along a north line of said 0.802 acre tract and along a south line of said original 11.270 acre tract a distance of 285.09 feet to a 3/4" I.D. iron pipe found at the northeast corner of said 0.802 acre tract, at a corner of said original 11.270 acre tract and at the northwest corner of a 1.815 acre tract of land conveyed, as Parcel II, to GSP Dunsinane, LLC, by deed of record in Instrument 199903300078497;

thence S 02° 39' 29" W along the east line of said 0.802 acre tract and along a west line of said 1.815 acre tract a distance of 125.00 feet to a 3/4" I.D. iron pipe found at the southeast corner of said 0.802 acre tract, at a corner of said 1.815 acre tract and at the northeast corner of said 2.742 acre tract;

thence S 00° 11' 54" E along the east line of said 2.742 acre tract, along a portion of the east line of said 3.028 acre tract, along a west line of said 1.815 acre tract and along the west line of a 1.737 acre tract of land conveyed, as Parcel III, to GSP Dunsinane, LLC, by deed of record in Instrument 199903300078497 a distance of 370.41 feet to a 3/4" I.D. iron

pipe set at a westerly corner of said 1.737 acre tract and at the northerly corner of said 0.564 acre tract;

thence S 43° 42' 41" E along a southwesterly line of said 1.737 acre tract and along the northeasterly line of said 0.564 acre tract a distance of 227.40 feet to a 3/4" I.D. iron pipe set at the southerly corner of said 1.737 acre tract, at the southeasterly corner of said 0.564 acre tract and in the west right of way line of Birchton Street (Fifty (50) feet in width);

thence S 46° 13' 19" W along the west line of Birchton Street and along the east line of said 0.564 acre tract a distance of 113.63 feet to a 3/4" I.D. iron pipe set at a point of curvature;

thence southerly along the curved west line of Birchton Street, along a curved east line of said 18.200 acre tract, along a curved east line of said 0.564 acre tract and with a curve to the left, data of which is: radius = 425.00 feet, and delta = 31° 33' 38", an arc distance of 234.11 feet and a chord distance of 231.16 feet bearing S 30° 26' 30" W to a 3/4" I.D. iron pipe set at the point of tangency;

thence S 14° 39' 41" W along the west line of Birchton Street and along an east line of said 18.200 acre tract a distance of 649.29 feet to a 3/4" I.D. iron pipe set at a point of curvature;

thence southerly along the curved west line of Birchton Street, along a curved east line of said 18.200 acre tract and with a curve to the left, data of which is: radius = 425.00 feet, and delta = 30° 28' 55", an arc distance of 226.10 feet and a chord distance of 223.45 feet bearing S 00° 34' 47" E to a 3/4" I.D. iron pipe set at the point of tangency;

thence S 15° 49' 15" E along the west line of Birchton Street and along an east line of said 18.200 acre tract a distance of 125.00 feet to a 3/4" I.D. iron pipe set at a point of curvature at the north end of a curve connecting the west line of Birchton Street with the north line of Riverside Green;

thence southwesterly along said connecting curve, along the curved southeast line of said 18.200 acre tract and with a curve to the right, data of which is: radius = 20.00 feet, and delta = 90° 00' 00", an arc distance of 31.42 feet and a chord distance of 28.28 feet bearing S 29° 10' 45" W to a 3/4" I.D. iron pipe set at the west end of said connecting curve, in the north line of Riverside Green and in a south line of said 18.200 acre tract, said iron pipe being 30.00 feet northerly by perpendicular measurement from the centerline of Riverside Green;

thence S 74° 10' 45" W along the north line of Riverside Green and along a south line of said 18.200 acre tract a distance of 290.00 feet to a 3/4" I.D. iron pipe set at a point of curvature;

thence westerly along the curved north line of Riverside Green, along the curved south line of said 18.200 acre tract and with a curve to the right, data of which is: radius = 554.35 feet, and delta = 24° 00' 00", an arc distance of 232.21 feet and a chord distance of 230.51 feet bearing S 86° 10' 45" W to a drill hole set in a concrete driveway ramp at the point of tangency;

thence N 81° 49' 15" W along the north line of Riverside Green and along a south line of said 18.200 acre tract a distance of 147.05 feet to the place of beginning;

containing 26.554 acres of land more or less and being subject to all highways, easements and restrictions of record.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in December, 2009 and August 2014. Basis of bearings is the centerline of Riverside Green, being N 81° 49' 15" W, derived from VRS observations referencing monument PID designation of COLB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

To Rezone From: CPD, Commercial Planned Development and I, Institutional Districts

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned 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 change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said CPD plan and elevation drawings being titled, "**SHEET 1 of 3**," "**SHEET 2 of 3**," and "**SHEET 3 of 3**," dated June 2, 2015, and text titled, "**CPD TEXT**," dated May 26, 2015, all signed by Jerry Koyuth, Executive Director, Friendship Village of Dublin, Ohio, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD
PROPERTY ADDRESS: 6000 Riverside Drive
OWNER: Friendship Village of Dublin, Ohio, Inc.
APPLICANT: Friendship Village of Dublin, Ohio, Inc.
DATE OF TEXT: May 26, 2015
APPLICATION NUMBER: Z15-006

1. Introduction

The subject property consists of 26.55 +/- acres of real property (the "Property"), which is located on Riverside Drive. The Property is proposed to be further developed by the Owner. In 2003, the City passed an ordinance pursuant to rezoning application Z02-051 causing approximately 6.334 acres of real property (the "Initial CPD Property") to be rezoned to permit an extension of the FVD Campus on the Initial CPD Property for the development of an independent living complex for senior citizens (the "Independent Living Complex"), limiting such development by a CPD Text (the "2003 CPD Text"). In 2005, the City passed an ordinance pursuant to rezoning application Z05-029 which added 1.219 acres to the CPD text (the "Additional CPD Property"). In 2014 the City passed an Ordinance pursuant to rezoning application Z13-034, causing approximately .802 acres of real property to be rezoned.

2. Permitted Uses

Subject to the limitations set forth below, the Property may only be used for Assisted Living, Nursing Home (facilities licensed by the Ohio Department of health) or I-use group Housing, and for non-licensed residential dwelling units meeting the requirements of housing for the elderly (for the purposes of this CPD text non-licensed housing for the elderly shall mean any age restricted housing which limits by contract occupants to an age of no less than 55 years of age and does not require a license to operate by the Ohio Department of Health) . The Property will be owned and operated by the Applicant as part of the Friendship Village of Dublin retirement community. The Property will not contain individual lots. Non-licensed housing for the elderly residential dwelling units shall be limited to a maximum of 375 units with no limits on licensed care assisted living or nursing units.

3. Development Standards

Unless otherwise indicated in the CPD Text, the applicable development standards are contained in Chapter 3361 of the Columbus City Code, and as shown on the attached Zoning Site Plan and Zoning Elevations.

Reference to the attached Site Plan (the "Plan") is made herein. The Plan sets forth a conceptual layout of the proposed development of the Property for the currently anticipated expansion to 308 units of non-licensed housing for the

elderly. The plan depicts the general layout of planned buildings, driveways parking lots and other improvement subject to minor modifications as may be required to gain necessary approval of the relevant city agencies. Additional improvements shall be permitted on the property to increase the overall site density to 375 non-licensed housing for the elderly residential dwelling units.

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

1. Maximum density on the Property will not exceed 375 non licensed housing for the elderly senior independent living units. No limits on licensed units are applicable to this CPD text.

2. Minimum building setbacks on the Property will be twelve feet from any adjacent property boundary, provided that there shall be no minimum setback requirement for any development that is adjacent to the boundary of other real property owned by Friendship Village of Dublin. Setbacks for buildings along Riverside Drive shall be 50 feet, and shall be 25 feet along Riverside Green and Birchton Street. Parking setbacks on Riverside Drive shall be 40 feet not including driveways which shall be 10 feet where parallel to property boundaries. Parking setbacks on Riverside Green and Birchton Street shall be 25 feet not including driveways which shall be 10 feet where parallel to property boundaries. Building setbacks can be reduced to 45 feet along Riverside Drive and 20 feet along Riverside Green and Birchton Court with a reduction in building height of 15 feet below the permitted maximum height.

3. Building heights shall be 35 feet maximum within 100 feet of the Right of Way Line of Riverside Green and Birchton Street. Building heights shall be 60 feet maximum for the balance of the site. Refer to Site Plan for graphic delineation of these areas.

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

1. All circulation, curb cuts and access points shall be subject to the approval of The Department of Public Service. Applicant proposes that the primary access to the Property will include four (4) full service connections on Birchton Street and at least one full service access point on Riverside Green. Access on Riverside Drive shall be limited to emergency access. If a connection to provide emergency vehicle access is required by the City of Columbus, Division of Fire, bollards and signage shall be installed in appropriate locations to prevent the usage of this connection by regular vehicular traffic. If appropriate cross access easements are in place, the above provision shall not prohibit the property owner from utilizing this vehicular connection as a temporary construction access during the construction of this site, if approved by the Department of Public Service.

2. Each senior independent living unit will have no less than one parking space either in a garage or surface lot.

3. Walkways within the Property will be constructed to permit pedestrian circulation within the Property. The location of the walkways may be changed from time to time to accommodate use and future expansion.

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

1. The applicant will endeavor to preserve existing large trees on the subject Property to the extent practicable, as shown on site plan.

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

1. Exteriors of the buildings will be constructed of materials consistent with residential structures within the Friendship Village of Dublin community and neighboring properties, examples of which include brick, stone, stucco and siding. No vinyl siding will be used on any buildings. Flat or pitched roofs will be permitted.

2. The architectural "look" of the planned phase of construction shall be consistent in concept and quality

with the attached Zoning Elevations subject to modifications to reflect final design and program.

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

1. All internal street lighting shall be decorative standards with a height no greater than eighteen feet.

F. Graphics and/or Signage Commitments

All graphics and signage shall comply with the I, Institutional District Standards of the Graphics Code, Title XV of Title 30, Columbus Zoning Code, and any variance to those standards shall be submitted to the Columbus Graphics Commission for consideration.

H. Miscellaneous Commitments

1. Necessary variances (setback, parking)
 - a. Variance: Reduce the perimeter yard to 0' along the interior lot lines (CC 3361.04(a)).
 - b. Variance: Reduce required parking to one space for each housing for the elderly unit. (CC3312.49)
 - c. Parking spaces and maneuvering shall be allowed to cross parcel lines.
2. The subject site shall be in general conformance with the submitted CPD plan titled "Overall Site Plan" as it applies to setbacks. The plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved the Director of Building and Zoning Services or his designee upon the submission of the appropriate data regarding the proposed adjustment.
3. The Developer will comply with the Parkland Dedication Ordinance.
4. The trash compactor hours of operation and pick up will be limited to: 8am to 8pm (hours of operation) and 8am to 5pm (hours of pick up).

4. Other CPD Requirements

A. Natural Environment

The natural environment of the Property is relatively flat, with a slight grade incline to the east from Riverside Drive. A steep wooded ravine runs along the northwest boundary of the Property and will remain substantially in its natural state.

B. Existing Land Use

The Property is a Continuing Care Retirement Community.

C. Transportation and Circulation

Access to and from the site will be from Riverside Green on the southern boundary and Birchton Street at the eastern boundary of the Property with internal vehicular circulation provided for in the Plan.

D. Visual Form of the Environment

The Property is bounded as follows: (i) the northern and eastern boundary of the Property abuts an apartment complex; (ii) the eastern boundary of the Property abuts Birchton Street and single family homes; and (iii) the southern boundary of the Property abuts Riverside Green and Apartments. Various office and commercial operations are located across Riverside Drive to the west of the property.

E. View and Visibility

The Property fronts on Riverside Drive and will be visible from Riverside Drive.

F. Proposed Development

The proposed development will be a Continuing Care Retirement Community.

G. Behavior Patterns

The development on the Property will be integrated as part of the Friendship Village of Dublin community. Traffic access directly on Riverside Drive will not be permitted, except for construction vehicle access.

H. Emissions

Development of the Property shall conform to the City of Columbus requirements as further controlled by the Development Standards of this CPD Text for light levels, sounds and dusts. There will be no objectionable emissions.

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