



Legislation Details (With Text)

File #: 1584-2013 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 6/19/2013 **In control:** Zoning Committee

On agenda: 9/30/2013 **Final action:** 10/1/2013

Title: To rezone 5652 ROBERTS ROAD (43026), being 4.99± acres located on the north side of Roberts Road, 131± feet west of Rustling Oak Boulevard, From: R-1, Residential District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z12-054).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1584-2013Attachments, 2. Notice Of Public Hearing - Council Mtg20130923

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 10/1/2013 | 2 | CITY CLERK | Attest | |
| 10/1/2013 | 2 | MAYOR | Signed | |
| 9/30/2013 | 2 | COUNCIL PRESIDENT | Signed | |
| 9/30/2013 | 1 | Zoning Committee | Taken from the Table | Pass |
| 9/30/2013 | 1 | Zoning Committee | Amended as submitted to the Clerk | Pass |
| 9/30/2013 | 1 | Zoning Committee | Approved as Amended | Pass |
| 9/23/2013 | 1 | Zoning Committee | Tabled to Certain Date | Pass |
| 9/16/2013 | 1 | Columbus City Council | Read for the First Time | |

Rezoning Application Z12-054

APPLICANT: Tom Bell Properties; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-1) on May 9, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-AR-12, Limited Apartment Residential District will allow a 44-unit apartment complex with a maximum density of 8.8 units/acre. The plan and limitation text provide development standards in consideration of the adjacent residential development, including an increased landscaped perimeter yard. The site is located within the Hilliard-Rome Road Subarea of the *Trabue/Roberts Area Plan* (2011), which recommends very low-density residential uses for this property. However, due to the existing density and zoning pattern adjacent to this site, a balanced residential development with a preferred density of 7-8 units per acre can be supported. Staff concurs with the Planning Division and believes that this proposal is compatible with the surrounding residential development, and that when the recommendation for very low-density residential uses in the *Trabue/Roberts Area Plan* was established, future development of this property was undetermined.

To rezone **5652 ROBERTS ROAD (43026)**, being 4.99± acres located on the north side of Roberts Road, 131± feet west of Rustling Oak Boulevard, **From:** R-1, Residential District, **To:** L-AR-12, Limited Apartment Residential District (Rezoning # Z12-054).

WHEREAS, application #Z12-054 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.99± acres from R-1, Residential District, to L-AR-12, Limited Apartment Residential District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and recognizes that this development will have sidewalks that are a minimum of 5 feet in width; 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 L-AR-12, Limited Apartment Residential District commits to a site plan and limitation text that provide development standards in consideration of the adjacent residential development, with an increased, landscaped perimeter yard. Staff believes that this proposal is compatible with the surrounding residential development, and that when the recommendation for very low-density residential uses in the *Trabue/Roberts Area Plan* was established, future development of this property was undetermined; 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:

5652 ROBERTS ROAD (43026), being 4.99± acres located on the north side of Roberts Road, 131± feet west of Rustling Oak Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and City of Columbus, being a part of Virginia Military Survey #2417, and part of a 72 acre tract conveyed to Wynneoak Farms Company, shown of record in Deed Book 2857, Page 110, Recorder's Office, Franklin County, Ohio and more particularly described as follows:

Beginning for reference at a railroad spike found at the intersection of the centerline of Hilliard-Rome Road (60 feet wide) and Roberts Road (60 feet wide), said spike is at the southeasterly corner of said 72-acre tract:

thence N 86° 44' W, 1701.47 feet, in the centerline of Roberts Road and the south line of said, 72-acre tract, to the southwest corner of said 72-acre tract:

thence N 3° 57' 44" E, 40.0 feet, in the west line of said 72-acre tract, to an iron pipe marking the principal place of beginning of the herein described tract:

thence continuing N 3° 57' 44" E, 576.31 feet, in the west line of said 72-acre tract, and a west line of the City of Columbus, to an iron pipe:

thence S 86° 44' E, 384.14 feet, parallel to the centerline of Roberts Road, to an iron pipe:

thence S 5° 11' W, 575.59 feet, to an iron pipe:

thence N 86° 44' W, 371.85 feet, parallel to and 40 feet north of the centerline of Roberts Road to the principal place of beginning, containing 4.99 acres more or less.

The above description was prepared by Robert T. Patridge, Ohio Registered Surveyor No 4338, and a survey of this property was made by Robert T. Patridge on January 29, 1973.

To Rezone From: R-1, Residential District,

To: L-AR-12, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential 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 L-AR-12, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said plans being titled, "**CONCEPT PLAN**," and "**LANDSCAPE BUFFER PLAN**," and text being titled, "**LIMITATION TEXT**," all dated May 30, 2013, and signed by Michael T. Shannon, Attorney for the Applicant.

LIMITATION TEXT

Property Address: 5652 Roberts Road, Columbus, Ohio 43026

Property Size: 4.992 ± Acres

Current Zoning District: Residential, R-1

Proposed Zoning District: L-AR-12

Current Owner: John and Diane Kessler; P.O. Box 342; Hilliard, Ohio 43206

Applicant: Tom Bell Properties, c/o CRABBE, BROWN & JAMES, LLP; Michael T. Shannon, Esq.; 500 South Front Street, Suite 1200; Columbus, Ohio 43215; mshannon@cbjlawyers.com

Date of text: May 30, 2013

Application Number: Z12-054

1. INTRODUCTION

The subject property site ("Site") is located in north-west Columbus, Ohio, near the intersection of Roberts Road and Hilliard Rome Road. The Site's address is 5652 Roberts Road, Columbus, Ohio 43026, located on the north side of Roberts Road. The Site is a single parcel and measures 4.992 ± acres in size. The Parcel ID Number is 560-136818.

The Site is situated within the City of Columbus boundaries by means of annexation. The Site is within the Columbus-Hilliard [560] Tax District and the Hilliard [2510] School District.

The Site is currently zoned Residential, R-1. The Site is bordered on the east by one L-AR-12 parcel, on the north by one S-R parcel, on the south (across Roberts Road) by one L-AR-12 parcel and one R-2 parcel, and on the west by the City of Hilliard.

The Site is currently contains a farm house with several outlying buildings and several large trees. The remainder of the Site is grass covered.

The Site is subject to the Trabue/Roberts Area Plan. According to the Development Department Division of Planning, the City is willing to accept 7-8 units per acre density for the subject site.

Applicant proposes rezoning the Site from R-1 to L-AR-12 for a multi-family development. The multi-family development will contain 44 apartment units with private streets, private water service, and public sanitary sewers on a 15

foot easement. Each unit will have a one or two car garage. The units will not exceed a maximum height of 35 feet and will stand two stories tall.

Access to the Site will remain Roberts Road and Bluewynne Place.

Unless otherwise specified herein, the Site will be developed in accordance with the AR-12 district standards of Chapter 3333 of the Columbus City Code.

2. PERMITTED USES - C.C. § 3333.02

The Site will permit all AR-12 uses.

3. DEVELOPMENT STANDARDS - C.C. § 3333.01, et seq.

Unless otherwise indicated herein, the development standards of C.C. § 3312 (Off-Street Parking and Loading), § 3321 (General Site Development), and § 3333 (Apartment Districts) shall apply.

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

- i The maximum number of units to be built on site is 44 with a density not to exceed 8.8 units/acre.
- ii. The site will permit a building setback of 50 feet from Roberts Road

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

- i. Roberts Road will provide right in right out access to the Site pursuant to the City of Columbus, Department of Public Services. Access shall also be provided to Bluewynne Place along the east property line as shown on the site plan.
- ii. Any and all traffic-related commitments, including access, shall be designated and located to the specifications of the City of Columbus, Department of Public Services, Division of Operating and Planning.

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

- i. The site will provide a 35 -foot landscape buffer where the development abuts single family residences.
- ii. The landscaped buffers to the east, west and north shall include a mixture of deciduous trees at a 2 ½ inch minimum caliper and evergreen trees at a minimum height of 5'-6' upon installation as committed to and depicted on the attached landscape plan.
- iii. An open space shall be maintained as common area in the middle of the development.
- iv. The Roberts Road frontage will have landscaping that includes deciduous trees at a 2 ½ inch minimum caliper and ornamental trees and plantings as depicted on the attached site plan.

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

- i. Exterior building materials shall be either wood siding, Hardy-Plank or an equivalent siding, brick, stucco, stone, stucco stone, cast stone, cast stone, **vinyl imitation wood lap or Dutch-lap vinyl imitation wood shakes, vinyl imitation vertical baton or vinyl lap** siding upgrade 0.042 **0.0042** gauge or greater, or glass. Asphalt shingles shall be dimensional.

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

- i. It is Applicants intention to obtain a dumpster waiver. Subject to approval of a Dumpster Waiver, refuse collection shall be provided by a private hauler. All residents shall have a private refuse container(s). If a Dumpster Waiver is not granted or if revoked by the City of Columbus, or if the rental management company requests refuse service by the City of Columbus, dumpsters will be provided in accordance with applicable city code.

F. Graphics and Signage Commitments.

- i. N/A

G. Miscellaneous Commitments.

- i. Applicant will install a new sidewalk along Roberts Road
- ii Applicant will comply with the Parkland Dedication Ordinance.
- iii. The site will be developed in accordance with the plans labeled as “Concept Plan” and “Landscape Buffer Plan.” The plans may be slightly adjusted to reflect engineering topographical or other site data developed at the time of development and when engineering plans are submitted. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

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