



## Legislation Details (With Text)

**File #:** 2760-2013      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/14/2013      **In control:** Zoning Committee

**On agenda:** 12/9/2013      **Final action:** 12/11/2013

**Title:** To rezone 257 PARK ROAD (43085), being 15.22± acres located on the south side of Park Road, 200± feet east of Station Street, From: R, Rural District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z13-033).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2760-2013Attachments, 2. Notice Of Public Hearing - Council Mtg20131209

Date	Ver.	Action By	Action	Result
12/11/2013	1	CITY CLERK	Attest	
12/11/2013	1	ACTING MAYOR	Signed	
12/9/2013	1	COUNCIL PRESIDENT	Signed	
12/9/2013	1	Zoning Committee	Approved	Pass
12/2/2013	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z13-033

**APPLICANT:** Giuseppe (Joseph) A. Pingue; 1445 Worthington Woods Boulevard; Worthington, OH 43085.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on November 14, 2013.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-12, Limited Apartment Residential District will allow the site to be redeveloped with a maximum of 180 apartment units with a gross density of 11.83 units/acre. The site is located within Subarea C5 of the *Far North Plan* (1994), which is being updated, but currently recommends single and multi-unit residential uses. The Plan also includes a suggested density of eight units/acre for this subarea, and a general recommendation that natural resources be preserved, with support for higher densities being predicated upon a commitment to tree preservation. The limitation text provides development standards for total number of units, traffic-related commitments, sidewalks, street trees, one acre of tree preservation, building materials commitments, and lighting controls. The requested L-AR-12, Limited Apartment Residential District is consistent with the existing development patterns and density in the area. The development standards within the limitation text ensure compatibility and connectivity with adjacent developments, and the one-acre tree preservation commitment protects natural resources and justifies the proposed density as recommended in the *Far North Plan*.

To rezone **257 PARK ROAD (43085)**, being 15.22± acres located on the south side of Park Road, 200± feet east of Station Street, **From:** R, Rural District, **To:** L-AR-12, Limited Apartment Residential District (Rezoning # Z13-033).

**WHEREAS**, application #Z13-033 is on file with the Department of Building and Zoning Services requesting rezoning of 15.22± acres from R, Rural District, to L-AR-12, Limited Apartment Residential 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 proposed L-AR-12, Limited Apartment Residential District, is consistent with the existing development patterns and density in the area. The development standards within the limitation text ensure compatibility and connectivity with adjacent developments, and the one-acre tree preservation commitment protects natural resources and justifies the proposed density as recommended in the *Far North 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:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BEING LOCATED IN LOT NUMBERS 55 & 56 OF SECTION 2, TOWNSHIP 2, RANGE 18, UNITED STATES MILITARY LANDS, AND BEING A TOTAL OF 15.22 (+/-) COMBINED ACRES OF EXISTING PARCELS AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF PARK ROAD AT THE NORTHWESTERLY CORNER OF A 1.995 ACRE TRACT (P/N 610-166656) AND EASTERLY RIGHT-OF-WAY OF THE NEW YORK CENTRAL LINES AND BEING REFERENCED BY THE INTERSECTION OF PARK AND FLINT ROADS, N 87°29'43"W AT A DISTANCE OF 2,010.5 FEET, SAID POINT BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION, THENCE:

S 87°29'43"E, ALONG THE CENTERLINE OF PARK ROAD AND NORTHERLY LINES OF PARCEL NUMBERS 610-166656, 610-166609, 610-166612, A DISTANCE OF 262.70 FEET TO A POINT IN THE CENTERLINE OF PARK ROAD AT A NORTHEASTERLY CORNER OF A 2.495 ACRE TRACT (P/N 610-166612), THENCE:

S 04°03'00"E, ALONG THE EASTERLY LINE OF SAID 2.495 ACRE TRACT, A DISTANCE OF 367.02 FEET TO A POINT AT THE SOUTHWEST CORNER OF A 5.0 ACRE TRACT AS OWNED BY LM PROPERTIES OF OHIO LTD (P/N 610-166673), THENCE:

S 87°51'23"E, ALONG THE NORTHERLY LINE OF SAID 2.495 ACRES AND SOUTHERLY LINE OF SAID 5.0 ACRES, A DISTANCE OF 610.85 FEET TO A POINT IN THE WESTERLY LINE OF A 3.985 ACRE TRACT AS OWNED BY WORTHINGTON MEADOWS COLUMBUS ASSOCIATES, LLC, THENCE:

S 02°14'35"W, ALONG THE EASTERLY LINES OF THE PARCEL NUMBERS 610-166612, 610-166672, 610-193721, AND 610-166610, TO A POINT AT THE SOUTHEASTERLY CORNER OF 1.611 ACRES (P/N 610-166610) AND NORTHEASTERLY CORNER OF A 3.064 ACRE TRACT AS OWNED BY PARK PLACE DEVELOPMENT, LLC, A DISTANCE OF 502.12 FEET, THENCE:

N 87°15'56"W, ALONG THE NORTHERLY LINE OF SAID 3.064 ACRES, A DISTANCE OF 457.48 FEET TO A POINT IN THE EASTERLY LINE OF A 1.883 ACRE TRACT (P/N 610-166611) AND NORTHWESTERLY CORNER OF SAID 3.064 ACRES, THENCE:

S 01°44'20"W, ALONG THE EASTERLY LINE OF SAID 1.883 ACRES, A DISTANCE OF 297.17 FEET TO A POINT AT THE SOUTHEASTERLY CORNER OF SAID 1.883 ACRES AND A POINT IN THE NORTH LINE OF A 11.246 ACRE TRACT AS OWNED BY WORTHINGTON MEADOWS COLUMBUS ASSOCIATES LLC, THENCE:

N 88°18'00"W, ALONG THE SOUTH LINES OF 1.883 ACRES (P/N 610-166611), 3.0 ACRES (P/N 610-166671 AND NORTH LINE OF SAID 11.246 ACRES, A DISTANCE OF 379.07 FEET TO A POINT IN THE EASTERLY RIGHT - OF-WAY OF THE NEW YORK CENTRAL LINES, LLC AND SOUTHWEST CORNER OF SAID 3.0 ACRE TRACT, THENCE:

N 04°12'20"W, ALONG THE EASTERLY RIGHT-OF-WAY OF THE NEW YORK CENTRAL LINES, LLC AND WESTERLY LINE OF SAID 3.0 ACRES, A DISTANCE OF 546.07 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID 1.995 ACRES, THENCE FOLLOWING THE FOLLOWING (3) COURSES ALONG SAID LINES:

N 04°05'09"W, A DISTANCE OF 310.00 FEET, THENCE:

S 87°51'23"E, A DISTANCE OF 50.36 FEET, THENCE:

N 04°05'09"W, A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING OF THE DESCRIPTION HEREIN AND CONTAINING 15.22 ACRES, MORE OR LESS.

SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

**To Rezone From:** R, Rural District,

**To:** L-AR12, 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 text being titled, "**LIMITATION TEXT**," signed by Giuseppe (Joseph) A. Pingue, Applicant, dated November 15, 2013, and reading as follows:

**LIMITATION TEXT**

**APPLICATION #:** Z13-033/ 13335-00000-00249

**PROPOSED DISTRICT:** L- AR-12, Limited Apartment Residential District

**PROPERTY ADDRESS:** 257 Park Rd., Columbus, Ohio 43085

**OWNER(s):** Giuseppe A. (Joseph) Pingue

**APPLICANT:** Same

**DATE OF TEXT:** 11/15/13

1. INTRODUCTION

The subject property is located on the south side of Park Road., east of the railroad tracks, and west of Granby meadows Drive being 15.22 acres+- which is currently zoned R. The 15.22+- acres are bordered on the northwest by two story apartments, on the northeast by one story apartments, on the east and on the south site by existing multi-story apartments. West of the railroad tracks is generally developed with a retail building and warehouses. Southwest of the site across the railroad tracks is generally developed with single family residential homes.

2. PERMITTED USES

Within the property to be rezoned, the permitted uses shall consist of all AR-12 Apartment Residential District uses permitted under Chapter 3333, Apartment Residential District of the Columbus City Codes.

### **3. DEVELOPMENT STANDARDS**

#### **A. Density, Lot, Height and/or Setback Requirements.**

1. The density of the property shall be limited to a maximum of 180 residential apartment units and contain a clubhouse with a swimming pool.
2. The maximum height of any structure shall be 35 ft.

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

1. Access to the property will be through a dedicated public street to be located approximately in the center of the site, to be connected to the south side of Park Road with the existing Alta Drive / Whitewater Blvd. to the south, unless otherwise approved by the Department of Public Service.
2. Sidewalk or Pathway. Applicant agrees to construct a sidewalk or pathway along the South edge of Park Road (width and type to be determined by the Public Service Department), and a 5 foot wide sidewalk along all other public streets.
3. There shall be an internal 4 foot wide private sidewalk system connecting all of the units with each other, the parking areas and the clubhouse. These internal sidewalks shall connect to the sidewalk along public streets.
4. The Developer will dedicate 30 feet of right of way from the center line along Park Rd. as required by C.C.C.4309.17.
5. At the proposed public street connection to Park Road, a westbound left turn lane with a length of 125 feet (includes taper) shall be provided. These improvements shall meet the requirements of the City of Columbus, Department of Public Service and/or Franklin County Engineer's Office, where applicable. It is anticipated that these roadway improvements will require improvements that extend into the frontage of Tax Parcel ID: 250-000026 currently owned by New York Central Lines, LLC, which contains an active railroad operation. Prior to approval of a site compliance plan for the area comprising this rezoning application, documentation will need to be provided from the railroad operator that the roadway improvements extending into the frontage of Tax Parcel ID: 250-000026 may be constructed.

#### **C. Landscaping, Open Space, and/or Screening Commitments.**

1. Street trees shall be planted evenly spaced along public streets at a ratio of not less than one tree per thirty (30') feet of frontage where there are no existing trees.
2. The site is heavily wooded with a mature variety of trees such as Oak, Pin Oak, Sycamore and other shade trees. The developer shall preserve the larger trees that do not have multiple trunks by reasonably shifting buildings and parking lots. In order to accomplish this, a tree survey shall be conducted by a landscape architect or a certified arborist which identifies the trees that are to be saved, and shall be submitted to the City Forester for review and approval prior to site compliance approval. The tree preservation areas shall be contained in no less than 1 acre of open space in addition to the perimeter setback, and may be distributed at one or two locations depending on mature tree groupings. These tree preservation areas shall be designated as no-build zones.

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

1. All buildings shall have a pitched or angled roof.
2. Building materials shall be a combination of natural materials (brick, stone, etc.) wood and vinyl siding.

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

1. Light poles shall not exceed fifteen 15 feet in height. For aesthetic compatibility, lights shall be the same or similar

type and color, and supplied by the same manufacturer.

2. The Developer will comply with the requirements of Chapter 3318, Parkland Dedication.

3. All dumpsters will be screened with a wood fence and operable wood gate, regularly painted and maintained at all times.

**F. Graphics and / or Signage 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.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.