



## Legislation Details (With Text)

**File #:** 0180-2014      **Version:** 2

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

**File created:** 1/15/2014      **In control:** Zoning Committee

**On agenda:** 3/3/2014      **Final action:** 3/6/2014

**Title:** To rezone 5062 HAYDEN RUN ROAD (43016), being 12.65± acres located at the northwest corner of Hayden Run Road and Edwards Farms Drive, From: CPD, Commercial Planned Development District, To: L-AR-O, Limited Apartment Residential Office District and to declare an emergency (Rezoning # Z13-057).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0180-2014Attachments, 2. Notice Of Public Hearing - Council Mtg20140303

Date	Ver.	Action By	Action	Result
3/6/2014	2	CITY CLERK	Attest	
3/5/2014	2	MAYOR	Signed	
3/3/2014	2	COUNCIL PRESIDENT	Signed	
3/3/2014	1	Zoning Committee	Approved as Amended	Pass
3/3/2014	1	Zoning Committee	Amended to Emergency	Pass
2/24/2014	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z13-057

**APPLICANT:** Multicon Development Co.; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on December 12, 2013.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-O, Limited Apartment Residential Office District will allow multi-unit residential development that is consistent with the surrounding development. The development text includes commitments for permitted uses, setbacks, maximum number of units, maximum building height, access, roadway improvements, street trees, building design, and amenities. Staff supports rezoning the existing CPD District for multi-unit residential development given the predominance of multi-unit residential uses in the area, and because the property has remained undeveloped since it was commercially zoned in 2000.

To rezone **5062 HAYDEN RUN ROAD (43016)**, being 12.65± acres located at the northwest corner of Hayden Run Road and Edwards Farms Drive, **From:** CPD, Commercial Planned Development District, **To:** L-AR-O, Limited Apartment Residential Office District **and to declare an emergency** (Rezoning # Z13-057).

**WHEREAS**, application #Z13-057 is on file with the Department of Building and Zoning Service requesting rezoning of 12.65± acres from CPD, Commercial Planned Development District, to L-AR-O, Limited Apartment Residential Office 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 L-AR-O, Limited Apartment Residential Office District will allow multi-unit residential development that is consistent with the surrounding development. Staff supports rezoning the existing CPD District for multi-unit residential development given the predominance of multi-unit residential uses in the area, and because the property has remained undeveloped since it was commercially zoned in 2000; and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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:

**5062 HAYDEN RUN ROAD (43016)**, being 12.65± acres located at the northwest corner of Hayden Run Road and Edwards Farms Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 2418, being part of that 23.197 acre tract conveyed as Parcel One to Casto-Edwards Hayden Run Limited by deed of record in Instrument Number 201106020069379 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), being more particularly described as follows:

BEGINNING at the intersection of the northerly right-of-way line of Hayden Run Road with the easterly limited access right-of-way line of Interstate Route 270, being the southwesterly corner of said 23.197 acre tract;  
thence North 11° 38' 10" West, with said easterly limited access right-of-way line, a distance of 665.79 feet to a point;  
thence North 78° 34' 08" East, across said 23.197 acre tract, a distance of 857.30 feet to a point on a curve in the westerly right-of-way line of Edwards Farms Road;  
thence with said westerly right-of-way line, with said curve to the left, having a central angle of 03° 29' 49", a radius of 550.00 feet, an arc length of 33.57 feet and a chord bearing and distance of South 15° 00' 54" East, 33.56 feet to a point;  
thence continuing with said westerly right-of-way line, the following courses and distances:  
South 16° 45' 31" East, a distance of 359.99 feet to a point;

South 16° 44' 50" East, a distance of 68.71 feet to a point;

South 73° 01' 28" West, a distance of 9.93 feet to a point;

South 16° 45' 35" East, a distance of 117.91 feet to a point;

South 28° 21' 18" West, a distance of 7.16 feet to a point in the northerly right-of-way line of Hayden Run Road;

Thence South 73° 14' 44" West, with said northerly right-of-way line, a distance of 228.60 feet to a point;

Thence South 73° 23' 13" West, continuing with said northerly right-of-way line, a distance of 668.40 feet to the POINT OF BEGINNING, containing 12.648 acres, more or less.

THE ABOVE DESCRIPTION IS BASED ON BASED ON RECORD INFORMATION AND IS NOT TO BE USED FOR TRANSFER.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** L-AR-O, Limited Apartment Residential Office District

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the L-AR-O, Limited Apartment Residential Office 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-O, 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 titled, "**LIMITATION TEXT**," signed by Jeffrey L. Brown, Attorney for the Applicant, dated February 14, 2014, and reading as follows:

### **LIMITATION TEXT**

**PROPOSED DISTRICTS:** L-ARO

**PROPERTY ADDRESS:** 5062 Hayden Run Road

**OWNER:** Multicon Development Co.

**APPLICANT:** Same as owner

**DATE OF TEXT:** 2/14/14

**APPLICATION:** Z13-057

**1. INTRODUCTION:** Within the suburban context, planning standards should promote higher density living. In particular, increased density should be encouraged where infrastructure such as roadways, support services, leisure activities, and working environments currently exist. The applicant's property is a site that although suburban in proximity and location possesses several urban characteristics. The site is adjacent to a major regional mall, interstate highway, a primary arterial roadway. Moreover, within a mile radius of the site exists as much office space as that of downtown Columbus. This site is clearly urban and a piece of property that should be developed at higher densities.

**2. PERMITTED USES:** Those uses permitted in Section 3333.04 (1), (2), (17) (ARO, Apartment Residential) of the Columbus City Code.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3333 (Apartment Districts) of the Columbus City Code.

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

1. The building setback shall be 50 feet, from Edwards Farms Road and 90 feet from Hayden Run Road except that balconies and air conditioning units may extend up to six feet into the required building setback.
2. The maximum number of dwelling units shall be 340.
3. There shall be no parking spaces in front of the building setback along Edwards Farm Road and Hayden Run Road.
4. Height District 60 feet with a maximum height of four stories.

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

1. One full access point shall be permitted to Edwards Farms Road for this site, which shall have its centerline located 343' north of the centerline of Hayden Run Road.
2. The developer shall be responsible for restriping Edwards Farms Road to provide a southbound left turn lane with a length of 185' (includes diverging taper) at the intersection of Hayden Run Road and Edwards Farms Road and provide a northbound left turn lane with a length of 135' (includes diverging taper) at the site access point to Edwards Farms Road.
3. At the site access point to Edwards Farms Road, the developer shall modify the configuration of the southbound right turn lane at the intersection of Hayden Run Road and Edwards Farms Road to ensure that full width of the southbound right turn lane is provided through the width of the site access point and that the diverging taper for the southbound right turn lane shall occur north of the site access point.

4. These traffic commitments may be modified subject to the review and approval of the City's Department of Public Service.

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

1. The frontage along Edwards Farms Road and Hayden Run Road shall be landscaped with one street tree per 40 feet of frontage and 2 deciduous and 2 ornamental trees per 100 feet of frontage. Except for the street trees on Edwards Farms Road, the other trees may be evenly spaced or grouped together.

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

1. Building design:

a. Building materials will consist of primarily brick and vinyl siding

b. At least 15% of the dwelling units shall have a garage.

c. Detached garages shall have a pitched roof (minimum pitch 3/12)

d. A parking garage may be used to meet the requirement of item 3D(1)(b) and a parking garage does not have to comply with item 3D(1)(c).

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

N/A

**F. Graphics and Signage Commitments**

N/A

**G. Miscellaneous**

1. The amenities package for the site shall consist of at least a clubhouse and swimming pool.

2. The site may have gated interior access points.

3. All new sidewalks shall be a minimum of five feet in width.

4. The applicant shall meet the City's Parkland Dedication ordinance.

**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.**