



Legislation Details (With Text)

File #: 0218-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/24/2017 **In control:** Zoning Committee

On agenda: 2/13/2017 **Final action:** 2/15/2017

Title: To rezone 2180 EAKIN ROAD (43223), being 20.88± acres located on the north side of Eakin Road, 120± feet east of Whitethorne Avenue, From: PUD-6, Planned Unit Development District, To: PUD-4, Planned Unit Development District (Rezoning # Z16-083).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0218-2017_Attachments, 2. ORD0218-2017_Labels

Date	Ver.	Action By	Action	Result
2/15/2017	1	CITY CLERK	Attest	
2/15/2017	1	MAYOR	Signed	
2/13/2017	1	COUNCIL PRESIDENT	Signed	
2/13/2017	1	Zoning Committee	Approved	Pass
2/6/2017	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z16-083

APPLICANT: Columbus Housing Partnership, LLC (DBA Homeport); c/o Dave Perry, Agent; David Perry Company, Inc.; 423 East Town Street, 2nd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 423 East Town Street, 2nd Floor; Columbus, OH 43215.

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

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on January 12, 2017.

GREATER HILLTOP AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped, and is zoned PUD-6, Planned Unit Development District permitting 68 single-unit dwellings and 28 apartment units at a net density of 5.34 units/acre with 3.23 acres of open space. The requested PUD-4, Planned Unit Development District will permit 40 single-unit dwellings and 36 apartment units at a net density of 3.95 units/acre with 7.7 acres of provided open space, and includes both private and public streets. The submitted PUD plan and data table illustrate the proposed development. The development text includes use restrictions, and setback, access and tree preservation provisions. A variance to permit the single-unit dwelling lots to be 45 feet wide at the street frontage is incorporated into the request. The site lies within the planning area of the *Greater Hilltop Plan Amendment* (2010), which recommends "Medium Density Mixed Residential" for this location. The request represents a reduction in the permitted number of dwelling units with increased open space, is consistent with the Plan's land use recommendation, and is compatible with the surrounding residential development pattern.

To rezone **2180 EAKIN ROAD (43223)**, being 20.88± acres located on the north side of Eakin Road, 120± feet east of Whitethorne Avenue, **From:** PUD-6, Planned Unit Development District, **To:** PUD-4, Planned Unit Development District (Rezoning # Z16-083).

WHEREAS, application # Z16-083 is on file with the Department of Building and Zoning Services requesting rezoning of 20.88± acres from PUD-6, Planned Unit Development District, to PUD-4, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Greater Hilltop Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested PUD-4, Planned Unit Development District will allow a residential development that is compatible with the density and development standards of adjacent residential developments, and is consistent with the land use recommendations of the *Greater Hilltop Plan Amendment*; 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:

2180 EAKIN ROAD (43223), being 20.88± acres located on the north side of Eakin Road, 120± feet east of Whitethorne Avenue, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, and State of Ohio; also being a portion of those lands as conveyed to Wyandotte Eakin Road, LLC in Instrument Number 20020222004816, Parcel 2 and Parcel 3, and those lands as conveyed to Jeffrey A. and Kristan Hatfield as described in Instrument Number 20020412093884; being more particularly described as follows:

Commencing at a point along the centerline of Eakin Road, said point of begin the southwesterly corner of those lands as conveyed to Wyandotte Eakin Road, LLC in Instrument Number 20020222004816, Parcel 2; thence along the westerly line of said Parcel 2 North 13° 45' 00" East, 30.00' to a point along the proposed new northerly right-of-way of Eakin Road, said point being the TRUE POINT OF BEGINNING, and from the said beginning point running thence;

North 13° 45' 00" East, one thousand five hundred eighty-three and ninety-five one-hundredths feet (1,583.95'); thence,

South 76° 46' 31" East, ten and zero one-hundredths feet (10.00'); thence,

North 13° 45' 00" East, one hundred seventy-seven and thirty-six one hundredths feet (177.36'); thence,

South 76° 06' 37" East, one hundred fifty-seven and sixty-four one-hundredths feet (157.64'); thence,

South 13° 45' 00", West, one hundred seventy-five and fifty-three one-hundredths feet (175.53'); thence,

South 76° 46' 31" East, six hundred forty and ninety-five one-hundredths feet (640.95'); thence,

South 13° 15' 28" West, four hundred thirty and twenty one-hundredths feet (430.20'); thence,

South 46° 38' 44" West, one hundred fifty-seven and thirty-three one-hundredths feet (157.33'); thence,

Along a curve to the left having a radius of 11,529.91'; a central angle of 5° 53' 46"; an arc length of 1,186.50'; and a

chord bearing South 43° 41' 51" West for a distance of 1,185.94',

North 76° 52' 48" West, one hundred thirty-four and seventy-nine one-hundredths feet (134.79') to the point of beginning containing a total area of 20.88 acres, more or less, as calculated by Michael L. Keller, Professional Surveyor, Ohio License Number 7978.

The description is solely prepared for the purpose of zoning considerations. The above-described parcel is based on record information only, and not an actual field survey.

Parcel Numbers: 570-105105, 570-105106, 010-264091

To Rezone From: PUD-6, Planned Unit Development District,

To: PUD-4, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-4, Planned Unit 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 changes on the said original zoning map and shall register a copy of the approved PUD-4, Planned Unit Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.09 of the Columbus City Codes; said plan being titled, "**PUD DEVELOPMENT PLAN, 2180 EAKIN ROAD,**" and said text being titled, "**DEVELOPMENT PLAN - PLANNED UNIT DEVELOPMENT (PUD-4),**" both dated January 13, 2017, and signed by Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT PLAN
PLANNED UNIT DEVELOPMENT (PUD-4)

PROPERTY ADDRESS: 2180 Eakin Road, Columbus, OH 43223

PID: 010-264091, 570-105105, 570-105106

AREA: 20.88 +/- ac

EXISTING ZONING: PUD-6, Planned Unit Development

PROPOSED ZONING: PUD-4, Planned Unit Development

APPLICANT: Columbus Housing Partnership, Inc. DBA Homeport c/o Dave Perry, David Perry Company, Inc., 423 E. Town Street, FL 2, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 423 E. Town Street, FL 2, Columbus, Ohio 43215

PROPERTY OWNER: Columbus/Franklin County Affordable Trust Corporation, c/o Dave Perry, David Perry Company, 423 E. Town Street, FL 2, and Donald Plank, Plank Law Firm, LPA, 423 E. Town Street, FL 2, Columbus, Ohio 43215

DATE OF TEXT: January 13, 2017

APPLICATION NUMBER: Z16-083

INTRODUCTION: The 20.88+/- acre site is located on the north side of Eakin Road and at the east and south terminus of Dartmoor Road and Butler Avenue, respectively. The property was zoned PUD-6 (Z04-062) in 2004 to permit single and multi-unit development. Applicant proposes to change the PUD plan for a different mix of single and multi-unit development and reduce density to PUD-4. The PUD plan, "PUD Development Plan, 2180 Eakin Road", dated 01-13-2017, is submitted with this application and is referenced in Section H of this text.

1. PERMITTED USES: The permitted use shall be detached single-unit dwellings on platted lots and multi-unit

development, in the multi-unit area of the site, as permitted by Section 3345.04, Permitted Uses.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, or in this text, the applicable development standards for the single family dwellings on platted lots shall be the standards of Chapter 3332, Residential Districts as applicable to the R-3, Residential District and the applicable development standards for the multi-unit development area shall be the standards of Chapter 3332, Residential Districts as applicable to the R-4, Residential District, of the Columbus City Code.

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

1. There shall be a maximum of 40 single -unit dwellings on platted lots and a maximum of 36 multiple dwelling units.
2. There shall be a 25' platted building line along the proposed public street.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. Vehicular access shall be by public street extension to connect Dartmoor Road and Butler Avenue.
2. Right of Way totaling thirty (30) feet from centerline on Eakin Road shall be dedicated to the City of Columbus.

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

1. Existing trees of 2 ½ " caliper or greater shall be preserved within the areas indicated as "Existing Trees to Remain, (Typ.)" on the PUD Plan, subject to utility crossings being permitted, as may be applicable.
2. Open space shall be provided as depicted on the PUD plan.
3. Street trees shall be provided as depicted on the PUD Plan.
4. The ground area around any identification sign, if any, or the single unit or multiple unit site areas shall be landscaped. Landscaping shall consist of low shrubs and annual flowers in a minimum two (2) foot radius around the sign.
5. The playground area adjacent to the clubhouse, both in the multi-unit area, is optional.

D. Building design and/or Interior-Exterior treatment commitments.

1. All dwelling units in Phase 1, consisting of 36 multi-family units and platted lots 37 - 40, inclusive, shall be one (1) story buildings.
2. Single-family dwellings on Lots 1 - 36, inclusive, may be one (1) or two (2) story.
3. All dwellings shall have a hip or gable primary roof. Roofing shall use a 30 year warranty architectural roofing shingle.
4. All dwelling units shall have a front porch.
5. Part of the front elevation of each dwelling unit shall be masonry. Other building materials shall include vinyl siding (min. 0.044 mm). There shall be no exposed concrete block.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

N/A

F. Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the R-3 and R-4 Residential Districts for the single-unit and multi-unit areas of the site, respectively. Any ground sign for the multi-family area shall be monument-style. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration. No off-premise graphics shall be permitted.

G. Modification of Code Standards.

Section 3332.05(A)(4)(B)(4), to reduce the front lot line width of single-unit platted lots from 50' to 45' at the right of way and building line for rectangular lots and to reduce the front lot line width of cul-de-sac lots from 50' to a minimum of 28' at the right of way, subject to a building line width of 45'.

H. Miscellaneous commitments.

1. The site shall be developed in accordance with the submitted PUD Plan titled "PUD Development Plan, 2180 Eakin Road", dated January 13, 2017, signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Applicant shall pay the applicable Parkland Dedication Ordinance (PDO) fee prior to issuance of an approved Site Compliance Plan.

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