



## Legislation Details (With Text)

**File #:** 2579-2016      **Version:** 2

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

**File created:** 10/5/2016      **In control:** Zoning Committee

**On agenda:** 10/24/2016      **Final action:** 10/26/2016

**Title:** To rezone 5970 NORTH HAMILTON ROAD (43081), being 42.06± acres located at the northeast and southeast corners of North Hamilton Road and East Dublin-Granville Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z16-039).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2579-2016Attachments, 2. ORD2579-2016\_CPD\_Text\_Amended (2), 3. ORD2579-2016\_CPD\_Text, 4. ORD2579-2016\_Labels

Date	Ver.	Action By	Action	Result
10/26/2016	2	CITY CLERK	Attest	
10/26/2016	2	MAYOR	Signed	
10/24/2016	2	COUNCIL PRESIDENT	Signed	
10/24/2016	2	Zoning Committee	Approved as Amended	Pass
10/24/2016	2	Zoning Committee	Amended as submitted to the Clerk	Pass
10/17/2016	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z16-039

**APPLICANT:** Hamilton Crossing, LLC; c/o Charlie Fraas, Agent; 250 Civic Center Drive, Suite 500; Columbus, OH 43215; and Aaron L. Underhill, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on September 8, 2016.

**CITY DEPARTMENTS' RECOMMENDATION:** The site is currently undeveloped and zoned in the CPD, Commercial Planned Development District (northern portion of Subarea 6 of Z05-054). The applicant proposes the CPD, Commercial Planned Development District to revise the current development text to alter site density, setback, and height requirements in order to provide a uniform development that is consistent with nearby properties that were recently rezoned. The development text allows uses permitted in the C-4, Commercial District with several restrictions. The text includes provisions for height limits, setback requirements and development standards that provide compatibility with adjacent properties. Variances for reduced setbacks, to allow parking lots to be divided by parcel lines, and for increased light pole height are included in the request. The site is located within the boundaries of the *Northland Plan, Volume II* (2002), which recommends mixed-use development for this location. The permitted uses of this CPD are consistent with this recommendation, and the provisions of the CPD text will ensure that future development is compatible with adjacent properties.

To rezone **5970 NORTH HAMILTON ROAD (43081)**, being 42.06± acres located at the northeast and southeast corners of North Hamilton Road and East Dublin-Granville Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z16-039).

**WHEREAS**, application No. Z16-039 is on file with the Department of Building and Zoning Services requesting rezoning of 46.02± acres from CPD, Commercial Planned Development District, 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 land use recommendations of the *Northland Plan, Volume II*, for mixed-use development. The requested CPD zoning classification would revise the existing development texts to update site density, setback, and height requirements which will result in a uniform development; 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:

**5970 NORTH HAMILTON ROAD (43081)**, being 42.06± acres located at the northeast and southeast corners of North Hamilton Road and East Dublin-Granville Road, and being more particularly described as follows:

**SUBAREA G-2; 25.36 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, and being part of that 25.832 acre tract conveyed to Hamilton Crossing LLC by deeds of record in Instrument Numbers 201510300154503 and 201602110017560 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road and Hamilton Road;

Thence North 87° 12' 08" East, with the centerline of said Dublin-Granville Road, a distance of 424.99 feet to a point at the southwesterly corner of said 25.832 acre tract;

Thence North 02° 48' 55" West, with the westerly line of said 25.832 acre tract, across said Dublin-Granville Road, a distance of 30.00 feet to a point at the intersection of the northerly right-of-way line of said Dublin-Granville Road with the easterly right-of-way line of said Hamilton Road, the TRUE POINT OF BEGINNING;

Thence continuing with said easterly right-of-way line, the westerly line of said 25.832 acre tract, the following courses and distances:

North 73° 41' 36" West, a distance of 79.38 feet to a point;

North 81° 30' 19" West, a distance of 219.26 feet to a point;

North 05° 49' 33" West, a distance of 407.58 feet to a point; and

North 12° 10' 08" West, a distance of 107.57 feet to a point at a northwesterly corner of said 25.832 acre tract;

Thence with the northerly line of said 25.832 acre tract, the following courses and distances:

North 80° 54' 07" East, a distance of 261.02 feet to a point;

North 78° 56' 24" East, a distance of 101.56 feet to a point;

North 83° 05' 21" East, a distance of 274.00 feet to a point;

North 06° 54' 39" West, a distance of 422.00 feet to a point;

North 83° 05' 21" East, a distance of 406.57 feet to a point;

North 06° 54' 39" West, a distance of 62.92 feet to a point;

North 83° 05' 21" East, a distance of 218.97 feet to a point;

South 06° 54' 39" East, a distance of 29.92 feet to a point;

North 83° 05' 21" East, a distance of 58.38 feet to a point;

South 06° 54' 39" East, a distance of 100.00 feet to a point; and  
North 83° 05' 21" East, a distance of 124.62 feet to a point at the northeasterly corner of said 25.832 acre tract;  
Thence with the easterly line of said 25.832 acre tract, the following courses and distances:  
South 06° 54' 39" East, a distance of 20.95 feet to a point of curvature;  
with the arc of a curve to the right, having a central angle of 38° 06' 52", a radius of 101.00 feet, an arc length of 67.19 feet, a chord bearing of South 12° 08' 47" West and chord distance of 65.96 feet to a point of reverse curvature;  
with the arc of a curve to the left, having a central angle of 38° 06' 52", a radius of 199.00 feet, an arc length of 132.38 feet, a chord bearing of South 12° 08' 47" West and chord distance of 129.95 feet to a point of tangency;  
South 06° 54' 39" East, a distance of 553.88 feet to a point;  
South 83° 05' 21" West, a distance of 345.10 feet to a point;  
with the arc of a curve to the right, having a central angle of 30° 44' 03", a radius of 251.00 feet, an arc length of 134.64 feet, a chord bearing of South 10° 04' 01" West and chord distance of 133.03 feet to a point of reverse curvature;  
with the arc of a curve to the left, having a central angle of 32° 20' 42", a radius of 199.00 feet, an arc length of 112.34 feet, a chord bearing of South 09° 15' 42" West and chord distance of 110.85 feet to a point of tangency; and  
South 06° 54' 39" East, a distance of 27.83 feet to a point in the northerly right-of-way line of said Dublin-Granville Road;  
Thence South 83° 05' 21" West, with said northerly right-of-way line, a distance of 52.73 feet to a point;  
Thence South 87° 12' 08" West, continuing with said northerly right-of-way line, a distance of 628.29 feet to the TRUE POINT OF BEGINNING, containing 25.36 acres, more or less.

#### **SUBAREA H; 16.7 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that 64.327 acre tract conveyed to Hamilton Crossing LLC by deeds of record in Instrument Numbers 201510300154503 and 201602110017560, and all of that 1.202 acre tract conveyed to Hamilton Crossing LLC by deed of record in Instrument Number 201606140075431 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road with Hamilton Road;  
Thence North 87° 12' 08" East, with the centerline of said Dublin-Granville Road, a distance of 707.14 feet to a point at the northeasterly corner of said 64.327 acre tract;  
Thence South 02° 47' 52" East, with said easterly line, a distance of 50.94 feet to the TRUE POINT OF BEGINNING;  
Thence South 02° 47' 52" East, with the easterly line of said 64.327 acre tract and said 1.202 acre tract, a distance of 1024.06 feet to a point;  
Thence with the southerly line of said 64.327 acre tract, the following courses and distances:  
South 87° 12' 08" West, a distance of 393.95 feet to a point of curvature;  
With the arc of a curve to the right, having a central angle of 40° 05' 02", a radius of 700.00 feet, an arc length of 489.72 feet, a chord bearing of North 72° 45' 21" West and chord distance of 479.79 feet to a point of tangency; and  
North 58° 06' 56" West, a distance of 96.48 feet to a point of on the arc of a curve in the easterly right-of-way line of Hamilton Road, as dedicated in Plat Book 120, Page 64;  
Thence with said easterly right-of-way line, the following courses and distances:  
with the arc of a curve to the left, having a central angle of 05° 30' 20", a radius of 639.00 feet, an arc length of 61.40 feet, a chord bearing of North 24° 56' 02" East and chord distance of 61.38 feet to a point of reverse curvature;  
with the arc of a curve to the right, having a central angle of 50° 24' 23", a radius of 83.00 feet, an arc length of 73.02 feet, a chord bearing of North 47° 23' 04" East and chord distance of 70.69 feet to a point of tangency;  
North 72° 35' 15" East, a distance of 67.52 feet to a point of curvature;  
with the arc of a curve to the right, having a central angle of 21° 32' 23", a radius of 83.00 feet, an arc length of 31.20 feet, a chord bearing of North 83° 21' 27" East and chord distance of 31.02 feet to a point of compound curvature;  
with the arc of a curve to the right, having a central angle of 09° 06' 51", a radius of 333.00 feet, an arc length of 52.97 feet, a chord bearing of South 81° 18' 56" East and chord distance of 52.91 feet to a point;  
North 16° 37' 37" East, a distance of 61.63 feet to a point;  
North 65° 47' 13" West, a distance of 11.51 feet to a point of curvature;  
with the arc of a curve to the right, having a central angle of 22° 41' 38", a radius of 84.00 feet, an arc length of 33.27 feet, a chord bearing of North 54° 26' 24" West and chord distance of 33.05 feet to a point of compound curvature;

with the arc of a curve to the right, having a central angle of 52° 00' 23", a radius of 34.00 feet, an arc length of 30.86 feet, a chord bearing of North 17° 05' 23" West and chord distance of 29.81 feet to a point of tangency;  
North 08° 54' 49" East, a distance of 232.00 feet to a point of curvature;  
with the arc of a curve to the left, having a central angle of 11° 43' 50", a radius of 1059.92 feet, an arc length of 217.01 feet, a chord bearing of North 03° 02' 53" East and chord distance of 216.63 feet to a point of tangency;  
North 02° 49' 02" West, a distance of 104.50 feet to a point;  
North 56° 45' 39" East, a distance of 52.18 feet to a point; and  
North 02° 49' 02" West, a distance of 10.00 feet to a point in the southerly right-of-way line of said Dublin-Granville Road;  
Thence North 87° 10' 58" East, with said southerly right-of-way line, a distance of 495.00 feet to a point;  
Thence North 87° 10' 58" East, continuing with said southerly right-of-way line, a distance of 106.96 feet to the TRUE POINT OF BEGINNING, containing 16.70 acres, more or less.

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

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

**SECTION 2.** That a Height District of sixty (60) 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 plans being titled, "**EXHIBIT A HAMILTON QUARTER - SUBAREAS G2 & H,**" "**EXHIBIT B 4 RAIL FENCE,**" and "**EXHIBIT C PAGES 1 & 2,**" and text titled, "**DEVELOPMENT TEXT,**" all signed by Charles Fraas, Agent for the Applicant, and dated October 6, 2016, and the text reading as follows:

**DEVELOPMENT TEXT**

(SEE ATTACHMENT FILE ORD2579-2016\_CPD\_TEXT)

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