



## Legislation Details (With Text)

**File #:** 1645-2018      **Version:** 2

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

**File created:** 6/5/2018      **In control:** Zoning Committee

**On agenda:** 7/16/2018      **Final action:** 7/18/2018

**Title:** To rezone 5300 AVERY ROAD (43016), being 8.86± acres located on the east side of Avery Road, 1,900± feet north of Riggins Road, From: L-AR-1, Limited Apartment Residential District, To: PUD-6, Planned Unit Development District (Rezoning # Z17-054).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1645-2018.Attachments, 2. ORD1645-2018.Labels

Date	Ver.	Action By	Action	Result
7/18/2018	2	CITY CLERK	Attest	
7/17/2018	2	MAYOR	Signed	
7/16/2018	2	COUNCIL PRESIDENT	Signed	
7/16/2018	1	Zoning Committee	Approved as Amended	Pass
7/16/2018	1	Zoning Committee	Amended as submitted to the Clerk	Pass
7/9/2018	1	Columbus City Council	Read for the First Time	

### Rezoning Application: Z17-054

**APPLICANT:** Edwards Communities Development Company; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Residential uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 10, 2018.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a driving range and is zoned in the L-AR-1, Limited Apartment Residential District. The applicant proposes to rezone the site to PUD-6, Planned Unit Development District to allow for residential uses. The site will consist of 40 unplatted dwelling units with private streets and 0.88± acres of provided open space on 8.86± acres (4.5± units/acre). The development text commits to a site plan and includes provisions for maximum number of dwellings, minimum setbacks and building separation, access, landscaping, garages, building materials, and lighting. The site is within the planning area of the *Interim Hayden Run Corridor Plan* (2004), which recommends "Office" land uses for this location. The site currently permits a multi-unit residential development, and the proposed use is lower in intensity. Planning Division staff recognizes that residential uses are appropriate when integrated into an overall site plan demonstrating a compatible mix of uses that includes useable open space and interconnectivity. This proposal maintains connectivity with adjacent commercial and residential properties, offers more open space, and is compatible with the density and development standards of adjacent residential uses.

To rezone **5300 AVERY ROAD (43016)**, being 8.86± acres located on the east side of Avery Road, 1,900± feet north of

Riggins Road, From: L-AR-1, Limited Apartment Residential District, To: PUD-6, Planned Unit Development District (Rezoning # Z17-054).

**WHEREAS**, application # Z17-054 is on file with the Department of Building and Zoning Services requesting rezoning of 8.86± acres from L-AR-1, Limited Apartment Residential District, to PUD-6, Planned Unit 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 PUD-6, Planned Unit Development District maintains connectivity with adjacent commercial and residential properties, offers more open space, and is consistent with the density and development standards of the adjacent residential developments; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**5300 AVERY ROAD (43016)**, being 8.86± acres located on the east side of Avery Road, 1,900± feet north of Riggins Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located within Virginia Military Survey 3012, and being part of that 28.603 acre tract as conveyed to Edwards Avery Road, LLC, PID 010-220108-00, all being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING FOR REFERENCE at the common corner of said 28.603 acre tract and that 7.0 acre tract as conveyed to Hilliard United Pentacostal Church, PID 010-265637-00, being in the centerline of Avery Road;

Thence North 84°18'43" East, with the common line of said 28.603 acre tract and said 7.0 acre tract, a distance of 83.40 feet, to a point in the proposed right of way of Avery Road, being the POINT OF TRUE BEGINNING;

Thence North 10°44'47" East, with aforesaid proposed right of way, a distance of 962.67 feet, to a point;

Thence through said 28.603 acre tract, the following courses:

South 79°15'13" East, a distance of 352.79 feet, to a point;

South 10°44'47" West, a distance of 407.21 feet, to a point;

South 27°08'00" East, a distance of 465.16 feet, to a point in the common line of said 28.603 acre tract and said 7.0 acre tract;

Thence South 84°18'43" West, with aforesaid common line, a distance of 665.59 feet, to the POINT OF TRUE BEGINNING, and containing 8.855 acres, more or less.

The bearings shown above are based on the bearing of North 10°44'47" East for the centerline of Avery Road in between Franklin County Monuments 1934 and 8855, as determined by GPS observations using ODOT VRS, based on NAD 83 (2011), Ohio State Plane South Zone, at the time of the survey.

**To Rezone From:** L-AR-1, Limited Apartment Residential District.

**To:** PUD-6, Planned Unit Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the PUD-6, Planned United 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 PUD-6, 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 site plans being titled, "**EDWARDS AVERY ROAD, LLC, THE VILLAS OF CASTLETON - SUB-AREA PLAN**" and "**EDWARDS AVERY ROAD, LLC, THE VILLAS OF CASTLETON - DEVELOPMENT PLAN**," dated May 23, 2018, and said text being titled, "**DEVELOPMENT TEXT**," dated June 4, 2018, all signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

**DEVELOPMENT TEXT**

**Application:** Z17-054

**Address:** 5300 Avery Road

**Owner:** Edwards Avery Road LLC

**Applicant:** Edwards Communities

**Zoning Districts:** PUD-6

**Date of Text:** 6/4/18

**I. Subarea A 8.86± acres PUD-6**

**1. Introduction:** The applicant is proposing single dwelling detached residential units developed under the R-4 development standards as shown on the PUD site plans instead of the previously approved multi-family dwelling units.

**2. Permitted Uses:** Single detached dwelling units.

**3. Development Standards:** Unless otherwise indicated, the applicable development standards are contained in Chapter 3332 (R-4, Residential) of the Columbus City Code.

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

1. The maximum number of dwelling units shall be 40.
2. The parking setback shall be a minimum of ten (10) feet from Avery Road.
3. There will be no setback for the proposed water vault along Avery Road.
4. The front of a principal structure or porch shall have a minimum setback of 20 feet from the inner side of the sidewalk.
5. The face of front loaded garage shall be a minimum of 20 feet from the sidewalk.

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

1. Access shall be as shown on the Site Plans. The exact location access points and the internal road layout may be modified subject to the review and approval of the City's Department of Public Service without the need for rezoning.
2. The applicant shall install a northbound right turn lane on Avery Road at Access Drive 2 when the internal loop road is constructed. Access Drive 2 shall be a right-in right-out access point.

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

1. The frontage along Avery Road shall include street trees, one (1) tree for every 40 feet of frontage and there shall be additional plantings of three (3) ornamental or evergreen trees and two (2) deciduous trees for every 100 feet of frontage. These trees may be evenly spaced or grouped.
2. Street trees along internal private streets shall be installed on the basis of one tree per 50 feet.

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

1. Each dwelling unit shall have a minimum two car garage.
2. Dwelling units may be used as model home for the purpose of marketing and sales.
3. Minimum separation between buildings shall be 10 feet. The projection of air conditioning units, fireplaces, chimneys, bay windows and/or other architectural projections of not more than 3 feet in each instance are permitted into minimum building separation.
4. In lieu of Section 3332.27, the following standards shall apply for the required rear yard and separation between structures and dwellings:
  - i) 20 feet rear to rear minimum
  - ii) The projection of air conditioning units, fireplaces, chimneys, bay windows and/or other architectural projections of not more than 3 feet in each instance are permitted into minimum building separation.
5. Building materials shall be primarily of brick, brick veneer, stone or stucco stone, stucco, synthetic stucco (EIFS), wood, **hardi plank**, and vinyl siding individually or in any combination thereof.

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

1. Maximum height of light poles shall be fourteen feet.
2. All external lighting (parking and wall-mounted) shall be cut-off fixtures (down lighting) and shall be designed to prevent offsite spillage.

**F. Graphics and Signage Commitments.**

N/A

**G. Miscellaneous Commitments.**

1. The applicant shall meet the City's Parkland Dedication ordinance.
2. Connectivity between land uses and subareas is emphasized with an interconnected system of pedestrian paths, bike paths, and/or sidewalks that allow for pedestrian or bicycle access. Where provided, such pedestrian connections shall be a minimum of four (4) feet in width. Where pedestrian paths and sidewalks cross internal drive aisles or streets, striped crosswalks shall be provided if warranted, as approved by the City's Department of Public Service. Final locations of all aisles, paths, sidewalks, and roads/alleys, etc., to be determined at the time of final engineering.
3. All new wiring shall be underground.
4. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building or a model home may be used as a sales office during the development of the project and the construction of homes therein.

5. The proposed development shall be developed in general conformance with the submitted PUD Plans. The building footprint and street alignment may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any adjustment to the PUD Plans shall be reviewed and may be approved by the City's Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.
6. Variance to Section 3345.11a to permit single unit dwellings on unplatted lots.
7. The applicant shall pay \$1,700 per dwelling unit fee under the PAWG program to the City.

## **II. Traffic Commitments:**

1. When at least 275 multi-family units have been constructed or approximately 50% of this site has been developed, the applicant shall signalize Site Drive 1. Signalization of Site Drive 1 shall include southbound queue detection/preemption to prevent queuing into the adjacent roundabout north of this access point. If at least 275 multi-family units or approximately 50% of this site is built and occupied and the required traffic signal described above has not been installed and put into operation, no additional site compliance plan shall be approved by the Department of Public Service.
2. The property owner shall enter into a traffic control devices contract with the City of Columbus, Department of Public Service for the proposed signal installation on Avery Road at Access Drive 1.
3. Upon the construction of Site Drive 1 the applicant shall provide a dedicated southbound left turn lane on Avery Road with a length of 300 feet and a westbound left turn lane at that intersection. Upon the construction of Site Drive 1, the applicant shall be responsible for the construction of a median within Avery Road to restrict turning movements at Avery Run Road (Site Drive 1 in Z16-016) to right-in/right-out turning movements.
4. The applicant shall provide internal access so that all the Subareas in Zoning Application Z16-016 except for Subarea D and the area subject to rezoning application Z16-015 (parcel # 010-297197 and 010-297198) have access to Site Drive 1.
5. The traffic requirements in this text may be modified or eliminated with the approval of the City of Columbus, Department of Public Service and would not require rezoning.

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