



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 6/3/2019 **In control:** Zoning Committee

On agenda: 6/24/2019 **Final action:** 6/27/2019

Title: To rezone 5570 RIVERSIDE DRIVE (43017), being 17.43± acres located on the east side of Riverside Drive, 2,140± feet north of West Case Road, From: R, Rural District, To: PUD-4, Planned Unit Development District (Rezoning #Z18-039) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1549-2019.Attachments, 2. ORD1549-2019.Labels

Date	Ver.	Action By	Action	Result
6/27/2019	2	CITY CLERK	Attest	
6/26/2019	2	ACTING MAYOR	Signed	
6/24/2019	2	COUNCIL PRESIDENT	Signed	
6/24/2019	1	Zoning Committee	Amended to Emergency	Pass
6/24/2019	1	Zoning Committee	Approved as Amended	Pass

Rezoning Application: Z18-039

APPLICANT: Romanelli and Hughes Building Company; c/o Matthew Cull, Atty., Kephart Fisher LLC; 207 North Fourth Street; Columbus, OH 43215.

PROPOSED USE: Single-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-1) on May 9, 2019.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is currently developed with three single-unit dwellings. The requested PUD-4, Planned Unit Development District will allow the development of 57 dwelling units (3.27 units/acre) with 2.89 acres of open space. The development text commits to a site plan and includes development standards addressing setback requirements, traffic access, buffering and landscaping, building design, and graphics provisions. The site is within the boundaries of the *Northwest Plan* (2016), which recommends "Low Density Residential" land uses for this location. The request is compatible with the *Northwest Plan's* land use recommendation for low density residential land uses, and includes bicycle/pedestrian connections and additional trees and landscaping along Riverside Drive. Staff's support of this application is in recognition of the provided open space and commitments for connectivity and landscaping.

To rezone **5570 RIVERSIDE DRIVE (43017)**, being 17.43± acres located on the east side of Riverside Drive, 2,140± feet north of West Case Road, **From:** R, Rural District, **To:** PUD-4, Planned Unit Development District (Rezoning #Z18-039) **and to declare an emergency.**

WHEREAS, application #Z18-039 is on file with the Department of Building and Zoning Services requesting rezoning of 17.43± acres from R, Rural District, to PUD-4, Planned Unit Development District; and

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

WHEREAS, the City Departments recommend approval because the request is compatible with the *Northwest Plan's* land use recommendation of low density residential land uses and includes appropriate commitments for connectivity, open space, and landscaping;

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 allow for enough time to complete critical, significant and difficult engineering and preparation on the site before inclement weather sets in; 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:

5570 RIVERSIDE DRIVE (43017), being 17.43± acres located on the east side of Riverside Drive, 2,140± feet north of West Case Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Perry, being in Quarter Township 3, Township 2, Range 19, United States Military Lands and being 17.43+/- acres of land, said 17.43+/- acres of land being part of that 4.789 acre parcel of land as conveyed to Romanelli & Hughes Building Co. (P.I.D. 218-298548), of record in Instrument No. 201810040135401, all of that 1.10 acre parcel of land as conveyed to Romanelli & Hughes Building Co. (P.I.D. 218-298544) of record in Instrument No. 201810040135402, all of that 2.715 acre tract of land as conveyed to Romanelli & Hughes Building Co. (P.I.D. 212-001269) of record in Instrument No. 201810170141428, all of that 6.150 acre tract of land (P.I.D. 218-299007) described as Parcel 1 and all of that 2.755 acre tract of land (P.I.D. 218-298550) described as Parcel 2 in the deed to Romanelli & Hughes Building Co. of record in Instrument No. 201811200157755, and more particularly described as follows:

Beginning in southerly line of said 4.789 acre tract (P.I.D. 218-298548), the same also being in the northerly line of that Original 4.001 acre tract as conveyed to Bruce A. Daniels, Trustee (P.I.D. 212-000122) of record in Instrument No. 201208140117600 and being in the easterly right-of-way line of Riverside Drive;

Thence N 10°42'36" W+/-, across said 4.789 acre tract (P.I.D. 218-298548) and with said easterly right-of-way line, about 114.01 feet +/- to a northerly line of said 4.789 acre tract (P.I.D. 218-298548) and a southerly line of parcel of land as conveyed to Donald J. Durivage Jr. & Mary P. Durivage (P.I.D. 218-298549);

Thence Northeasterly and Southeasterly, with the northerly lines of said 4.789 acre tract and the southerly lines of said Durivage parcel the following five (5) courses and distances:

N 84°53'58" E+/-, about 82.37 feet+/- to an angle point;

N 86°00'58" E+/-, about 152.10 feet+/- to an angle point;

N 88°53'58" E+/-, about 39.35 feet+/- to an angle point;

S 88°39'02" E+/-, about 96.80 feet+/- to an angle point;

S 85°36'02" E+/-, about 174.19 feet+/- to an angle point;

Thence N 03°02'58" E+/-, with the westerly lines of said Parcel 1 and Parcel 2, about 466.34 feet+/- to the northwesterly corner of said Parcel 2 (P.I.D. 218-298550), also being in the southerly line of that parcel of land as conveyed to Epcon Riverside LLC (P.I.D. 218-298425) of record in Instrument No. 201707050090534;

Thence S 86°08'46" E+/-, with said common line of said Parcel 2 (P.I.D. 218-298550) and said Epcon Riverside LLC parcel (P.I.D. 218-298425), about 824.73 feet+/- to the northeasterly corner of said Parcel 2 (P.I.D. 218-298550), the southeasterly corner said Epcon parcel (P.I.D. 218-298425) and in the westerly line of Lot 739 as numbered and delineated upon the record plat for Riverside Green Section 20 of record in Plat Book 63, Page 43, (said Lot 739 being in the name of Harry Golden - P.I.D. 590-201713);

Thence with the easterly lines of said Parcel 1, Parcel 2, 4.789 acre tract and said 1.10 acre tract, partially with the westerly line of said Riverside Green Section 20, along the westerly line of Riverside Green Section 17 of record in Plat Book 62, Page 23 and partially with the westerly line of Riverside Green Section 14 of record in Plat Book 61, Page 33, the following two (2) courses and distances;

S 02°58'14" W+/-, about 147.06 feet+/- to an angle point;

S 03°03'03" W+/-, about 724.97 feet+/- to the southeasterly corner of said 1.10 acre tract (P.I.D. 218-10040135402), also being the northeasterly corner of that parcel of land as conveyed to Rosa Ailabouni (P.I.D. 212-000134)

Thence N 85°33'08" W+/-, with the southerly line of said 1.10 acre tract (P.I.D. 218-298544) and said 2.715 acre tract (P.I.D. 212-001269) and with the northerly line of said Ailabouni parcel (P.I.D. 212-000134), 691.80 feet+/- to the southwesterly corner of said 2.715 acre tract (P.I.D. 212-001269) and southeasterly corner of said Daniels, Trustee parcel (P.I.D. 212-000122);

Thence N 03°41'40" E+/-, with a common line of said 2.715 acre tract (P.I.D. 212-001269) and said Daniels, Trustee parcel (P.I.D. 212-000122), 241.37 feet+/- to a common corner thereof and in the southerly line of said 4.789 acre tract (P.I.D. 218-298548);

Thence N 85°30'39" W+/-, with a common line of said 4.789 acre tract (P.I.D. 218-298548) and said Daniels, Trustee parcel (P.I.D. 212-000122), 651.68 feet+/- to the Point of Beginning. Containing approximately 17.43+/- acres of land, more or less. The above description was written by Advanced Civil Design on January 9, 2019. A drawing of the above description has been prepared and is a part hereof.

The above description was prepared by Advanced Civil Design Inc. on 1/9/19 and is based on existing County Auditor and Recorder records and a field survey performed in June 2017.

To Rezone From: R, Rural 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 change 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 plans being titled, "**RAVELLO ILLUSTRATIVE SITE PLAN - SHEETS 1-5,**" and "**RAVELLO LANDSCAPE PLAN - SHEETS 1-3,**" dated May 15, 2019, and text titled, "**PUD-4 DEVELOPMENT TEXT,**" dated May 17, 2019, all signed by Matthew Cull, Attorney for the Applicant, and the text reading as follows:

PUD-4 Development Text

Current Zoning District: R, Rural District
Requested Zoning District: PUD-4, Planned Unit Development District
Address: 5570 Riverside Drive
Applicant: Romanelli & Hughes Building Company
Owners: Romanelli & Hughes Building Company
Acres: 17.43
Date of Text: May 17, 2019
Application No.: Z18 - 039

1. Introduction:

The site for the project (“Ravello”) consists of all or a portion of eight (8) separate parcels (PIDs: 218-298548-00, 218-298544-00, 218-298550-00, 218-298546-00, 218-298545-00, 218-298547-00, 218-298549 & 212-001264-00) and comprises approximately 17.43+/- acres, with frontage on the east side of Riverside Drive, between Hayden Run and State Route 161. The southern-most portion of Ravello is located approximately 0.43 miles north of W. Case Road.

Ravello is bordered on the north by a site recently annexed from Perry Township into Columbus for development of single family homes.

Ravello lies within the borders of the Northwest Civic Association planning area and is recommended for residential development up to a density of 4 units per acre. The proposed PUD-4 is consistent with the plan recommendation.

2. Permitted Uses: The development of a maximum of 57 single family dwelling units, along with open space shall be the Permitted Uses

3. Development Standards: Unless otherwise specified in the text below or in the attached site plan titled “The Ravello Illustrative Site Plan,” dated May 15, 2019 (“Site Plan”), Ravello shall be developed in accordance with the R-2 development standards of Chapter 3332 CCC.

A. Setbacks/Lot Dimensions/Lot Commitments

1. The minimum Side Yard permitted on all Lots shall be five feet (5’), provided that the sum of the widths of both side yards equal or exceeds nineteen percent (19%) of the lot frontage, and that there is a minimum of ten feet (10’) of separation between dwelling units.

2. Rear Yards shall be no less than ten feet (10’) in depth for all Lots which back up to other Lots within Ravello (“Interior Lots”) and no less than twenty-five feet (25’) in depth for all Lots where the Rear Yard is on the periphery of Ravello (“Exterior Lots”).

3. All Lots shall be a minimum of 130 feet deep, 62 feet in width at building line, with the exception of Lot 1, which shall have a depth of 117 feet on the western most edge and increase to over 130 feet at its eastern most edge.

4. There shall be a 25’ “No-Build” zone on the northern, eastern and southern perimeter of Ravello. In addition, there shall be a 15’ “No-Disturb” zone along the entire eastern perimeter of Ravello, where the Developer shall ensure the currently existing trees and shrubbery remain; provided, however, Developer may remove dead or diseased trees.

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

1. Access will be in accordance with the review and approval of the Ohio Department of Transportation.

2. All of the streets in Ravello will be private streets having a posted speed limit of 15 m.p.h. The responsibility for maintenance, erection of appropriate street signage, repair, plowing and replacement of those streets at least to current standards shall be that of, and equally allocated to, all Lot and home owners within Ravello. The maintenance and repair

of the streets, and the costs collected for such purposes, shall be administered through a homeowners association ("Association"). In the event that the streets are to be dedicated for public road purposes in the future, the Lot or home owners and the Association shall grant other required easements therefore.

3. The Developer shall coordinate with the developer of the property to the north of Ravello ("Epcon") to construct a 20' wide emergency vehicle access route within a 25' easement between Ravello and the Epcon site, as shown on the Site Plan.

4. The Developer shall install sidewalks in the front of each lot throughout Ravello at 5' in width as shown on the Site Plan and install a bicycle/pedestrian path from Riverside Drive into Ravello. Final location and width of the bicycle/pedestrian path to be determined at the time of final site compliance and based upon final site engineering.

5. The Developer will dedicate right-of-way to the City of Columbus per the City of Columbus Thoroughfare Plan, on the east side of the Riverside Drive frontage.

6. In conjunction/coordination with the developer of Epcon, Developer shall construct a southbound left turn lane on Riverside Drive, as approved by the Ohio Department of Transportation. Access point to be as shown on the Development Plan.

7. The Developer shall agree to provide a vehicle access easement to the adjacent property to the north and to the adjacent property to the south of the access drive from Riverside Drive into Ravello, if all of the following conditions are satisfied:

- (a) Such adjacent property is redeveloped to a use of greater density/intensity than currently exists;
- (b) Such vehicle cross-access to the adjacent property or properties is reasonably feasible from an engineering standpoint;
- (c) The granting of such cross-access easement or easements does not violate any term or condition of any loan agreement or other financial instrument used to finance Ravello then still in effect, except that a loan or financial provider shall not unreasonably withhold consent to the easement or easements;
- (d) All necessary approvals are granted by the Ohio Department of Transportation or any other applicable governmental entity; and
- (e) The developer or owner of such adjacent property requesting the cross-access easement agrees in writing to all of the following:
 - (i) cover all costs and expenses of installing the cross-access drive, including, but not limited to, the costs and expenses of any permits, traffic impact studies, legal fees, and land acquisition for turn-lanes;
 - (ii) cover all costs and expenses to make any changes or repairs within Ravello necessitated by the cross-access drive; and
 - (iii) Proportionately share in costs of annual and periodic maintenance of the portion of the Ravello access drive and entrance to Riverside Drive.

C. Buffering, Landscape, Drainage, Open Space and/or Screening Commitments.

1. Developer shall install street trees along all internal roads as shown on the Site Plan.

2. Installation of deciduous, ornamental and evergreen trees throughout Ravello will be located, spaced and, where applicable, clustered as generally shown on the Site Plan and in substantial accordance with the Ravello Landscape Plan, dated May 1, 2019, which is incorporated herein by reference, with modifications to exact location and spacing allowed to account for the preservation of existing trees within the "No Build" Zone. Though additional trees may be added at individual lot owners' requests, notwithstanding anything else to the contrary contained herein, the Developer commits to

plant, at a minimum, the following new trees within Ravello:

- (i) Deciduous Trees: 331
- (ii) Ornamental: 147
- (iii) Evergreen: 199
- Total Trees: 667

Tree and plant species identified on the Plant List of the Ravello Landscape Plan may be substituted with similar species upon review and approval of Zoning and/or Recreation and Parks staff.

3. There shall be approximately 2.89 acres of PUD open space, including detention pond, located in the southwest corner of Ravello, near the entrance to Riverside Drive, as depicted on the Site Plan.

4. With the exception of requirements that may be imposed by the Department of Public Utilities with regard to location and specifications of sanitary sewer and water line installation, the developer shall use best construction practices, including construction fencing and signage as needed, so as to preserve the existing trees along the property lines during the course of construction activities on site.

5. Final open space, and the preservation of trees may be modified based upon final engineering and/or utilities (storm water or sewer lines) as required by the Department of Public Utilities or other City Departments, as may apply.

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

1. The main exterior building materials will be as follows:

- (a) Roof: Metal or asphalt dimensional shingles
- (b) Siding: Brick, Wood, Stucco, Cultured Stone or Cement Board (or equivalent) only
- (c) Windows: Vinyl
- (d) Doors: Wood or Fiberglass
- (e) Garage Doors: Wood or Simulated Wood

2. All dwelling units will be single-family, ranch style, with first floor master bedrooms. Lofted “bonus” rooms are available as an option.

3. Dwelling units may be used as model homes for the purpose of marketing and sales. A paved parking lot shall be permitted on a lot or lots adjacent to model homes to provide off-street parking for model homes.

E. Graphics.

All signage and graphics shall conform to the Columbus Graphics Code as it applies to R-2 zoning classification. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

F. Miscellaneous.

1. The subject site shall be developed in accordance with the submitted plans being titled, “RAVELLO ILLUSTRATIVE SITE PLAN - SHEETS 1-5,” and “RAVELLO LANDSCAPE PLAN - SHEETS 1-3. The Plans may be adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any adjustment to the Plans is subject to review and approval by the Director of Building and Zoning Services, or his/her designee, upon submission of the appropriate data regarding the proposed adjustment.

2. During the construction phase, the Developer shall install temporary fencing along the boundary of the subject site and 5536 Riverside Dr, Dublin Ohio, 43017 (Franklin County PID 212-000134-00). Upon completion of the pond located in the south west corner of the site, Developer shall install a permanent fence at least 3’ in height (“Barrier Fence”). The

Barrier Fence shall run along the west side of the pond (15') and the south side of the pond (45'), each length located between the pond and the adjacent property and connecting at the south east corner of the pond.

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.