



Legislation Details (With Text)

File #: 2203-2019 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 8/15/2019 **In control:** Zoning Committee

On agenda: 9/9/2019 **Final action:** 9/12/2019

Title: To amend Ordinance #1695-2019, passed July 1, 2019 (Z19-006) for property located at 259 PARK RD. (43085), by replacing Sections 2 and 3 with correct references to the height district and building height for the L-AR-1, Limited Apartment Residential District (Rezoning Amendment #Z19-006A) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2203-2019.Attachments.pdf

Date	Ver.	Action By	Action	Result
9/12/2019	2	CITY CLERK	Attest	
9/11/2019	2	MAYOR	Signed	
9/9/2019	2	COUNCIL PRESIDENT	Signed	
9/9/2019	1	Zoning Committee	Amended to Emergency	Pass
9/9/2019	1	Zoning Committee	Approved as Amended	Pass

Rezoning Amendment Z19-006A

Ordinance #1695-2019, passed July 1, 2019 (Z19-006), rezoned being 18.25± acres located on the south side of Park Road, 230± feet west of Storrow Drive to L-AR-1, Limited Apartment Residential District and L-M, Limited Manufacturing District. Sections 2 and 3 of that ordinance contained incorrect reference to a height district and building height for the L-AR-1 District, though elevations correctly indicated the 45 foot building heights which would require a 60 foot height district. This ordinance corrects those sections to reflect a height district of 60 feet and building height commitment of 45 feet for the L-AR-1 District. The L-M District is unchanged. All other aspects of Ordinance #1695-2019 remain in effect, and are included in this amendment.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #1695-2019, passed July 1, 2019 (Z19-006) for property located at **259 PARK RD. (43085)**, by replacing Sections 2 and 3 with correct references to the height district and building height for the L-AR-1, Limited Apartment Residential District (Rezoning Amendment #Z19-006A) **and to declare an emergency.**

WHEREAS, Ordinance #1695-2019, passed July 1, 2019 established the L-AR-1, Limited Apartment Residential District and L-M, Limited Manufacturing District on property located at **259 PARK RD. (43085)**, being 18.25± acres located on the south side of Park Road, 230± feet west of Storrow Drive, but included incorrect height district and building heights in Sections 2 and 3 for the L-AR-1 District; and

WHEREAS, the L-AR-1, Limited Apartment Residential District consisted of 12.51± acres; and

WHEREAS, it is necessary to amend Ordinance #1695-2019 to correct the height district and building height references in those sections; and

WHEREAS, all other aspects of Ordinance #1695-2019 are unaffected by this amendment and remain in effect, and are repeated below for clarity;

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:

259 PARK RD. (43085), being 18.25± acres located on the south side of Park Road, 230± feet west of Storrow Drive, and being more particularly described as follows:

SUBAREA 1 - 12.509 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Sharon, in Lots 55, 56 and 57 of Section 2, Township 2, Range 18, United States Military Lands being 12.509 acres in part as conveyed to Park View Village, LLC in Instrument Numbers 201702140021916 as recorded in the Franklin County Recorder's Office, Ohio and being more fully described as follows:

Beginning for reference at Franklin County Monument FCGS 2252 at the center line intersection of Flint Road and Park Road;

Thence South 86°43'28" East a distance of 2082.60 feet, along the centerline of said Park Road, to a point being the Point of Beginning;

Thence South 86°43'28" East a distance of 193.95 feet, along the centerline of said Park Road, to a point at a northwesterly property corner of L M Properties of Ohio LTD (IN 200305300160919);

Thence South 2°52'53" East a distance of 367.55 feet, bounded on the east by said L.M. Properties of Ohio LTD, to an existing ¾" ID pipe;

Thence South 86°41'17" East a distance of 610.03 feet, bounded on the north by said L.M. Properties of Ohio LTD, to an existing ¾" ID pipe in a westerly property line of Worthington Meadows Owner, LP (IN 201700200164355);

Thence South 2°50'33" West a distance of 505.07 feet, bounded on the east by said Worthington Meadows Owner, LP, to a 5/8" solid iron pin;

Thence South 3°51'44" West a distance of 277.59 feet, bounded on the east by said Worthington Meadows Owner, LP, to a point;

Thence North 88°04'43" West a distance of 456.75 feet, along a northerly property line of said Worthington Meadows Owner, LP, to a ¾" ID pipe;

Thence North 87°37'11" West a distance of 109.60 feet, along a northerly property line of said Worthington Meadows Owner, LP, to a point;

Thence North 3°18'03" West a distance of 448.38 feet to a point;

Thence along a curve to the left (delta=3°32'00", radius=1000.00 feet, length=61.67 feet) a chord bearing North 5°04'03" West a distance of 61.66 feet to a point;

Thence North 6°50'03" West a distance of 308.97 feet to a point;

Thence along a curve to the left (delta=45°05'02", radius=150.00 feet, length=118.03 feet) a chord bearing North 29° 22'34" West a distance of 115.01 feet to a point;

Thence North 51°55'05" West a distance of 45.31 feet to a point;

Thence along a curve to the right (delta=55°11'37", radius=150.00 feet, length=144.50 feet) a chord bearing North 24° 19'17" West a distance of 138.97 feet to a point;

Thence North 3°16'32" West a distance to 104.49 feet to the Point of Beginning containing 12.509 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in December of 2016.

Bearings are based upon an assumed bearing of South 86°43'28" East on the centerline of Park Road and all other bearings based upon this meridian.

To Rezone From: L-AR-12, Limited Apartment Residential District

To: L-AR-1, Limited Apartment Residential District

SUBAREA 2 - 5.816 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Sharon, in Lots 55, 56 and 57 of Section 2, Township 2, Range 18, United States Military Lands being 5.816 acres as part of the land conveyed to Park View Village, LLC in Instrument Number 201702140021916 as recorded in the Franklin County Recorder's Office, Ohio and being more fully described as follows:

Beginning for reference at a point Franklin County Monument FCGS 2252 at the center line intersection of Flint Road and Park Road;

Thence South 86°43'28" East a distance of 2014.78 feet, along the centerline of said Park Road, to a point being the Point of Beginning;

Thence South 86°43'28" East a distance of 67.82 feet, along the centerline of said Park Road, to a point;

Thence South 3°16'32" West a distance of 104.49 feet to a point;

Thence along a curve to the left (delta=55°11'37", radius=150.00 feet, length=144.50 feet) a chord bearing South 24° 19'17" East a distance of 138.97 feet to a point;

Thence South 51°55'05" East a distance of 45.31 feet to a point;

Thence along a curve to the right (delta=45°05'02", radius=150.00 feet, length=118.03 feet) a chord bearing South 29° 22'34" East a distance of 115.01 feet to a point;

Thence South 6°50'03" East a distance of 308.97 feet to a point;

Thence along a curve to the right (delta=3°32'00", radius=1000.00 feet, length=61.67 feet) a chord bearing South 5°

04'03" East a distance of 61.66 feet to a point;

Thence South 3°18'03" East a distance of 448.38 feet a distance of 448.38 feet to a point on a southerly property line of said Park View Village, LLC and a northerly property line of Worthington Meadows Owner, LP (IN 201711200164355);

Thence North 87°37'11" West a distance of 25.12 feet, along a northerly property line of said Worthington Meadows Owner, LP to a point;

Thence North 89°10'07" West a distance of 246.54 feet, along a northerly property line of said Worthington Meadows Owners, LP, to a ¾" ID pipe in the easterly right of way of New York Central Lines, LLC (IN 200212180325201);

Thence the following four (4) courses along an easterly right of way of said New York Central Lines, LLC:

- 1) North 2°49'10" West a distance of 554.18 feet to an existing 5/8" solid iron pin;
- 2) North 2°46'31" West a distance of 309.42 feet to an existing ¾" ID pipe;
- 3) South 86°36'48" East a distance of 50.32 feet to an existing ¾" ID pipe;
- 4) North 2°48'44" West a distance of 315.00 feet to the Point of Beginning containing 5.816 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in December of 2016.

Bearing are based upon an assumed bearing of South 86°43'28" East on the centerline of Park Road and all other bearings based upon this meridian.

To Rezone From: L-AR-12, Limited Apartment Residential District

To: L-M, Limited Manufacturing District

SECTION 2. That Section 2 of Ordinance #1695-2019, passed July 1, 2019 (Z19-006), be hereby repealed and replaced with new Section 2 reading as follows:

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the ~~L-AR-1, Limited Apartment Residential and L-M, Limited Manufacturing districts~~ **District and a Height District of sixty (60) feet is hereby established on the L-AR-1, Limited Apartment Residential District** on this property.

SECTION 3. That Section 3 of Ordinance #1695-2019, passed July 1, 2019 (Z19-006), be hereby repealed and replaced with new Section 3 reading as follows:

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 L-AR-1, Limited Apartment Residential District and L-M, Limited Manufacturing 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 site plan titled, "**CONCEPT PLAN - SUNPARK APARTMENTS,**" said building elevations titled, "**SUNPARK APARTMENTS SHEETS A2-3 THROUGH A7-3,**" "**SUNPARK APARTMENTS OFFICE,**" and "**SUNPARK APARTMENTS STORAGE UNITS,**" **dated June 6, 2019,** and said text titled, "**LIMITATION TEXT,**" **dated August 16, 2019,** all signed by Jeffrey L. Brown, Attorney for the Applicant, ~~dated June 6, 2019,~~ and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-1, Limited Apartment Residential District, L-M, Limited Manufacturing District
PROPERTY ADDRESS: 257 Park Road, Columbus, OH 43085

OWNER: Parkview Village, LLC
APPLICANT: Wilcox Communities LLC
DATE OF TEXT: ~~6/6/19~~ 8/16/2019
APPLICATION: Z19-006A

1. INTRODUCTION: The site is zoned for multi-family development with the requirement for constructing a public street thru the development to connect Park Road with Alta Drive. The western boundary of the site borders an active railroad track. The applicant wants to reallocate the multi-family units adjacent to the railroad tracks to the east of the proposed public street connector. Keeping the residential units away from the railroad track would create a better community.

In place of those residential units, the applicant proposes self-storage. This use would provide a better buffer to the railroad tracks and provide for additional storage space in this area.

Subarea 1

2. PERMITTED USES: Within the property to be rezoned, the permitted uses shall consist of all AR-1 Apartment Residential District uses permitted under Chapter 3333, Apartment Residential District of the Columbus City Codes.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards of Chapter 3333, Apartment Residential of the Columbus City Code shall apply.

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

1. The density of the property shall be limited to a maximum of 216 residential apartment units and contain a clubhouse with a swimming pool.
2. The maximum height of any structure shall be ~~35~~ 45 feet.

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

1. Access to the property will be through a dedicated public street to be located approximately in the center of the site, to be connected to the south side of Park Road with the existing Alta Drive / Whitewater Boulevard to the south, unless otherwise approved by the Department of Public Service.
2. Sidewalk or Pathway. Applicant agrees to construct a sidewalk or pathway along the South edge of Park Road (width and type to be determined by the Public Service Department), and a 5 foot wide sidewalk along all other public streets.
3. There shall be an internal 4 foot wide private sidewalk system connecting all of the units with each other, the parking areas and the clubhouse. These internal sidewalks shall connect to the sidewalk along public streets.
4. The Developer will dedicate 30 feet of right of way from the center line along Park Road as required by C.C.C. 4309.17.
5. The Developer shall install a westbound left turn lane with a length of 125 feet (includes taper). These improvements shall meet the requirements of the City of Columbus, Department of Public Service and/or Franklin County Engineer's Office, where applicable. It is anticipated that these roadway improvements will require improvements that extend into the frontage of Tax Parcel ID: 250-000026 currently owned by New York Central Lines, LLC, which contains an active railroad operation. Prior to approval of a site compliance plan for the area comprising this rezoning application, documentation will need to be provided from the railroad operator that the roadway improvements extending into the frontage of Tax Parcel ID: 250-000026 may be constructed.

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

1. Street trees shall be planted evenly spaced along public streets at a ratio of not less than one tree per thirty (30) feet of frontage where there are no existing trees.
2. The site plan shows certain trees that the Developer shall protect during construction and will maintain on the site subject to the sound forestry practices.
3. Healthy trees shall be maintained along the perimeter yard of the site to the north, east and south sides of the development as indicated on the submitted site plan. New evergreen shall be installed within the east perimeter yard as indicated on the submitted site plan.

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

The applicant has submitted building elevations (Sunpark Apartments; Sheets A2-3 through A7-3) as part of its zoning application. The buildings shall be developed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

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

1. Light poles shall not exceed fifteen (15) feet in height. For aesthetic compatibility, lights shall be the same or similar type and color, and supplied by the same manufacturer.
2. The Developer will comply with the requirements of Chapter 3318, Parkland Dedication.

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 AR-1 Apartment Residential District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan (Concept Plan - Sunpark Apartments); however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

Subarea 2

2. PERMITTED USES: Self-storage units
3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards of Chapter 3363 M, Manufacturing District of the Columbus City Code shall apply.

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

N/A

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

N/A

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

1. The area within the setback along the west side of the new public north/south street shall be landscaped in accordance with the submitted site plan.

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

1. The building façades adjacent to Alta Drive and Park Road shall be constructed of the following building materials: natural materials (brick, stone, etc.), cultured stone, wood, Hardiplank, stucco, EIFS and vinyl siding individually or in any combination thereof.

2. The applicant has submitted building elevations (Sunpark Apartments Office and Sunpark Apartments Storage Units) as part of its zoning application. The buildings shall be developed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding proposed adjustment.

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 M, Manufacturing District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan (Concept Plan - Sunpark Apartments); however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

2. No outside storage of materials shall be permitted on the site.

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.