



Legislation Text

File #: 1315-2017, Version: 2

Rezoning Amendment Z00-052B

Ordinance # 0059-01 (Z00-052), passed January 29, 2001, established the CPD, Commercial Planned Development, L-R-2, Limited Residential, and L-AR-12, Limited Apartment Residential Districts on 54.29± acres located at 7501 Wengert Road. That legislation permits the development of single-family and multi-family residential uses, a church complex, an assisted living center, offices, a light rail station, and a police/fire station within a consolidated development plan consisting of five subareas. Ordinance # 0002-02 (Z00-052A), passed January 14, 2002, amended legal descriptions for Subareas 1A and 1B to conform to final engineering and development plans for those subareas. This legislation will amend Ordinance #0059-01 (Z00-052) by modifying the legal description and CPD Text in Subarea 2 to reflect the needs and requirements of building Fire Station 35, located at 711 Waggoner Road, by permitting two access points on Waggoner Road; reducing the brick facing percentage from 90% to 75%; eliminating tree planting requirements along the site frontage to accommodate lines of site needed for maneuvering of apparatus in and out of the station; and eliminating the parkland dedication requirement. All other aspects of Ordinance # 0059-01 and Ordinance # 0002-02 are unaffected by this amendment and remain in effect.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #0059-01, passed January 29, 2001 (Z00-052), by replacing Sections 1 and 3 to modify the legal description and CPD text, respectively, for Subarea 2 for the construction of a Columbus Fire Station at **711 WAGGONER ROAD (43004) and to declare an emergency** (Rezoning Amendment # Z00-052B).

WHEREAS, Ordinance #0059-01 (Z00-052), passed January 29, 2001, rezoned 54.29± acres located **7501 WENGERT ROAD (43004)**, from the R, Rural District to the CPD, Commercial Planned Development, L-R-2, Limited Residential, and L-AR-12, Limited Apartment Residential districts; and

WHEREAS, that rezoning established five subareas with specific development standards addressing permitted uses, setbacks, access, landscaping, building design, parkland dedication, lighting, and graphics; and

WHEREAS, Subarea 2 of Z00-052 is a CPD, Commercial Planned Development District that was identified as a possible police or fire station site; and

WHEREAS, the Subarea 2 CPD Text permitted only one access point to Waggoner Road; required a brick facing percentage of 90%; required tree planting along the Waggoner Road frontage; and required a parkland dedication ordinance fee of \$2,600; and

WHEREAS, the Applicant proposes to modify the Subarea 2 CPD Text development standards by permitting two access points on Waggoner Road; reducing the brick facing percentage from 90% to 75%; eliminating tree planting requirements along the site frontage to accommodate lines of site needed for maneuvering of apparatus in and out of the station; and eliminating the parkland dedication requirement; and

WHEREAS, it is necessary to amend Section 1 of Ordinance #0059-01, passed January 29, 2001 (Z00-052), to replace the legal description to conform to the site compliance plan; and

WHEREAS, it is necessary to amend Section 3 of Ordinance #0059-01, passed January 29, 2001 (Z00-052), to accommodate the requested Subarea 2 text changes; and

WHEREAS, all other aspects of Ordinance #0059-01 (Z00-052) are unaffected by this amendment and remain in effect, with Subarea 2 components repeated below for clarity; and

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 existing Section 1 as it applies to Subarea 2 of Ordinance #0059-01 (Z00-052), passed January 29, 2001, be hereby repealed and replaced by a new Section 1 reading as follows:

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:

711 WAGGONER ROAD (43004), being 5.67± acres located at the southwest corner of Waggoner Road and Waggoner Grove Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 18, Quarter Township 4, Township I, Range 16, United States Military Lands and being out of the remainder of that 54.264 acre tract conveyed to National Church Residences of Waggoner Road as recorded in Instrument Number 200102090027675 and described as follows:

Beginning, for reference, at the intersection of the centerline of Waggoner Road with the northerly railroad right-of-way line for Caprail I, Inc. of record in Official Record I9183E09, the same being the original southeasterly corner of said 54.264 acre tract, said intersection being South 03° 30' 47" West, with said centerline 1034.70 feet from FCGS 7760 found, said intersection also being North 03° 30' 47" East, with said centerline, 2411.07 feet from FCGS 1221 found;

thence North 88° 21' 19" West, with said northerly railroad right-of-way line, 50.03 feet to an iron pin set in the westerly right-of-way line for said Waggoner Road, the True Point of Beginning;

thence North 88° 21' 19" West, continuing with said northerly railroad right-ofway line, 600.32 feet to an iron pin set marking the southeasterly corner of Lot 6 of "Waggoner Grove Section I" as recorded in Plat Book I 00, Page 8;

thence North 03° 30' 47" East, with the easterly line of Lots 1-6 of said "Waggoner Grove Section I", 421.37 feet to an iron pin set marking the northeasterly corner of said Lot I, in the southerly right-of-way line for Waggoner Grove Boulevard;

thence South 86° 29' 13" East, with said southerly right-of-way line, 580.00 feet to an iron pin set at a point of curvature;

thence continuing with said southerly right-of-way line, being a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 and an arc length of 31.42 feet, a chord bearing and chord distance of South 41° 29' 13" East, 28.28 feet to an iron pin set at a point of tangency in the westerly right-of-way line for Waggoner Road;

thence South 03° 30' 47" West, with said westerly right-of-way line, 381.80 feet to the True Point of Beginning. Containing 5.667 acres, more or less, from Auditor's Parcel Number 515-254191.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

This description is based on existing records and an actual field survey performed in September 2002.

Bearings are based on the Ohio State Plane Coordinate System per NAD83, South Zone. Control for bearings was from coordinates of monuments FCGS 7760 and FCGS 7776, having a bearing of South 86° 14' 11" East between said monuments, as established by the Franklin County Engineers Department.

SECTION 2. That Section 2 of Ordinance #0059-01 (Z00-052), passed January 29, 2001, be hereby repealed and replaced with new Section 2 reading as follows:

SECTION 2. That the Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That Section 3 of Ordinance #0059-01 (Z00-052), passed January 29, 2001, 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 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 plan being titled, "**CPD SITE ZONING PLAN**," and text titled, "**DEVELOPMENT PLAN TEXT**," both dated March 21, 2017, and signed by Joseph Lombardi, Director, and the text reading as follows:

DEVELOPMENT PLAN TEXT FOR 711 WAGGONER ROAD

PROPOSED DISTRICT: CPD for Church, Fire / EMS Station, Offices, and COTA Station

PROPERTY ADDRESS: **711 Waggoner Road (formerly part of 7501 Wengert Road)**

OWNERS: ~~James R. Morrison~~ City of Columbus, et al (4)

APPLICANT: ~~National Church Residences~~ City of Columbus

DATE OF TEXT: ~~November 21, 2001~~ **March 21, 2017**

APPLICATION NUMBER: Z00 - 052B

CPD - Commercial Planned Development for a Church, a Senior Citizen
Residential Community, a Police / Fire / EMS Station, Offices and a COTA Station

I. Introduction

7501 Wengert Road, located at the southwest corner of Waggoner Road and Wengert Road, and north of the Ohio Central Railroad tracks contains 55+/- acres (gross) , is currently zoned R, Rural, following the April 25, 2000, annexation to the City of Columbus. The rezoning will permit, subject to this Zoning Text, construction of a mixed residential complex for senior citizens and families, a church and related accessory uses, a safety services station for the City of Columbus (fire, EMS, and police), offices and a COTA light rail station, and a single family subdivision containing not more than 55 lots. Subarea 1 is divided into two subareas, A and B, both of which are proposed to be developed by the applicant. Subarea 1A is in the CPD zone for senior citizen housing, Subarea 1B is in the L-AR-12 zone for family apartment residential,

Subareas 2 and 3 are in the CPD zone, while Subarea 4 is in the L-R-2 zone for single family residences. The Subareas, public roads, and applicable set backs are shown on Exhibits A and are binding. Exhibit B sets forth the conceptual layout of the whole tract. This development text sets forth further binding commitments for the development of each Subarea. Exhibits A and B are attached hereto and incorporated herein. The uses are fully compatible with adjacent single family, multi family and light commercial uses focused on this future light rail transportation corridor.

Explanation of Amendment for Application Number Z00-052B:

In 2004, the City of Columbus purchased Subarea 2 (parcel number 515-254191-00) from National Church Residences in order to build a new fire station to service the eastern portion of Columbus. The amendments to the Development Plan Text, originally written in 2001, reflect the needs and requirements of building a new fire station in 2017 (e.g. two access points on Waggoner Road and no trees in front of the station on Waggoner Road to accommodate lines of site needed for apparatus pulling out of the station).

III. Subarea 2 - CPD - Public Safety Service / Transportation Area and Offices - +/- 6.5 5.67 Acres

The permitted uses in Subarea 2 shall be a fire / EMS station, a police substation (alone or in concert with the fire /EMS Station), a Central Ohio Transit Authority ("COTA") light rail station and / or "Park and Ride", and offices only (no retail or other uses listed in Chapter 3353) developed pursuant to the C-2 office commercial standards set forth in Chapter 3353. The development standards set forth in the Institutional Use and Office Commercial Districts (Chapters 3349 and 3353) shall control future development of the property, except as set forth in Section VII and below:

A. Density, Height, Lot and/or Minimum setbacks Commitments.

The minimum setbacks from the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** and the west property line for buildings shall be 50 feet and 100 feet, respectively, and for parking 25 feet. The minimum setbacks from Waggoner Road shall be 50 feet for parallel driveways and parking aisles, 75 feet for parking, and 100 feet for buildings. No building shall be more than 35 feet in height, with the exception of portions of buildings which may extend higher as provided in Code § 3309.142(A) or of antennas as provided in Code § 3309.145. There shall be no minimum setbacks required along the Ohio Central / Conrail right of way for the COTA station.

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

There shall be ~~only one access point to~~ **not be more than two access points to** Waggoner, which access point shall be not closer than ~~50~~ **150** feet to the south property line of the property. There shall not be more than three access points to ~~the Entry Boulevard~~ **Waggoner Grove Boulevard**, one of which shall serve only the fire / EMS/ police station.

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

See VII C, below.

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

At least ~~90%~~ **75%** of the exterior face, other than windows, of the buildings shall be faced in brick.

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

See VII E, below.

F. Graphics and Signage Commitments.

In Subarea 1B, all graphics and signage shall comply with the C-2 Commercial District Standards of the Graphics Code, Title XV of Title 30, Columbus Zoning Code, and any variance to those standards shall be submitted to the Columbus Graphics Commission for consideration.

There shall be no graphics permitted in Subarea 2, other than monument ground graphics at the entries off the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** and Waggoner Road. See also VII F, below.

G. Miscellaneous Commitments.

Not applicable.

VI. CPD Requirements

A. Natural Environment

The site is rectangular in shape, relatively flat sloping gently to the west toward Blacklick Creek, with only drainage swales leading to an overgrown pond in the west, with only scrub vegetation, and vacant. The site is surrounded on the north by lands owned by the Dominican Sisters and being held as an open space reserve. To the west, the land falls quickly to the Blacklick Creek flood plan and holds a mixture of scrub vegetation to the southwest and more mature vegetation and two houses to the northwest. The tract is bounded on the south by the Ohio Central Railroad, a corridor included within the COTA Year 2020 light rail plan. Further south, the land is being developed with single and multifamily uses. The property across Waggoner Road to the east is developed with R-2 single family housing and a five acre residential tract adjacent to the railroad tracks. The 166 acre property north of Wengert Road is owned by the Dominican Sisters, extends from Waggoner Road to Blacklick Creek, and is anticipated to be minimally developed as a spiritual and ecological retreat for the benefit of the Dominican Sisters congregation. As a retreat, no more than 50 cars are anticipated to be on the property at any one time entering off Waggoner and Wengert Roads.

B. Existing Land Use

The existing land use is scrub vegetation and farming. There is an existing farm pond on the western portion of the property which will be retained and enhanced.

C. Transportation and Circulation

The site is bounded on the north and east by Wengert (narrow township dead end road) and Waggoner Road, respectively. Waggoner is designated to become a major thoroughfare. Wengert is anticipated to remain a county lane serving two residences on the south side west of the property, the Jefferson Township sewage treatment plant, and the Dominican Sisters uses on the north side. Along the south lies the Ohio Central / Conrail Railroad, anticipated to become a major part of COTA's light rail system. See Section III, above.

D. Visual Form of the Environment

All adjacent residential structures are generally two stories, generally vinyl and brick sided, and not more than 35' in height.

E. View and Visibility

The site is vacant and devoid of any growth blocking any view over the eastern two-thirds. Scrub vegetation predominates over the western third.

F. Proposed Development

See above.

G. Behavior Patterns

Primarily residential patterns, typical of elderly and single / multi family housing uses to the west, and institutional uses along the Waggoner Road frontage, all focused on the Entry Boulevard entrance to Waggoner in the middle of the eastern property line.

H. Emissions

Typical of stated uses. All utilities are available near or at the site.

VII. General Development Standards

The following development standards shall apply to the whole tract, in addition to the specific standards set forth in the individual subarea sections.

A. Density, Height, Lot and/or Minimum setbacks Commitments.

Minimum setbacks from Waggoner Road shall be 50 feet for parallel driveways and parking aisles, 100 feet for buildings, and 75 feet for parking, all from new edge of right of way. Minimum setbacks for graphics shall be 20 feet.

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

Prior to issuance of building permits, additional right-of-way along Waggoner shall be dedicated to provide a right-of-way width of 50 feet from centerline, and additional right-of-way along Wengert shall be dedicated to provide a right-of-way width of 30 feet from centerline. Both dedications shall be completed before the issuance of the first building permit on the property. To enable development on the property, the City of Columbus and the County Traffic Engineer find that it is necessary that Wengert Road be repaved to a width of 22 feet south of the current northern edge of paving from the western edge of the Subarea 4 to Waggoner Road, with the south swale recontoured as necessary, and including necessary tapering west of the Subarea 1 access Drive, all as directed and approved by the County Traffic Engineer and the City Traffic Engineer, as depicted on Exhibit G, attached hereto. Wengert Road shall be so widened prior to the issuance of building permits for structures on Subareas 1 and 3. A sidewalk shall be constructed within the new Waggoner right of way for the whole length of the property to be constructed when construction commences in Subareas 2 and 3, respectively. The intersection centerline of the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** at Waggoner Road shall be located 475 feet north of the south property line of Subarea 2. To enable development on the property, the City of Columbus and the County Traffic Engineer find that it is necessary that Waggoner Road shall be improved as set forth on Exhibit H, attached hereto, as directed and approved by the County Traffic Engineer and the City Traffic Engineer.

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

1. All landscaping otherwise required by applicable portions of the Zoning Code or this Zoning Text shall be installed as follows:

- a. all new deciduous trees shall be installed with a minimum 2½” caliper.
- b. all ornamental trees shall be installed with a minimum 1½” caliper.
- c. all evergreen trees shall be installed with a minimum 5-foot initial height above grade.

2. All pathways shall be paved in asphalt and shall have a minimum width of 4 feet. Overall open space width of pathway areas shall be 20 feet minimum.

3. For parkland dedication purposes, the following calculations shall be controlling:

a. The total number of residents in Subarea 1, shall be deemed to be based on 1.2 persons for senior citizen residential units and 2.02 persons for multifamily units. Not more than 270 units shall be constructed, approximately 135 senior and 135 multifamily units. Acreage devoted to retention basins and surrounding connecting pathways and community building shall be credited (50%) against the parkland dedication requirements of Chapter 3318. At the maximum anticipated densities, 2.39 acres times 50% shall be dedicated or a dedication fee of \$26,300 shall be paid to the City when zoning clearances are issued.

~~b. Upon issuance of the first building permit for the government structures in Subarea 2, the owner shall pay to the City \$2600 as a parkland dedication fee.~~

e b. The total acreage of Subarea 3 is +/-17.2 acres resulting in a parkland assessment of \$6,880, which shall be paid to the City when zoning clearances are issued.

d c. The population density of Subarea 4 shall be deemed to be 2.4 persons per unit which results in an acreage dedication requirement of not more than .72 acres based on 55 single family homes. In lieu of dedication, the owner shall contribute to the City park fund \$22,000 per acre otherwise required for dedication when zoning clearances are issued.

4. Street Landscaping

a. Sidewalks shall be constructed within the south right of way of the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** at least 3 feet south of the street curb when construction commences in Subarea 2 and 4.

b. Along the northern 400 feet of Waggoner frontage, ~~and the southern 400 feet of Waggoner frontage~~, deciduous street trees shall be planted on 50 feet on center at the new west right of way line of Waggoner Road (See item VII - B), consistent with traffic sight limitations.

c. Commencing 50 feet west of the new Waggoner Road right of way, street trees shall be planted 50 feet on center within the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** divider median. At the western terminus of the median, street trees shall be planted 50 feet on center on both sides of the pavement within the right of way (between the street paving and the sidewalk / pathway on the south side), and extend to the westerly terminus of the Entry Boulevard at Subarea 1.

d. All existing trees larger than 2½" along the south side of Wengert Road shall be maintained except as necessary for road widening pursuant to the Franklin County Engineer or site access points and related traffic sight lines. No new planting shall be required so as to maintain the casual "country lane" atmosphere of Wengert Road. Where existing trees and vegetation are removed by road widening, trees shall be planted 50 feet on center as in the case of Waggoner Road.

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

See individual Subarea descriptions.

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

Lighting standards shall not exceed 18 feet in height and all lighting shall be downcast so as not to shine directly onto neighboring properties. All dumpsters shall have brick walls on three sides with full height wooden doors on the fourth side. The gated side shall not open facing a neighboring property.

F. Graphics and Signage Commitments.

There shall be only one ground graphic permitted in the ~~Entry Boulevard~~ **Waggoner Grove Boulevard** median retained by applicant to be located within 75 feet of Waggoner Road identifying the tract in general and the specific uses within the tract, said location to be approved by Traffic Engineering. All other ground graphics shall be consistent in design with the entry ground graphic. Small directional ground graphics for traffic control shall be permitted at the median access

points to Subareas 3 and 2. All ground graphics shall be sized and located as required by the Columbus Graphics Code (Chapter 3377), unless otherwise varied by the Graphics Commission.

G. Miscellaneous Commitments.

- See individual Subarea descriptions.
- The building configurations and locations shown on Exhibit B are conceptual and approximate and may be modified based on final survey and topographical information.

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.