



Legislation Text

File #: 2007-2018, **Version:** 1

Rezoning Amendment Z96-049B

Ordinance #1883-00 (Z96-049), passed July 31, 2000, rezoned 191.28+ acres to the PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts for property located at 4800 Gender Road permitting single- and multi-unit residential and commercial development. That rezoning established five development areas each designed to employ certain development standards substantially consistent with those of the TND, Traditional Neighborhood Development code that was later adopted by City Council on May 21, 2001. Ordinance #0246-02, passed March 4, 2002 (Z96-0049A), amended the PUD-8, Planned Unit Development District (Subarea B) to reduce the required recessed garage setback for single-unit dwellings from fourteen feet to four feet. This legislation will amend Ordinance #0246-02 by modifying the PUD text related to recessed garage setback requirements in Section 2 of Subarea B for twelve lots of the White Ash Section 1 Subdivision. The requested modifications will allow a garage-forward design with limitations in accordance with the attached renderings identified as Exhibit A. These modifications were reviewed by the Planning Division of the Department of Development to ensure that they remain consistent with the land use recommendations of the *Southeast Area Plan* (2000) for neo-traditional development. This amendment does not alter any other requirements established by Ordinance #0246-02.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #0246-02, passed March 4, 2002 (Z96-0049A), by repealing Section 3 as it applies to Subarea B and replacing it with new Section 3 thereby modifying the Planned Unit Development Text to permit garage-forward design alternatives for twelve lots in a single-unit residential development within property located at **4800 GENDER ROAD (43110)** (Rezoning # Z96-049B).

WHEREAS, Ordinance #1883-00 (Z96-049), passed July 31, 2000, rezoned 191.28+ acres to the PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts for property located at **4800 GENDER ROAD (43110)**; and

WHEREAS, that rezoning established specific development standards addressing permitted uses, setbacks, density, access, landscaping, building design, and other customary design commitments for single- and multi-unit residential and commercial development; and

WHEREAS, Ordinance #0246-02, passed March 4, 2002 (Z96-0049A), amended the PUD-8, Planned Unit Development District (Subarea B) to reduce the required recessed garage setback for single-unit dwellings from fourteen feet to four feet; and

WHEREAS, the Applicant proposes to modify the Planned Unit Development Text in Section 2 of Subarea B to eliminate the recessed garage requirement on twelve lots within the White Ash Section 1 Subdivision, with commitments that dwellings shall be of an architectural style consistent with the attached renderings identified in Exhibit A; and

WHEREAS, it is necessary to amend Ordinance #0246-02, passed March 4, 2002 (Z96-0049A), to permit design

alternatives pertaining to garage-forward design, and to commit to architectural renderings (“Exhibit A”) in Section 2 of Subarea B; and

WHEREAS, all other aspects of Section 2 of Subarea B in Ordinance #0246-02, and Sections 1 and 2 contained in the original Ordinance #1883-00 (Z96-049) are unaffected by this amendment and remain in effect, and are repeated below for consistency; and

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:

4800 GENDER ROAD (43110), being 79.68± acres located on the east side of Gender Road; 1,900± feet south of Wright Road, and being more particularly described as follows:

**Neighborhood General--79.6767 Acres
(Section 2 of Subarea B)**

Commencing at the southwest corner of said Project in the centerline of Gender Road;

THENCE South 85 degrees 35 minutes 56 seconds East for a distance of 50.00 feet to a point in the easterly right of way of Gender Road;

THENCE North 04 degrees 08 minutes 20 seconds East for a distance of 1957.88 feet along said right of way, to a point;

THENCE North 04 degrees 12 minutes 20 seconds East for a distance of 478.53 feet along said right of way, to the POINT OF BEGINNING;

THENCE North 04 degrees 12 minutes 20 seconds East for a distance of 600.00 feet along said right of way, to a point in the north line of said project;

THENCE South 85 degrees 48 minutes 28 seconds East for a distance of 1371.57 feet along said north line to a point;

THENCE South 40 degrees 48 minutes 28 seconds East for a distance of 220.00 feet to a point on a curve;

THENCE along a curve to the left having a radius of 50.00 feet and an arc length of 40.55 feet, being subtended by a chord of South 27 degrees 25 minutes 39 seconds West for a distance of 39.45 feet to a point;

THENCE South 04 degrees 11 minutes 32 seconds West for a distance of 218.19 feet to a point;

THENCE South 77 degrees 18 minutes 28 seconds East for a distance of 140.00 feet to a point;

THENCE along a curve to the left having a radius of 640.00 feet and an arc length of 452.39 feet, being subtended by a chord of North 82 degrees 26 minutes 32 seconds East for a distance of 443.03 feet to a point;

THENCE South 27 degrees 48 minutes 28 seconds East for a distance of 550.00 feet to a point;

THENCE along a curve to the right having a radius of 125.00 feet and an arc length of 150.54 feet, being subtended by a chord of South 25 degrees 29 minutes 58 seconds West for a distance of 141.60 feet to a point;

THENCE South 85 degrees 56 minutes 01 seconds East for a distance of 367.02 feet to a point in the east line of said project;

THENCE South 04 degrees 16 minutes 32 seconds West for a distance of 1199.94 feet along said east line, to a point;

THENCE North 71 degrees 36 minutes 39 seconds West for a distance of 303.96 feet to a point;

THENCE along a curve to the right having a radius of 274.50 feet and an arc length of 163.49 feet, being subtended by a chord of South 42 degrees 50 minutes 18 seconds West for a distance of 161.09 feet to a point;

THENCE South 59 degrees 54 minutes 04 seconds West for a distance of 376.45 feet to a point;

THENCE along a curve to the right having a radius of 324.50 feet and an arc length of 177.46 feet, being subtended by a chord of South 11 degrees 15 minutes 57 seconds East for a distance of 175.26 feet to a point;

THENCE South 04 degrees 24 minutes 04 seconds West for a distance of 473.57 feet to a point in the south line of said project;

THENCE North 85 degrees 35 minutes 56 seconds West for a distance of 1226.18 feet along said south line, to a point;

THENCE North 04 degrees 24 minutes 04 seconds East for a distance of 350.00 feet to a point; THENCE South 85 degrees 35 minutes 56 seconds East for a distance of 90.00 feet to a point;

THENCE North 04 degrees 24 minutes 04 seconds East for a distance of 170.00 feet to a point;

THENCE South 85 degrees 35 minutes 56 seconds East for a distance of 150.00 feet to a point; THENCE North 04 degrees 24 minutes 04 seconds East for a distance of 150.00 feet to a point;

THENCE South 85 degrees 35 minutes 56 seconds East for a distance of 370.00 feet to a point; THENCE North 64 degrees 24 minutes 04 seconds East for a distance of 150.00 feet to a point;

THENCE South 25 degrees 35 minutes 56 seconds East for a distance of 160.00 feet to a point;

THENCE North 64 degrees 24 minutes 04 seconds East for a distance of 310.00 feet to a point; THENCE South 25 degrees 35 minutes 56 seconds East for a distance of 50.00 feet to a point;

THENCE North 64 degrees 24 minutes 04 seconds East for a distance of 200.00 feet to a point;

THENCE North 25 degrees 35 minutes 56 seconds West for a distance of 520.00 feet to a point;

THENCE South 64 degrees 24 minutes 04 seconds West for a distance of 60.00 feet to a point;

THENCE North 25 degrees 35 minutes 56 seconds West for a distance of 100.00 feet to a point;

THENCE North 26 degrees 39 minutes 17 seconds West for a distance of 409.77 feet to a point; THENCE North 49 degrees 12 minutes 20 seconds East for a distance of 100.00 feet to a point; THENCE North 40 degrees 47 minutes 40 seconds West for a distance of 130.00 feet to a point; THENCE North 49 degrees 12 minutes 20 seconds East for a distance of 60.00 feet to a point;

THENCE North 40 degrees 47 minutes 40 seconds West for a distance of 140.00 feet to a point;

THENCE North 49 degrees 12 minutes 20 seconds East for a distance of 140.00 feet to a point;

THENCE North 40 degrees 47 minutes 40 seconds West for a distance of 60.00 feet to a point;

THENCE North 04 degrees 12 minutes 20 seconds East for a distance of 35.00 feet to a point;

THENCE North 85 degrees 47 minutes 40 seconds West for a distance of 535.00 feet to a point;

THENCE North 04 degrees 12 minutes 20 seconds East for a distance of 285.00 feet to a point;

THENCE North 85 degrees 47 minutes 40 seconds West for a distance of 965.00 feet to the POINT OF BEGINNING.

Said Neighborhood General contains 79.6767 Acres more or less.

To Rezone From: R, Rural District,

To: PUD-8, Planned Unit Development District.

SECTION 2. That Section 3 of Ordinance #0246-02, passed March 4, 2002 (Z96-0049A) as it applies to Subarea B, be hereby repealed and replaced with a new Section 3 reading as follows:

SECTION 3. That the Director of the Department of Building and Zoning Services be, and he is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved PUD-8, Planned Unit Development a copy of the approved PUD-8, 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, "**THE MASTERPLAN,**" "**THE REGULATING PLAN,**" "**THE TOWN CENTER PLAN,**" "**THE CIVIC OPEN SPACE PLAN,**" and "**THE THOROUGHFARE TYPES PLAN,**" signed by Herbert J. Pfeifer, dated June 6, 2000; and said elevation renderings titled, "**EXHIBIT A,**" and text titled, "CPD TEXT and PUD-8 TEXT," signed by Tim Brader, Agent for the Applicant, dated May 17, 2018, and **the text** reading as follows:

**WHITE ASH
COLUMBUS, OHIO**

CPD & PUD-8 Text

PROPOSED DISTRICT: PUD-8

PROPERTY ADDRESS: 4800 Gender Road

OWNER: ~~Roland E. Reeb &~~ **Tiger Construction**

APPLICANT: ~~Tiger Construction~~ **Fischer Homes**

DATE OF TEXT: ~~January 9, 2002~~ **May 17, 2018**

APPLICATION NUMBER: Z96-049AB

CPD Text (Subarea A) is contained within Ordinance #0246-02 (Z96-049A).

PUD-8 TEXT
Subarea B

1. INTRODUCTION

The proposed rezoning would allow the development of approximately 191.28 acres of land generally located on the east side of Gender Road, south vacant property that lies south of Wright Road and north of Qualstan

Apartment Complexes that lie north of Lehman Road. The applicant proposes and requests that approximately 181.28+ acres be rezoned to Planned Unit Development District (PUD-8) to permit predominantly mixed residential development to a maximum density of 8 units per acre and that approximately 9.68+ acres be rezoned to Commercial Planned Development District (CPD) to permit predominantly unspecified commercial development, “live work” units and apartments above the commercial spaces. The property and the areas for which rezoning is proposed and requested are more particularly to make identified in the legal description submitted as part of the rezoning application. Special attention was given to this design to make it an excellent example of the “Greenfield Section of the Integrated Traditional Neighborhood Development (TND) Code” now in draft form. The applicant is proposing a design that is consistent with the intent of the draft TND Code.

Subarea A, consists in the middle of the site’s west side along Gender Road and is available for unspecified retail commercial development. Subarea B, Sections 1-4, are the balance of the total property to be rezoned PUD-8 for predominantly mixed residential development.

As this plan is intended to be an example of the TND Code, the terminology is consistent with the TND Code. To that end, the following terminology will be used interchangeably in this application:

Area designations from existing Code

Area designation from TND Code

PUD-8, Subarea B	White Ash
Master plan	
Subarea B, Section 1	
Neighborhood Center (NC)	
Subarea B, Section 2	
Neighborhood General (NG)	
Subarea B, Section 3	
Neighborhood Edge (NE)	
Subarea B, Section 4	District (D)

The design includes a single “pedestrian shed” or neighborhood. That is to say that the edge of the neighborhood is within a 5-minute walk, at an easy pace, from its center. Within the neighborhood there is a variety of thoroughfares, civic open spaces, uses, and housing types. Special sites are reserved for civic buildings in White Ash (the Clubhouse). Buildings spatially define the thoroughfares and civic open spaces. The Master plan is a schematic drawing and is included for illustrative purposes and to show intent. The exact locations of elements, plant materials and dimensions are subject to refinement with final design and engineering. Minor modifications of this plan, consistent with the latest draft of the TND Code, shall be permitted upon review and approval by the Director of the Department of Development or his designee.

Designated thereon as “Exhibit A,” are made a part of this Amended Text to the extent provided in Section 2 of Subarea B to allow revised plans and elevations on Lot Numbers 45, 46, 47, 50, 51, 52, 57, 82, 84, 85, 87, & 88.

2. PERMITTED USES

Permitted Uses shall be as described in the “site plan” including Residential of varying types including Single Family, Condominiums, Townhouse and Multifamily. Childcare and General Store can only be permitted with approval of council variance.

3. DEVELOPMENT STANDARDS

A. Density, Height, Lot and/or setback commitments. Lot dimensions, setbacks, parking locations and

building height are as shown “Building Standards” on the “The Regulating Plan”.

B. Access, Loading, Parking and other Traffic commitments. Street types and layouts are as shown on “The Thoroughfare Types Plan”.

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

1. All trees and landscaping shall be well maintained. Dead items shall be replaced within 30 days or in the next available planting season. Any plant material installed by the developer that dies within one (1) year of being turned over to the HOA, BOA, or the City shall be replaced by the developer and warranted for another year.

2. Building setback along the east property line shall be 60 feet for all above grade structures. A landscaping feature shall be a minimum of 30 feet in width and shall consist of two staggered rows of trees 18 feet on center for the full length of the east property line, as being developed, except where adequate similar vegetation currently exists. Tree species shall consist of mixed deciduous and evergreen trees. The deciduous trees shall be at least 1 1/2 inches of minimum caliper with 60% of minimum height of 5 feet at the time of planting. Species shall consist, as much possible of deciduous species native to the Central Ohio area and evergreen species, which can be reasonably expected to survive the specific site conditions. This will include a variety of evergreen, Austrian Pine, White Pine, Red Pine and other evergreen trees typically used in the central Ohio Area.

3. All trees shall meet the following minimum size requirements at the time of installation:

- | | | |
|----|-------------------|----------------|
| a. | Deciduous trees: | 2 ½” caliper |
| b. | Ornamental trees: | 1 ½” caliper |
| c. | Evergreen trees: | 5 ft in height |

4. Street trees plantings are to be as shown on the “Thoroughfare Standards” (on the “Thoroughfare Types Plan”). Plantings for Civic Open Spaces are to be described in “Civic Open Spaces” (on the “Civic Open Space Plan”).

5. All public streets shall conform to code standards or as approved by Traffic Engineering and Parking Division. Private streets shall conform to the standards as listed on the “Thoroughfare Types Plan” and shall not contain a pavement width less than 20 feet. Streets with concrete or pavement widths of 26 feet or greater shall have parking on both sides, streets with concrete or pavement with widths of 24 feet, shall have parking on one side only, any street less than 24 feet shall have no parking. Parking restrictions on private streets shall be controlled by appropriate signage and be enforced by the established homeowners’ or condominium association or apartment complex owner. Enforcement will be established by homeowners’ or condominium association Rules and Regulations. No parking shall be allowed in the alleys except in designated areas approved by Traffic Engineering and Parking Division.

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

1. Walls. Residential structures shall be built of brick, horizontal vinyl siding, stone, stucco, or wood.

2. Windows. Windows shall be double-hung and shall have vertical proportions. Shutters, if any, shall be sized to match the window they serve and mounted as if operable. No more than three window sizes may be used on a single building, not including those in gable ends. Upper story windows shall be centered above lower story windows. **For lot numbers 45, 46, 47, 50, 51, 52, 57, 82, 84, 85, 87, & 88 as shown in Exhibit A, window location, size, alignment, and shutter size will be consistent with the plans and elevations shown therein. There will be no further restrictions placed on the windows and/or shutters for the aforementioned lots other than to remain consistent with what is shown within Exhibit A.**

3. Roofs. Apartments shall have the same asphalt shingles or tiles selected by the developer. Roofs shall have a gable or a hip and pitch. Roof skylights shall be placed facing the rear yards or side yards not facing thoroughfares and civic open spaces.

4. Fences. Wood picket fences, shall be between 32” to 48” (measured from grade) shall be built between building corners facing thoroughfares (except lanes and alleys) and civic open spaces. All wood picket fences shall be painted white or wood stained.

5. Equipment. Equipment including HVAC, utility meters and the like shall be placed in the rear yards or side yards not facing thoroughfares and civic open spaces.

6. Single Family Dwellings that do not have access from the alley shall be accessed from the street provided the garage is set back 4 feet behind the front of the building (not including porch). **For lot numbers 45, 46, 47, 50, 51, 52, 57, 82, 84, 85, 87, & 88 as shown in Exhibit A, the garages will not be required to be set back 4 feet behind the front of the building. There will be no further restrictions placed on the garage location/depth for the aforementioned lots other than to remain consistent with what is shown within Exhibit A.**

E. Dumpster, Lighting, Outdoor Display Areas, and/or other Environmental commitments.

1. Exterior Lighting. Street lights in parking lots, thoroughfares and civic open spaces shall be of the cut-off type and shall conform to the specifications of the Thoroughfare Standards. Lights shall be no taller than 18 feet. All lighting within 300 feet of the east property line shall be “cut-off” type fixtures, no taller than 14 feet, and directed away from the east property line.

2. Graphics. Pole type signage is prohibited, with the exception of the existing outdoor billboards, due to expire in 2018, shall not be renewed. Upon expiration of the existing lease, the billboards shall be removed promptly by the HOA. Graphics shall adhere to C.C.C. 3376, Residential Districts and any variances shall be reviewed by the Graphics Commission.

4. THOROUGHFARES

1. Thoroughfare standards shall be as shown on “Thoroughfare Types Plan” and “Thoroughfare Standards” (as listed on the “Thoroughfare Types Plan”) as approved by the Division of Traffic Engineering and Parking. All access points to the site from surrounding properties shall be subject to the review and approval of the Division of Traffic Engineering and Parking.

2. Public Thoroughfares. All public and private thoroughfares (including bike lanes and bike paths) all are to be built as specified in the accompanying Thoroughfare Standards. The following thoroughfares serve not only this neighborhood but adjacent properties as well. As such, City of Columbus should consider building, and maintaining the following:

A. The thoroughfare that extends from Gender Road through the site splitting at the Neighborhood Center Park and continuing southeast to the adjacent Qualstan development.

B. The thoroughfares going from Gender Road to the adjacent Qualstan development to the Southeast and from Gender Road to the adjacent vacant property to the northeast, and north.

C. The thoroughfare going from the southeast corner to the northeast corner (the easternmost thoroughfare).

3. All public streets shall conform to code standards or as approved by Traffic Engineering and Parking Division. Private streets shall conform to the standards as listed on the “Thoroughfare Types Plan” and shall not contain a pavement width less than 20 feet. Streets with concrete or pavement widths of 26 feet or greater shall have

parking on both sides, streets with concrete or pavement with widths of 24 feet, shall have parking on one side only, any street less than 24 feet shall have no parking. Parking restrictions on private streets shall be controlled by appropriate signage and be enforced by the established homeowner's or condominium association or apartment complex owner. Enforcement will be established by homeowner or condominium association Rules and Regulations. No parking shall be allowed in the alleys except in designated areas approved by Traffic Engineering and Parking Division.

4. The second access drive located both north and south of Chelsea Glen Drive shall be full movement drives.
5. The developer shall install at its expense, right turn lanes on Gender Road at all proposed site access locations.

SECTION 3. That existing Section 3 as it applies to Subarea B of Ordinance #0246-02, passed March 4, 2002 (Z96-0049A), be and is hereby repealed.

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