



Legislation Text

File #: 2279-2019, Version: 2

Rezoning Amendment: Z85-076A

Ordinance #1892-85, passed September 23, 1985 (Z85-076), rezoned 15.7± acres at 2677 Collinford Drive to the L-ARLD, Limited Apartment Residential District for an apartment complex. That rezoning established specific development standards addressing building height and setback, landscaping and screening, lighting, and graphics restrictions. The property is located on the north side of Hard Road, and this arterial was widened in 2014, which necessitated the acquisition of additional right-of-way. The right-of-way acquisition has compromised existing building and signage setbacks and required removal of fencing and landscaping thereby creating noncompliant conditions. Additionally, signage that had been previously installed on the property does not comply with the limitation text. This ordinance amends the limitation text established by Ordinance #1892-85 to remove the setback, landscaping and screening, and signage requirements allowing the applicant to pursue a concurrent Council variance (ORD #2280-2019; CV19-047) in order to acquire variances necessary to achieve zoning compliance. This ordinance also replaces the legal description as the acreage has been reduced to 15.23 acres due to the right-of-way acquisition. All other aspects of Ordinance #1892-85 remain in effect and are included in this amendment.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #1892-85, passed September 23, 1985 (Z85-076), for property located at **2677 COLLINFORD DR. (43016)**, by repealing Section 3 and replacing it with a new Section 3 thereby modifying the limitation text as it pertains to setbacks, landscaping and screening, and signage (Rezoning Amendment # Z85-076A).

WHEREAS, Ordinance #1892-85, passed September 23, 1985 (Z85-076), rezoned 15.7± acres at **2677 COLLINFORD DR. (43016)**, previously addressed as **3740 HARD RD.**, from the LRR, Limited Rural District to the L-ARLD, Limited Apartment Residential District for an apartment complex; and

WHEREAS, that rezoning established specific development standards addressing building height and setback, landscaping and screening, lighting, and graphics requirements in the limitation text; and

WHEREAS, it is necessary to amend Section 1 of Ordinance #1892-85, passed September 23, 1985 (Z85-076) to replace the legal description due to site acreage being reduced from a right-of-way acquisition, and;

WHEREAS, it is necessary to amend Section 3 of Ordinance #1892-85, passed September 23, 1985 (Z85-076) to account for a right-of-way acquisition that has compromised setback, landscaping and screening, and signage requirements thereby creating noncompliant situations, and;

WHEREAS, all other aspects contained in Ordinance #1892-85 are unaffected by this amendment and remain in effect, and are repeated below for clarity and consistency; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Section 1 of Ordinance #1892-85, passed September 23, 1985 (Z85-076), be hereby repealed and replaced with 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:

2677 COLLINFORD DR. (43016), being 15.23± acres located on the north side Hard Road, 327± feet east of Sawmill Road, and being more particularly described as follows:

DESCRIPTION OF 15.232 ACRES AT 7962 CROSSHAVE DRIVE
FOR PLAINSBORO PARTNERS III LIMITED PARTNERSHIP
(OLDE MILL LAKES APARTMENTS)

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 2 North, Range 19 West, United States Military Land, in Lot Number Eighteen (18) of Flavel Tuller's Survey of record in Plat Book 3, Page 60, and being all of that 15.277 acre tract of land (15.232 acres by recent survey) conveyed to Plainsboro Partners III limited Partnership by deed of record in Official Record 26712, Page E 14, all references the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at Franklin County Monument No. 7772 found at the intersection of the centerlines of Hard Road and Sawmill Road;

Thence S 87° 39' 06" E along the centerline of Hard Road a distance of 399.69 feet to a point, said point being N 87° 39' 06" W a distance 100.31 feet from Franklin County Monument No. 6651 found in the centerline of Hard Road;

Thence N 2° 55' 31" E a distance of 40.00 feet to a ¾-inch I.D. iron pipe set at a corner in the north right-of-way line of Hard Road, at the northeast corner of a 0.132 acre tract of land conveyed to Franklin County Commissioners as Parcel 26WD by deed of record in Official Record 12318, I 04, at the northwest corner of a 0.410 acre tract of land conveyed to the City of Columbus, Ohio by deed of record in Official Record 6519, Page E14, at the southeast corner of a 0.3755 acre tract of land conveyed to City of Columbus, Ohio by deed of record in Instrument 199905130121125, at the southwest corner of said 15.232 acre tract and at the true place of beginning of the tract herein intended to be described;

Thence continuing N 2° 55' 31" E along the east line of said 0.3755 acre tract, along the east line of an original 1.406 acre tract of land conveyed to WEC 98H-38 LLC as Parcel II by deed of record in Instrument 199901110007656, along the east line of a 1.8596 acre tract of land conveyed to M & E Remainder LLC by deed of record in Instrument 200010180212255 a distance of 337.49 feet to a ¾-inch I.D. iron pipe found at the northeast corner of said 1.8596 acre tract and at a corner of said 15.232 acre tract (passing a ¾-inch I.D. iron pipe found at the northeast corner of said 0.3755 acre tract at 10.00 feet);

Then N 87° 04' 29" W along a north line of said 1.8596 acre tract and along a south line of said 15.232 acre tract a distance of 100.10 feet to a ¾-inch I.D. iron pipe set at a corner of said 1.8596 acre tract and at a corner of said 15.232 acre tract;

Thence N 1° 57' 01" E along an east line of said 1.8596 acre tract and along a west line of said 15.232 acre tract a distance of 19.94 feet to a ¾-inch I.D. iron pipe set at a corner of said 1.8596 acre tract and at a corner of said 15.232 acre;

Thence N 10° 30' 29" W along an east line of said 1.8596 acre tract and along a west line of said 15.232 acre tract a distance of 70.96 feet to a point in Billingsly Ditch, at a corner of said 1.8596 acre tract and at a corner of said 15.232 acre tract;

Then N 9° 09' 31" E along an east line of said 1.8596 acre tract, along an east line of a 1.3250 acre tract of land conveyed to Thomas Group Property Management, LLC by deed of record in Instrument 200004210078512 and along a west line of said 15.232 acre tract a distance of 129.16 feet to a point in Billingsly Ditch, at a corner of said 1.3250 acre tract and at

a corner of said 15.232 acre tract;

Thence N 2° 49' 29" W along an east line of said 1.3250 acre tract and along a west line of said 15.232 acre tract a distance of 54.31 feet to a point in Billingsly Ditch, at a corner of said 1.3250 acre tract and at a corner of said 15.232 acre tract;

Thence N 25° 43' 01" E along an east line of said 1.3250 acre tract and along a west line of said 15.232 acre tract a distance of 102.09 feet to a point in Billingsly Ditch, at the northeast corner of said 1.3250 acre tract, in the south line of Lot Number Thirty (30) of said Flavel Tuller's Survey, in the north line of said Lot Number Eighteen (18), in the south line of "Olde Sawmill On The Lake Condominium" as shown of record in Condominium Plat Book 27, Page 74 and as recorded in Official Record 3886, Page C 10, and at the northwest corner of said 15.232 acre tract;

Thence S 87° 23' 27" E along the south line of said "Olde Sawmill On The Lake Condominium", along the south line of said Lot Number Thirty (30), along the north line of said Lot Number Eighteen (18), along a portion of a south line of a 7.600 acre tract of land conveyed to Sawmill Commons L.P. by deed of record in Instrument 199910010247158 and along the north line of said 15.232 acre tract a distance of 957.65 feet to a ¾-inch I.D. iron pipe set at the northeast corner of said 15.232 acre tract and at the northwest corner of a 0.905 acre tract of land conveyed to Mara Enterprises, Inc. as Parcel Two by deed of record in Official Record 25574, Page G 06;

Then S 2° 21' 24" W along the west line of said 0.905 acre tract, along a portion of the west line of "Millrun Condominium" as shown of record in Condominium Plat Book 32, Page 33 and as recorded in Official Record 5611, Page A 01, and along the east line of said 15.232 acre tract a distance of 699.29 feet to a ¾-inch I.D. iron pipe found in the north right-of-way of Hard Road, at the northeast corner of said 0.410 acre tract and at the southeast corner of said 15.232 acre tract;

Thence N 87° 39' 06" W parallel with and 40 feet northerly by perpendicular measurement from the centerline of Hard Road, along the north line of said 0.410 acre tract and along the south line of said 15.232 acre tract a distance of 895.83 feet to the place of true beginning;

containing 15.232 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in February, 2004. Basis of bearings is the centerline of Hard Road, being S 87° 39' 06" E, as transferred from the GPS Survey of Franklin County Monuments Number 7772 and Number 2218 and is based on the NAD 83 Ohio State Plane Coordinate System, South Zone.

To Rezone From: L-ARLD, Limited Apartment Residential District,

To: L-ARLD, Limited Apartment Residential District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-ARLD, Limited Apartment Residential District on this property.

SECTION 3. That Section 3 of Ordinance ~~#1228-2004, passed July 19, 2004 (Z04-038)~~ **#1892-85, passed September 23, 1985 (Z85-076)**, 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-ARLD, Limited Apartment Residential 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 text titled, "**LIMITATION TEXT FOR 3740 HARD ROAD, Z85-076A**," dated August 23, 2019, and signed by Thomas L. Hart, Attorney for the Applicant, and the

text reading as follows:

Limitation Text for 3740 Hard Road, Z85-076A
August 23, 2019

The purpose of this limitation is to promote the development of an environment that is both functionally and aesthetically satisfactory for people living on Hard Rad, just as the Sawmill Corridor Development Standards do for Sawmill Road.

The applicant agrees to use only down lighting of a type that will not interfere with Don Scott Airport flights. All exterior lighting, including that used for recreational facilities, shall be of the same manufacturers' type and style.

~~The applicant agrees to use rustic, dark, uniformly shaped and framed signs that are not externally illuminated. Only directional entry and exit signs shall be placed on the front yard; they shall be of the ground type. All other signs shall be wall mounted and limited to a maximum of twenty-four (24) square feet in area.~~

Up to four masonry monument signs mounted within masonry wall bases shall be allowed on both sides of the access roads from the apartment complex to Hard Road. (Collinford Drive and Crosshaven Drive) The sign faces of such signs shall not exceed 36 square feet. Overall sign heights shall not exceed 10 feet from grade. Concurrent Council Variance Application #CV19-047 has been submitted to address noncompliant conditions.

~~The applicant agrees to a minimum setback of twenty-five feet (25'). A rail or stone fence similar to that along Route 33, or a shrubbery hedge equal at full height to the fence, shall be placed no closer than ten feet (10') from the Hard Road right-of-way. All loading and outdoor trash container areas shall be given opaque screening of at least seven feet (7') in height. No structure shall be built higher than thirty-five feet (35').~~

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