

Tommaso Counter Top Inc., et al.
 Date: 7/5/12
 Casto's Plans, et al. are hereby approved

* THE CONNECTIVITY AREAS ARE INCLUDED IN THE PRESERVATION AREA ACREAGE. THE ACREAGE OF THE CONNECTIVITY AREAS ARE AS FOLLOWS: A= 0.06 Ac, B=0.05 Ac, C=0.06 Ac, D=0.06 Ac

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 10, 2012**

1. **APPLICATION:** **Z10-013 (10335-00000-00221)**
Location: **5822 NORTH HAMILTON ROAD (43054)**, being 116.26± acres located on the east side of Hamilton Road 670± feet north of Preserve Boulevard (545-175661).
Existing Zoning: L-C-4, Limited Commercial, L-AR-12, Limited Apartment Residential and PUD-8, Planned Unit Development Districts.
Request: L-ARO, Limited Apartment Residential Office, and CPD Commercial Planned Development Districts.
Proposed Use: Multi-unit dwellings, office, and commercial development.
Applicant(s): Town & Country City, Inc et al; 191 West Nationwide Blvd, Suite 200; Columbus, OH 43215.
Property Owner(s): Same as Applicant.
Planner: Dana Hitt, 645-2395, dahitt@columbus.gov.

BACKGROUND:

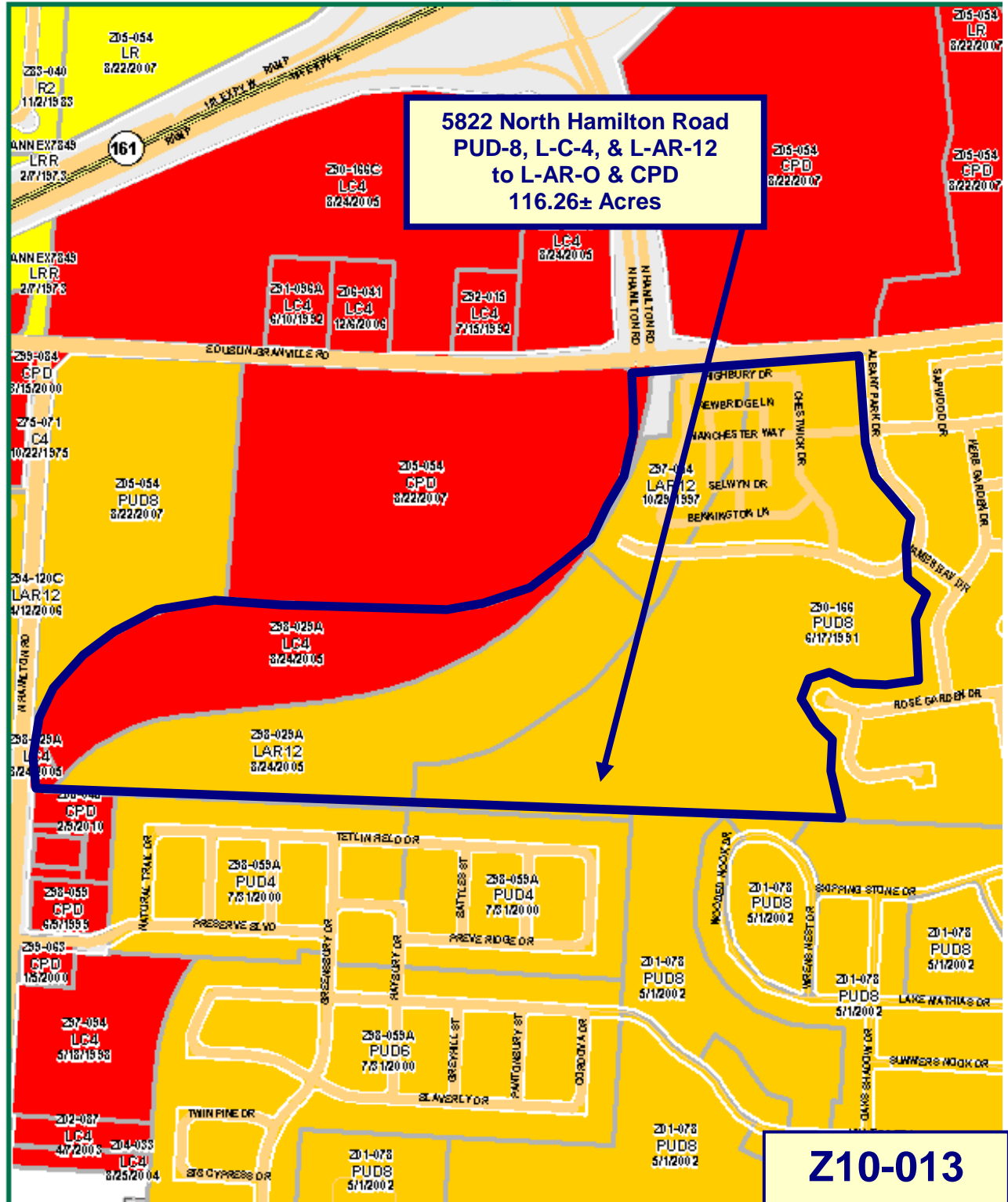
- The 116.26± acre site is zoned in the L-C-4, Limited Commercial; L-AR-12, Limited Apartment Residential and PUD-8, Planned Unit Development Districts and is undeveloped, consisting of agricultural and forested areas with some wetlands. The applicant requests the L-AR-O, Limited Apartment Residential and CPD Commercial Planned Development Districts to construct a mixed use development in the L-AR-O portion of the application consisting of multi-unit dwellings at a maximum density of 15.5 units per acre, offices and commercial Development. The commercial development in the L-AR-O portion is proposed via the concurrent Council Variance CV10-021, which is not part of this application but will be considered by City Council. The CPD portions of application are to allow commercial and office development in Subarea 5 and office development in sub-area 5Z.
- To the north and west is vacant land zoned in the CPD, Commercial Planned Development and the PUD-8, Planned Unit Development Districts as well as multi-unit dwellings zoned in the L-AR-12, Limited Apartment Residential District and commercial development zoned in the CPD, Commercial Planned Development and C-4, Commercial Districts. To the south are single-unit dwellings zoned in the PUD-4 and PUD-8, Planned Unit Development Districts as well as commercial development zoned in the CPD, Commercial Planned Development. To the east are single-unit dwellings zoned in the PUD-8, Planned Unit Development District.
- The site lies within Preserve District of *The Northland Plan Volume II (2002)*.
- The applicants are providing for street trees, limits on lot coverage, a 25 foot tree preservation zone along the south property line north which would then run north and parallel to a 50 foot easement along the single-unit dwellings to the south.

- The *Columbus Thoroughfare Plan* identifies Dublin-Granville Road as a C, Collector Hamilton Road and as a 4-2D arterial, requiring a minimum of 30 feet and 60 feet of right-of-way from centerline respectively.

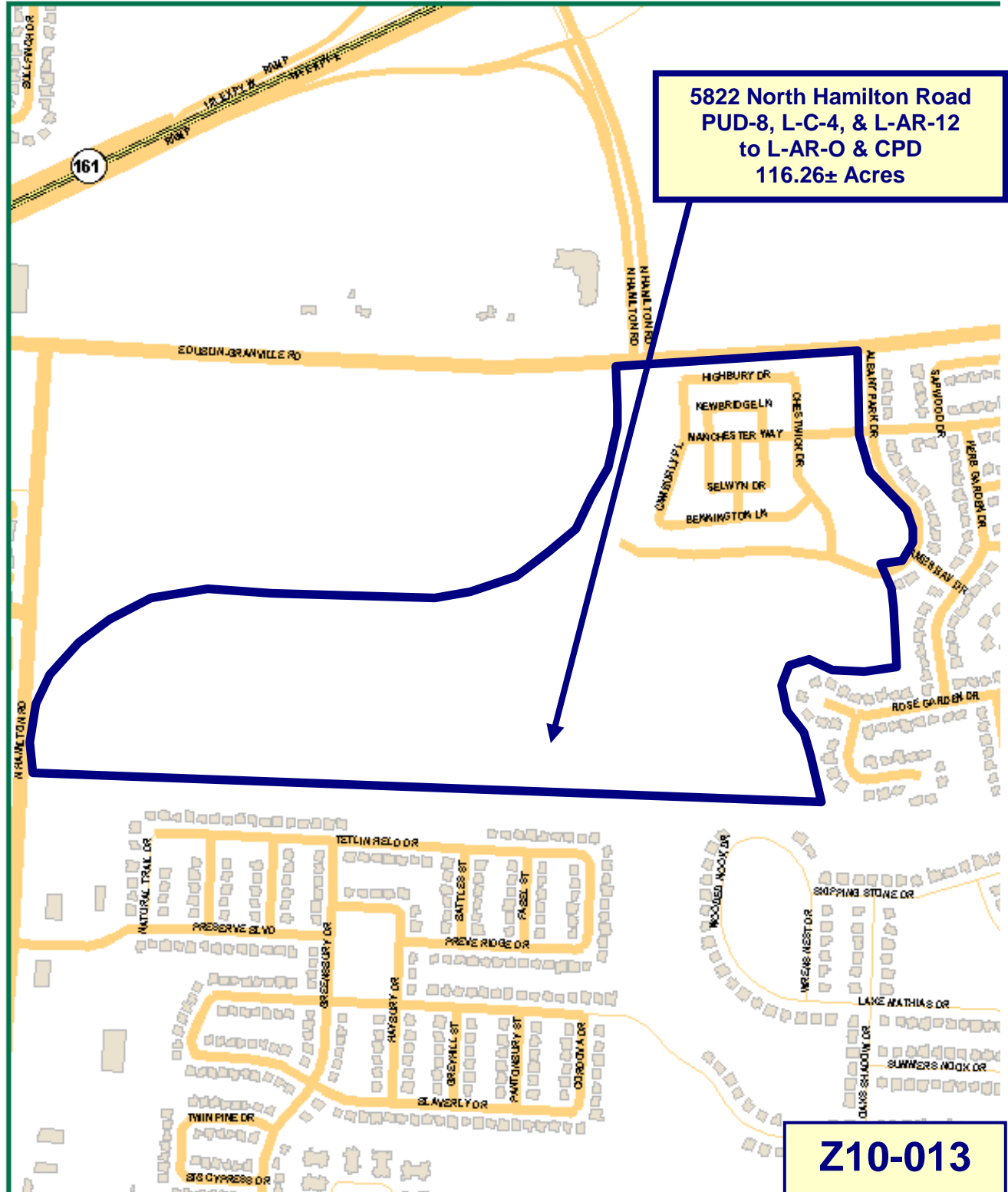
CITY DEPARTMENTS RECOMMENDATION: Approval.

Because sub-area 5Z, which abuts the residences to the east, will be developed with office uses and because the applicants are proposing a 25 foot tree preservation zone along the southern property line and easement as well as height and setback commitments, Staff recommends approval of the proposed rezoning which should protect the existing single-unit dwellings to the south and east. Due to these considerations the requested L-AR-O, Limited Apartment Residential and CPD Commercial Planned Development Districts would permit a mix of multi-unit residential, office and commercial uses consistent with the zoning and land use patterns of the area.

CITY OF COLUMBUS
DEPARTMENT OF BUILDING AND ZONING SERVICES
151 CAROLYN AVENUE, COLUMBUS, OH 43224



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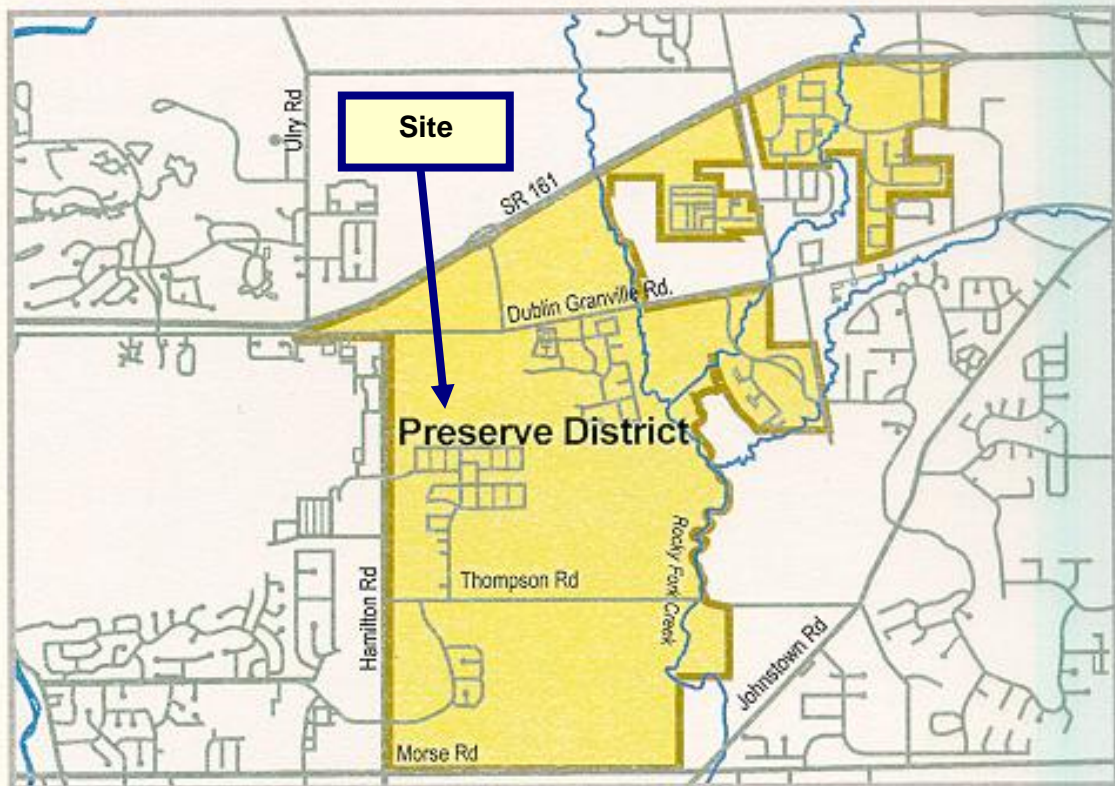


Preserve District

This district is located east of Hamilton Road, north of Morse Road and follows the Columbus city limits east to the village of New Albany. A significant portion of this district is undeveloped, however, almost the entire district has previously been annexed and zoned in the city of Columbus.

The largest single zoning in the district is the Preserve Master Plan, a nearly 1,000-acre development east of Hamilton Road. This plan will incorporate single and multi-family residences, provisions for open space, portions of a golf course, and some commercial uses. Hamilton Road will eventually be extended in the northwest corner of this district. There is commercial and multi-family zoning in place where this road will be located.

Zoning on several parcels near SR-161, north of Dublin-Granville Road, ranges from LM2, limited manufacturing, to LC4, limited commercial. Preliminary private sector plans for these parcels call for a mixed-use development with retail, single and multi-family residential, and office uses.



Preserve District





Northland Community Council
Development Committee

Report

April 25, 2012 7:00 PM
Minerva Park Community Center
2829 Minerva Lake Road

Meeting Called to Order: 7:00 pm by Development Chair Dave Paul

Members represented:

Voting: (14): Albany Park (APHA), Clinton Estates (CECA), Cooperwoods (CWCA), Forest Park (FPCA), Friendship Village (FVRA), Karmel Woodward Park (KWPCA), Maize-Morse Tri-Area (MMTACA), Minerva Park (MP), Northland Alliance (NA), Salem (SCA), Sharon Woods (SWCA), Sprucefield (SCA2), Strawberry Farms (SFCA), Westerville Woods (WWCA).

The agenda was amended to hear Case #2 before Case #1 and approved by the Committee.

Case #2: Application 10310-00392 (*Variance: reduce parking requirement per §3312.49*)
B. Longe & M. Nwosu/United Consultants & Associates representing
Pastor James Edwards, Sr./Pyauainde Edwards/Moconjaye Edwards
4034 Cleveland Avenue (PID 010-235709)

- *The Committee approved 13-0 (w/ 1 abstention) a motion (by WWCA, second by MP) to NOT SUPPORT the application.*

The Committee determined it could not support the application because the materials the Committee received from the applicant prior to the meeting were incomplete (did not include the current BZA application as revised subsequent to September 2010) and were inconsistent with Statement of Hardship and other information contained in the original (September 2010) BZA application currently available on the City's Web site (as provided to the Committee by the chair). The applicant did not offer updated materials at the meeting. There were also several technical concerns about the information presented by the applicant, and a number of variances were implied in the site plan provided by the applicant for which the applicant apparently is not currently seeking approval. Please see attached narrative.

Case #1: Applications Z10-013/CV10-021 (*Rezone to L-ARO Apartment Residential, CPD; variances from §3318.03, §3318.13, §3333.04, §3333.18, §3333.255*)
Charlie Fraas/CASTO representing
Town & Country City, Inc. et al
5822 N Hamilton Road, Columbus, OH 43054

Application Z10-013 (Rezoning to L-ARO & CPD)

- *Referring to revised Zoning Text dated 4/16/2012, the Committee voted 14-0 (motion by MP, second by MMTACA) to SUPPORT WITH CONDITIONS:*
 - 1) *Text to prohibit the construction of monopole telecommunications antennas in SubAreas 1, 5 and/or 5Z.*
 - 2) *Text to specify that no direct vehicular access will be constructed across the "Western Section (Southern Boundary)" of SubArea 1 (as identified on the "Albany Park/Existing Conditions & Tree Preservation" document dated 4/16/12) to commercial property located on adjoining parcel south of SubArea 1 with frontage on N Hamilton Road.*
-

Application CV10-021 (Council variances, pertaining ONLY to SubArea 1)

Variance from §3333.04 (ARO, permit additional uses):

- *The Committee voted 14-0 (motion by AP, second by MP) to **SUPPORT WITH CONDITIONS:***

1) *Variance to be amended to strike "Parking garage" as a additional permitted use.*

Variance from §3333.18 (Building lines: reduce setback along Hamilton Road existing and future from 60' to 10')

- *The Committee voted 13-1 (motion by AP, second by MP) to **SUPPORT WITH CONDITIONS:***

1) *Variance to be amended to reduce setback along N Hamilton Road from 60 feet to 15 feet (rather than 10 feet as requested by the applicant).*

Variance from §3333.255 (Perimeter yard: reduce setback from 25' to 0' for interior parcel lines):

- *The Committee voted 14-0 (motion by SFCA, second by SCA) to **SUPPORT** the application.*

Variance from §3333.36 (Height district: permit a 60' height district):

- *The Committee voted 13-1 (motion by WWCA, second by NA) to **SUPPORT** the application.*

Variance from §3318.03 (Requirements: waive land donation/payment in lieu):

- *The Committee voted 14-0 (motion by MP, second by WWCA) to **SUPPORT** the application.*

Variance from §3318.13 (Commercial, industrial, office and non-residential institutional development: waiver of park dedication):

- *The Committee voted 14-0 (motion by SCA, second by CECA) to **SUPPORT** the application.*

(No narrative.)

Executive Session **9:15 pm**

Meeting Adjourned **10:30 pm**

Next Meeting: *Wednesday, May 30, 2012*



COLUMBUS DEVELOPMENT COMMISSION
 Basis for Recommendation

Date: May 10, 2012

Application #: Z10-013	Requested: L-AR-O & CPD	Address: 5822 NORTH HAMILTON ROAD (43054)					
# Hearings:	Length of Testimony: 6:29 → 7:29	Staff Position: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval <input type="checkbox"/> Conditional Approval					
# Speakers Support: (2) (3) FIND SPACE	Development Commission Vote: (5) (4) <input type="checkbox"/> No <input type="checkbox"/> Abstain	Area Comm/ Civic Assoc: <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval <input type="checkbox"/> Conditional Approval					
Position Y=Yes N=No (write out ABSENT or ABSTAIN)	NO Fitzpatrick	YES Ingwersen	YES Anderson	YES Cooley	YES Conroy	ABSENT Onwukwe	YES Coe
+ = Positive or Proper - = Negative or Improper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land Use	MORE INTENSE	+	+	+	+		+
Use Controls	-	-	-	N/A	N/A		
Density or Number of Units	- MUCH MORE INTENSE			N/A	N/A		
Lot Size							
Scale	+	+	+	+	+		
Environmental Considerations	- GOOD GAS LINE BUT NEEDS MORE	+	Can be better	+	Wetlands		+
Emissions							
Landscaping or Site Plans	-	None Proposed	-				
Buffering or Setbacks	-	OK	+	+			+
Traffic Related Commitments			-				
Other Infrastructure Commitments	+	+	+	+	+		+
Compliance with City Plans							
Timeliness of Text Submission							
Area or Civic Assoc. Recommendation	Mixed +/-	+	+/-	+	+		+
Governmental or Public Input	+	+	+	+	+		
MEMBER COMMENTS:							
<p>FITZPATRICK: REASONABLE LAND USE(S); BUT BUFFER ISSUE COULD BE HANDLED MUCH MORE EFFECTIVELY. EFFECTIVE BUFFER COULD BE CUSTOMIZED TO ALLOW DEVELOPMENT, BUT ALSO PROVIDE AN ARTICULATED STEP-DOWN IN INTENSITY ADJACENT TO EXISTING SINGLE-FAMILY RESIDENCES. IN MY OPINION, THIS COULD BE BETTER PLANNED</p>							
<p>INGWERSEN: REASONABLE LAND USE - NEEDS TO HAVE LOCALIZED BUFFERING STRATEGIES RATHER THAN A BROADBUSH SET-BACK, SPECIFICALLY FOR SINGLE FAMILY HOMES @ THE SOUTH BORDER & ADJACENT TO THE GAS LINE EA SEGMENT. OTHERWISE THE WETLAND PROTECTION IS EXCELLENT & USE PATTERN WOULD BE BETTER</p>							
<p>ANDERSON: a variable buffer would be far superior, & should be considered.</p>							
<p>COOLEY: THERE WERE MULTIPLE ISSUES RELATED TO ENVIRONMENT, LAND USE, AND RESIDENT CONCERNS. ALTHOUGH IT WOULD BE POSSIBLE TO MAKE VERY MODERATE IMPROVEMENTS, THE DEVELOPER MUST ADDRESS ALL MAJOR CONCERNS & ISSUES</p>							
<p>CONROY: Land use is reasonable. Wetlands "packaging" is good - support by Blacklick. Likely more available to make this a better proposal, espec. a variable buffer - but not @ expense of wetlands approach proposed. Landowners refer to south int'l gas on but already which hurts their argument.</p>							
<p>ONWUKWE:</p>							
<p>COE: I would like to see the developer keep working with the neighbors. But I think this is an appropriate use. The local community & environmental group support the application & the developer went further to add additional screening, a 75ft plus buffer is significant.</p>							



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # Z10-013 / CU10-021

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Charles Fraas

Of [COMPLETE ADDRESS] 191 W. Nationwide Blvd., Suite 200, Columbus, OH 43215
deposes and states that [he/she] is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following formats

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

<p>1. Town & Country City, Inc. 191 W. Nationwide Blvd., Suite 200 Columbus, OH 43215</p> <p>Zero Columbus based employees Charles Fraas (614) 228-5331</p>	<p>2. Stephen L. Harper, Trustee 191 W. Nationwide Blvd., Suite 200 Columbus, OH 43215</p> <p>Zero Columbus based employees Charles Fraas (614) 228-5331</p>
<p>3. Great Eastern Corporation 191 W. Nationwide Blvd., Suite 200 Columbus, OH 43215</p> <p>Zero Columbus based employees Charles Fraas (614) 228-5331</p>	<p>4. National Properties, Inc. 191 W. Nationwide Blvd., Suite 200 Columbus, OH 43215</p> <p>Zero Columbus based employees Charles Fraas (614) 228-5331</p>

Check here if listing additional parties on a separate page.

Town & Country City, Inc., et al.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 11th day of February, in the year 2012

SIGNATURE OF NOTARY PUBLIC Molly P. Benadum



Molly P. Benadum
Notary Public, State of Ohio
My Commission Expires 12-09-2016

12/9/2016

This Project Disclosure Statement expires six months after date of notarization.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer