



Legislation Text

File #: 0267-2017, Version: 1

Rezoning Application Z16-071

APPLICANT: Lifestyle Communities, Ltd.; c/o Michael T. Shannon, Atty.; 500 South Front Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-1) on January 12, 2017.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is comprised of a vacant single-unit dwelling and undeveloped land zoned in the PUD-8, Planned Unit Development District. The requested PUD-8, Planned Unit Development District will allow a 124-unit residential development (7.94 units/acre) on one lot. The existing PUD text also permits 124 units, but on individual lots. The requested PUD has an increase in the amount of open space provided from 4.8± acres to 7.3± acres. The development text carries over commitments for building setbacks, access and street details, street trees, sidewalks, maximum building height, garage requirements, landscaping and buffering, building materials commitments, and Pay as We Grow and parkland dedication ordinance obligations. The site is located within the boundaries of the Preserve District of the *Northland Plan: Volume II* (2002), which recommends that the current residential pattern of development east of Hamilton Road, south of Old Dublin-Granville Road be continued, with single-unit residential development encouraged, and that existing land-use and zoning patterns be taken into consideration when decisions are made regarding zoning changes. The request remains compatible with the density and development standards of adjacent residential developments, and incorporates natural resources with increased open space.

To rezone **5440 MORSE ROAD (43230)**, being 15.6± acres located at the northeast corner of Morse Road and Preserve Crossing Boulevard, **From:** PUD-8, Planned Unit Development District, **To:** PUD-8, Planned Unit Development District (Rezoning # Z16-071).

WHEREAS, application # Z16-071 is on file with the Department of Building and Zoning Services requesting rezoning of 15.6± acres from PUD-8, Planned Unit Development District, to PUD-8, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested PUD-8, Planned Unit Development District will allow a residential development that is compatible with the density and development standards of adjacent residential developments, incorporates natural resources with increased open space, and is consistent with the land use recommendations of the *Northland Plan: Volume II*; 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:

5440 MORSE ROAD (43230), being 15.6± acres located at the northeast corner of Morse Road and Preserve Crossing Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being all of that 1.783 acre tract conveyed to Preserve Crossing Development, Ltd. by deed of record in Instrument Number 201610180142365 and all of that 13.801 acre tract conveyed to Preserve Crossing Development, "Ltd." by deed of record in Instrument Number 201610030133937, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at Franklin County Geodetic Survey monument number 6623 found in the centerline of Morse Road at the common corner of that 0.031 acre tract conveyed to City of Columbus by deed of record in Instrument Number 201509280136101 and that 0.304 acre tract conveyed to City of Columbus by deed of record in Instrument Number 201502040014476;

Thence North 03° 36' 41" West, across the right-of-way of said Morse Road, with the line common to said 0.031 and 0.304 acre tracts, a distance of 39.00 feet to the southerly common corner of said 1.783 and 13.801 acre tracts, the TRUE POINT OF BEGINNING;

Thence North 49° 32' 17" West, with the southerly line of said 1.783 acre tract, the northerly right-of-way line of said Morse Road, a distance of 34.66 feet to a point in the easterly right-of-way line of Preserve Crossing Boulevard, of record in Plat Book 110, Page 10;

Thence with said easterly right-of-way line, the westerly line of said 1.783 acre tract, the following courses and distances:

North 03° 11' 08" East, a distance of 81.97 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 08° 30' 22", a radius of 516.00 feet, an arc length of 76.61 feet, a chord bearing of North 01° 04' 15" West and chord distance of 76.54 feet to a point of reverse curvature;

with the arc of a curve to the right, having a central angle of 08° 30' 22", a radius of 484.00 feet, an arc length of 71.85 feet, a chord bearing of North 01° 04' 15" West and chord distance of 71.79 feet to a point of tangency;

North 03° 10' 56" East, a distance of 1517.12 feet to a point in the southerly line of the remainder of that 26.445 acre tract conveyed to LC Preserve Crossing, LLC by deed of record in Instrument Number 201312100202907;

Thence South 86° 54' 48" East, with the northerly line of said 1.783 and 13.801 acre tracts, the southerly line of the remainder of said 26.445 acre tract, a distance of 153.46 feet to a point;

Thence South 87° 06' 34" East, continuing with the line common to said 13.801 and 26.445 acre tracts, a

distance of 238.36 feet to a point at the northwesterly corner of that 27.572 acre tract conveyed to Albany Glen, LLC by deed of record in Instrument Number 201304190065175;

Thence South 03° 36' 39" West, with the easterly line of said 13.801 acre tract, the westerly line of said 27.572 acre tract and that 0.945 acre tract conveyed to City of Columbus by deed of record in Instrument Number 201304050056010, a distance of 1769.47 feet to a point at the northeasterly corner of said 0.304 acre tract;

Thence North 86° 49' 32" West, with the line common to said 13.801 and 0.304 acre tracts, a distance of 340.00 feet to the TRUE POINT OF BEGINNING containing 15.6 acres, more or less.

To Rezone From: PUD-8, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SECTION 2. That a Height District of sixty (60) feet is hereby established on the PUD-8, Planned Unit Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and 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 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, "**LIFESTYLE COMMUNITIES: PRESERVE CROSSING, SHEETS 1-2,**" said elevation drawings titled, "**PRESERVE CROSSING - PHASE V, SHEETS 1-3,**" and said text being titled, "**DEVELOPMENT TEXT,**" all dated December 22, 2016, and signed by Michael T. Shannon, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

Property Address: 5440 Morse Road (43230)

Parcel ID: 545-295682, 010-296328

Property Size: ± 15.6 Acres

Current District: PUD-8, Planned Unit Development

Proposed District: PUD-8, Planned Unit Development

Applicant: Lifestyle Communities, Ltd.

230 West Street, Suite 200

Columbus, Ohio 43215

Attorney: Michael Shannon, Esq.

Crabbe, Brown & James, LLP

500 South Front Street, Suite 1200

Columbus, Ohio 43215

Date of Text: December 22, 2016

Application: Z16-071

I. Introduction

The subject property site ("Site"), PID's: 545-295682 and 010-296328, is located in northeast Columbus, at

5440 Morse Road. The Site is situated on the north side of Morse Road between North Hamilton Road and State Route 62. The Site is located within the Preserve District of the Northland Plan: Volume II and subject to the Northland Community Council Development Standards. Once tax district issues are resolved, it is Applicant's intent to combine parcel 545-295682 with a portion of parcel 010-296328, the combination of which constituting the Site described within the submitted Legal Description.

The Site is bordered on the west, north, and east by the City of Columbus. The parcels to the west and north (owned by Applicant) are zoned PUD-8 and used for apartments and condominiums. The parcels to the east are zoned LAR-12 and used for apartments. Plain Township is to the south across Morse Road.

Applicant is seeking a rezoning of the Site to allow development of multifamily residential, not to exceed 8 dwelling units per acre.

II. Permitted Uses: The permitted uses shall be those contained in Section 3345.04 of the Columbus City Code.

III. Development Standards: Unless otherwise specified below or in the Development Plan, the Site shall be developed in accordance with the applicable AR-12 development standards of Chapter 3333 of the Columbus City Code.

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

1. Setback shall be developed in accordance with the attached Development Plan.
2. Perimeter yard shall be developed in accordance with the attached Development Plan.
3. A Height District of 60 ft. is established. No structure shall be taller than 45 ft.

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

1. Preserve Crossing Boulevard shall provide four (4) access points to the Site. There shall be no direct access to the Site from Morse Road.
2. All streets within the Site shall be private and maintained by the Owner.
3. All streets shall have sidewalks on both sides at a minimum of 5' wide. Adjacent to the Morse Road right-of-way, there shall be either a sidewalk at a minimum of 5' wide or a multi-purpose trail at a minimum of 10' wide. However, any sidewalk requirements shall be per the specifications of the City of Columbus, Department of Public Service.
4. The owner and/or developer must establish and maintain an agreement(s) with a private towing company(s) which authorizes the private towing company(s) to remove/tow any vehicles parked in restricted areas. There may be one or more such agreements with one or more towing company(s) for any times/lengths, terms, etc. as the owner and/or developer determines, so long as at least one such agreement shall always, at all times, be in force for the purpose of enforcement/removal/towing as required above. Towing agreements shall be filed annually with the City of Columbus Division of Fire, Fire Prevention Bureau, Plans Review Office, upon execution of contract.

5. The owners and/or developers shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions on private streets and alley/lanes.

6. Intersection details, concurring turning radii, parking restrictions, and intersection configurations shall conform to the Fire Vehicle Access Plan.

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

1. Buffering shall be developed in accordance with the attached landscape plan, included with the plans titled “**LIFESTYLE COMMUNITIES: PRESERVE CROSSING.**”

2. Street trees shall be provided on both sides of new private streets. Street trees shall be spaced at a maximum distance of thirty feet on center. In certain situations, due to site constraints, building design, etc., trees may be grouped with a quantity equivalent to 1 tree per thirty feet. Street trees shall be deciduous and shall be 2.5-inch caliper minimum at the time of planting.

3. Along the eastern 15 ft. buffer, trees shall be planted at four trees per 100 linear feet. The trees shall be a mix of deciduous, evergreen, and ornamental trees. The minimum size of all plant material at installation shall be two-inch caliper for deciduous shade trees, six feet high for evergreen trees, and two-inch caliper for ornamental trees/shrubs.

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

Building materials shall be natural in appearance by employing the following building materials: brick, brick veneer, stone, stone veneer, stucco stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance. Vinyl must be at least a 6 ½ inch beaded single plank with wood texture and a minimum thickness of .044 inches. The colors of the siding must be similar to the masonry materials used elsewhere on a building. Metal and E.I.F.S. shall be allowed as accent features only. All building elevations shall be designed with similar building materials and lighting.

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

Subject to the approval of a Dumpster Waiver by the Department of Public Service Refuse Collection Division, refuse collection shall be provided by a private hauler and transported to an off-site compactor.

F. Graphics and Signage Commitments:

All graphics and signage shall conform to Article 15 and Chapter 3376 of the Columbus City Code. Any variance to graphics and signage commitments shall be submitted to the Columbus Graphics Commission.

H. Requested Variances:

A variance is requested to increase the height district in PUD classification from 35 feet to 60 feet. CCC § 3345.13.

IV. Miscellaneous Commitments:

1. Applicant shall comply with the City's Parkland Dedication Ordinance.
2. Applicant shall comply with the City's Pay as We Grow plan.
3. The subject Site shall be developed in accordance with the submitted plans titled, "Lifestyle Communities: Preserve Crossing" dated December 22, 2016. The Plans may be slightly adjusted to reflect engineering, topographical, or other site data determined at the time the development and engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment. However, the street grid, number of units, and minimum number of parking may change subject to the type of development on the Site.
4. Applicant shall commit to the architectural design provided in the building elevation plans titled "Preserve Crossing - Phase V" dated December 22, 2016. However, the building elevation plans may be slightly adjusted to reflect engineering, topographical, or other site data determined at the time the development and engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

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