



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 1888-2007, Version: 1**

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### **Rezoning Application # Z07-027**

**APPLICANT:** Preferred Real Estate Investments II, LLC; c/o Robert A. Meyer, Jr., Attorney; Porter, Wright, Morris & Arthur LLP; 41 South High Street; Columbus, Ohio 43215.

**PROPOSED USE:** Multi-family residential, office and hotel development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-1) on October 11, 2007.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 12.37± acre site is undeveloped and zoned in the C-2, Commercial District. The applicant is requesting the L-C-4, Limited Commercial District for office and hotel development for 5.37± acres on the northwest portion of the site (Subarea 1). The L-AR-12, Limited Apartment Residential District is being requested for multi-family development for 7.01± acres on the south and east portion of the site (Subarea 2). The existing zoning allows all C-2 uses on the entire site. The proposed rezoning would allow all C-2 uses and add a hotel as a permitted use in Subarea 1. Multi-family dwellings would be permitted in Subarea 2 to a maximum density of 12 dwelling units/acre. The limitation text includes customary and appropriate development standards consistent with the development in the area.

To rezone **7331 SKYLINE DRIVE EAST (43235)**, being 12.37± acres located at the northeast and northwest corners of Skyline Drive East and Snouffer Road, **From:** C-2, Commercial District, **To:** L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts. (Rezoning # Z07-027).

**WHEREAS**, application #Z07-027 is on file with the Building Services Division of the Department of Development requesting rezoning of 12.37± acres From: C-2, Commercial District, To: L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial 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 proposed development is compatible with the development in the area, and the limitation text includes appropriate development standards, 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:

**7331 SKYLINE DRIVE EAST (43235)**, being 12.37± acres located at the northeast and northwest corners of Skyline Drive East and Snouffer Road, and being more particularly described as follows:

#### **SUBAREA 1**

#### **5.37 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 2, Range 19, USMD and being part of Lot 3 of "Sawmill Road Office Park" recorded in Plat Book 58, Page 80 and described as follows:

**Beginning** at the southeast corner of said Lot 3, the same being the northeast corner of Lot 2 of said "Sawmill Road Office Park", in the west right-of-way line for Skyline Drive East;

Thence **N 87° 46' 58" W**, with a south line of said Lot 3, **168.16 feet** to the northwest corner of said Lot 2;

Thence **N 87° 26' 41" W**, with a portion of a south line of said Lot 3, **272.73 feet** to southwest corner of that 5.355 acre tract conveyed to F.I.G. Holding Co. of record in Instrument Number 200603290058193;

Thence **N 02° 45' 00" E**, across said Lot 3 with the west line of said 5.355 acre tract, **541.54 feet** to the northwest corner thereof, in the south right-of-way line for Farmers Drive;

Thence with said south right-of-way line and with the west right-of-way line for Skyline Drive East, the following courses;

**S 87° 09' 03" E, 317.15 feet** to a point of curvature;

with a curve to the right, having central angle of **89° 22' 05"**, a radius of **120.00 feet**, and an arc length of **187.21 feet**, a chord bearing and chord distance of **S 42° 28' 41" E, 168.77 feet** to a point of tangency;

**S 02° 13' 02" W, 419.64 feet** to the **Point of Beginning**. Containing **5.37 acres**, more or less. Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by John C. Dodgion, P.S. 8069 of Advanced Civil Design, Inc. on July 25, 2007 and is based on existing records. This description was prepared for rezoning purposes and is not to be used for transfer.

Bearings are based on the same as shown on Plat Book 58, Page 80. All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

**To Rezone From:** C-2, Commercial District,

**To:** L-C-4, Limited Commercial District.

## **SUBAREA 2**

### **1.505 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 1, Township 2, Range 19, United States Military Lands, being all of Lot 2 "Sawmill Road Office Park", a subdivision of record in Plat Book 58, Page 80, as conveyed to F.I.G. Holding Company by deeds of record in Official Records 2404 F18 and 8789 J08, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lot 2;

Thence South 87° 38' 15" East, a distance of 167.82 feet, with the northerly line of said Lot 2, to the northeasterly corner thereof, in the westerly right-of-way line of Skyline Drive East, as dedicated in Plat Book 58, Page 80;

Thence South 02° 11' 58" West, a distance of 361.99 feet, with said westerly right-of-way line, and the easterly line of said Lot 2 to a point of curvature;

Thence with said curve to the right, having a central angle of 90° 12' 58", a radius of 30.00 feet, an arc length of 47.24 feet, and a chord which bears South 47° 21' 29" West, a chord distance of 42.51 feet, continuing with said westerly right-of-way line, and the easterly line of said Lot 2, to a point of tangency in the northerly right-of-way line of Snouffer Road (width varies);

Thence North 87° 29' 01" West, a distance of 137.68 feet, with said northerly right-of-way line, and the southerly line of said Lot 2, to the southwesterly corner thereof;

Thence North 02° 11' 58" East, a distance of 391.68 feet, with the westerly line of said Lot 2, to the POINT OF BEGINNING, containing 1.505 acres, more or less.

**AND**

**5.50 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 2, Range 19, USMD and being all of Lot 1 and part of Lot 4 of "Sawmill Road Office Park" recorded in Plat Book 58, Page 80 and described as follows:

**Beginning** at the southeast corner of said Lot 1, in the north right-of-way line for Snouffer Road;

Thence with said north right-of-way line and with the east right-of-way line for Skyline Drive East, the following courses;

N 87° 31' 02" W, 177.55 feet to a point of curvature;

with a curve to the right, having central angle of 89° 44' 04", a radius of 30.00 feet, and an arc length of 46.98 feet, a chord bearing and chord distance of N 42° 39' 13" W, 42.33 feet to a point of tangency;

N 02° 13' 02" E, 756.78 feet to the northwest corner of that 3.602 acre tract conveyed to A.I.F. Holding Company of record in Official Record 2404F07;

Thence S 87° 09' 03" E, across said Lot 4 with the north line of said 3.602 acre tract, 407.56 feet to the northeast corner thereof, in an east line of said Lot 4;

Thence S 02° 12' 22" W, with said east lot line, 382.87 feet to the southeast corner thereof;

Thence N 87° 44' 13" W, with a south line of said Lot 4, 200.00 feet to the northeast corner of said Lot 1;

Thence S 02° 14' 45" W, with the east line of said Lot 1, 400.40 feet to the **Point of Beginning**. Containing 5.50 acres, more or less. Subject, however, to all legal highways, easements, and restrictions. (Also, subject to a No Build Zone being 30 feet in width and across a portion of said Lot 4. Bounded on the north by the north line of said 3.602 acre tract, on the south by a south line of said 3.602 acre tract, on the east by the east line of said 3.602 acre tract, and on the west by a line 30 feet west of and parallel to the east line of said 3.602 acre tract.) The above description was prepared by John C. Dodgion, P.S. 8069 of Advanced Civil Design, Inc. on July 17, 2007 and is based on existing records. This description was prepared for rezoning purposes and is not to be used for transfer.

Bearings are based on the same as shown on Plat Book 58, Page 80. All references used in this description can be found at the Recorder's Office, Franklin County, Ohio

**To Rezone From:** C-2, Commercial District,

**To:** L-AR-12, Limited Apartment Residential District.

**SECTION 2.** That a Height District of Sixty (60) feet is hereby established on the L-C-4, Limited Commercial (Subarea 1) and a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential (Subarea 2) Districts on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes, said text titled, "**DEVELOPMENT TEXT**," dated October 11, 2007 and signed by Robert A. Meyer, Jr., attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

L-C-4, LIMITED COMMERCIAL DISTRICT and L-AR-12, LIMITED APARTMENT RESIDENTIAL

12.368± Acres

EXISTING DISTRICT:

C-2, Commercial District

PROPOSED DISTRICT:

L-C-4, Limited Commercial District as to Subarea 1

L-AR-12, Limited Apartment Residential as to Subarea 2

PROPERTY ADDRESS:

7331 Skyline Drive East, Columbus, Ohio 43235

OWNER(S):

F.I.G. Holding Company (successor by merger to A.I.F. Holding Company), 4680 Wilshire Blvd., Los Angeles, CA 90010

APPLICANT:

Preferred Road Estate Investments II, LLC, 470 Olde Worthington Road, Suite 470, Westerville, OH 43082

DATE OF TEXT:

October 11, 2007

APPLICATION NUMBER: Z07-027

INTRODUCTION:

The subject site is approximately 12.38 +/- acres located on both sides of Skyline Drive East and is comprised of the following two subareas:

Subarea 1 is approximately 5.37 +/- acres. The applicant is proposing to rezone Subarea 1 to L-C-4, Limited Commercial District.

Subarea 2 is approximately 7.01 +/- acres. The applicant is proposing to rezone Subarea 2 to the L-AR-12 district for multi-family use with a density not to exceed twelve units per acre.

**SUBAREA 1 (5.37 +/- acres)**

1. **PERMITTED USES:** The uses permitted shall be a hotel, uses customarily accessory to a hotel, and all uses permitted in Section 3353 of the Columbus City Codes, C-2, Commercial District.
2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.
  - A. **Density, Height, Lot and/or Setback Commitments.**
    1. **Building Height:** The height district shall be H-60. However, the maximum height shall be 45 feet, which shall permit a hotel building up to 4 stories.

2. Building Lines: There shall be a minimum 25 foot building setback from Skyline Drive.
  3. Parking Setback: There shall be a minimum 5 foot parking setback from the south property line. The south parking setback shall be maintained as long as property to the south is zoned in a residential district. There shall be a minimum 3 foot parking setback along the west property line.
- B. Access, Loading, Parking and/or other Traffic Related Commitments.
- None. The Columbus City Codes shall be met.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments.
1. All heating, ventilating, air conditioning and other building mechanical systems and equipment, whether roof mounted or ground level, shall be fully screened from view from Skyline Drive. If equipment is ground mounted, either plant material/landscaping or low walls using building materials that are permitted building materials (See D.1), shall be used for screening.
  2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or at the next planting season, whichever comes first.
  3. All trees shall meet the following minimum size at the time of planting: 2 ½" caliper for the shade trees; 1 ½" caliper for ornamental trees; 5 feet in height for evergreen trees. Tree caliper is measured six (6) inches from the ground.
- D. Building Design and/or Interior-Exterior Treatment Commitments.
1. The main exterior building material shall be wood, wood composition siding, vinyl, brick, stone, or cultured stone or a combination thereof.
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.
1. All exterior lighting, including parking lot lighting, but excepting decorative fixtures used at the front entrance, shall use cut-off type fixtures (down-lighting) and shall be designed and placed to minimize off-site light spillage and glare.
  2. Parking lot lighting shall be no higher than 18 feet.
  3. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.
- F. Graphics and Signage Commitments.
1. All graphics shall conform to Article 15 of the Columbus City Codes, as it applies to the C-4, Commercial District. Internally illuminated, moving or changeable copy signs shall be prohibited. Any ground sign shall be monument-style. Any variance to the requirements of Article 15 as it applies in the C-4, Commercial District, shall be subject to review and approval by the Columbus Graphics Commission.

**SUBAREA 2 (7.01 +/- Acres)**

1. **PERMITTED USES:** The uses permitted shall be those uses permitted in Chapter 3333 of the Columbus City Codes, and in particular in the AR-12 District. A community building, which may include a swimming pool, for the use of residents of the dwelling units may also be included.
2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in Chapter 3333 of the Columbus City Codes, as applicable in the AR-12 District.

A. Density, Height and/or Setback Commitments:

1. The height district shall be H-35.

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

None. The Columbus City Codes shall be met.

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

1. Except as set forth in C.2, below, there shall be a required minimum twenty-five (25) foot perimeter yard. Dead material within any landscaped area shall be replaced within six months or at the next planting season, whichever comes first.
2. Existing trees in the thirty (30) foot wide area shown on the attached exhibit (labeled "Tree Preservation Setback") will be preserved, subject to normal forest management practices; open areas may be mowed and/or landscaped. If requested by the City, the Developer will provide a conservation easement over this area to the City at or prior to zoning clearance for development of Subarea 2. Prior to commencement of construction activities adjacent to the wooded part of such area, the Developer shall install temporary fencing along the boundary and maintain such fencing during such construction. In the event that, for any reason, there is a significant loss of trees within that part of the thirty foot area immediately adjacent to the single family lots to the east, additional trees deciduous trees at a minimum caliper of 2 and ½ inches will be planted by the Developer within such area at one tree for every thirty feet, and if any such tree does not survive, it will be replaced within six months or the beginning of the next growing season. Compliance with this section shall satisfy perimeter yard landscape plan requirements under Section 3333.255 as to such area.
3. Along the boundary that Subarea 2 shares with the property at 3470 Snouffer Road (Tax Parcel No. 590-143661), the Developer shall, so long as such property is zoned or used for a single family residence, install and maintain screening between such property and buildings, parking or other improvements on Subarea 2. Between the adjacent property and any clubhouse, community building or associated uses such screening shall consist of an opaque wooden fence, not less than six (6) feet in height.
4. The Developer will make a contribution of cash in lieu of dedicating land for park use at the time of zoning clearance.

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

1. The main exterior building material shall be wood, wood composition siding, vinyl, brick, stone, or cultured stone or a combination thereof.

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

1. Main entry features will be landscaped and lit with concealed uplights.
2. Lighting poles shall be cut-off fixture types. All lighting poles, signs, frames and/or supports shall be uniform and be either black or dark bronze in color. The height of all lighting poles shall be limited to 18 feet.
3. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.

F. Graphics and Signage Commitments:

1. All signage and graphics shall conform to the Columbus Graphics Code. Internally illuminated moving or changeable copy signs shall be prohibited. Any variances from the applicable graphics requirements shall

be subject to review and approval by the Columbus Graphics Commission.

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