



City of Columbus

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

Legislation Text

File #: 1562-2019, **Version:** 1

Rezoning Application: Z19-002

APPLICANT: The Pines at Tuttle Crossing Limited Partnership, et al.; c/o R. Brian Newcomb, Atty.; 141 East Town Street; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on May 9, 2019.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of three parcels developed with a multi-unit residential development in the L-AR-12 & L-ARLD, Limited Apartment Residential districts. The applicant proposes the L-AR-1, Limited Apartment Residential District to permit the development of up to 231 additional units to the existing apartment complex. The site is within the planning area of the *Interim Hayden Run Corridor Plan* (2004), which recommends “existing multi-family” at this location. Additionally, this site is within a Planning area that adopted the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The proposed limitation text establishes development standards that address setbacks, density, access, parking, buffering and screening, building materials, and lighting; and commits to site plans and building elevations. A concurrent Council variance (Ordinance #1563-2019; CV19-003) has been filed to allow parking in the perimeter yard and to maintain no frontage for one of the parcels. The proposal is consistent with the land use recommendations of the *Interim Hayden Run Corridor Plan* and the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* and compatible with the surrounding multi-unit residential developments.

To rezone **5303 WILCOX RD (43016)**, being 40± acres located on the west side of Wilcox Road, 920± feet south of Tuttle Crossing Boulevard, **From:** L-AR-12 & L-ARLD, Limited Apartment Residential districts, **To:** L-AR-1, Limited Apartment Residential District (Rezoning #Z19-002).

WHEREAS, application #Z19-002 is on file with the Department of Building and Zoning Services requesting rezoning of 40± acres from L-AR-12 & L-ARLD, Limited Apartment Residential districts, to L-AR-1, Limited Apartment Residential 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 L-AR-1, Limited Apartment Residential district is consistent with the land use recommendations of the *Interim Hayden Run Corridor Plan* and the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* and compatible with the surrounding multi-unit residential developments; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

5303 WILCOX RD (43016), being 40± acres located on the west side of Wilcox Road, 920± feet south of Tuttle Crossing Boulevard, and being more particularly described as follows:

Phase 1:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Virginia Military Survey No. 3012 and containing 21.47+/- acres of land, said 21.47+/- acres being all of that 21.470 acre tract of land as conveyed to The Pines at Tuttle Crossing Limited Partnership of record in Instrument No. 199904300109252, said 21.47+/- acres being more particularly described as follows;

Beginning at a southeasterly corner of said 21.470 acre tract, said corner also being a northwesterly corner of that 12.148 acre tract of land as conveyed to The Pines at Tuttle Crossing Limited Partnership II of record in Instrument No. 200006120115645;

Thence S 84° 13' 52" W, with a southerly line of said 21.470 acre tract and a northerly line of said 12.148 acre tract, 133.9+/- feet to an angle point in the southerly line of said 21.470 acre tract, a northwesterly corner of said 12.148 acre tract and a northeasterly corner of The Vinings, 9th Amendment of record in Condominium Plat Book 132, Page 57;

Thence S 84° 18' 05" W, with a southerly line of said 21.470 acre tract, partially with a northerly line of said 9th Amendment and partially with the northerly line of The Vinings, 10th Amendment of record in Condominium Plat Book 135, Page 72, 526.0+/- feet to a southwesterly corner of said 21.470 acre tract and a southeasterly corner of that 28.603 acre tract of land described as Tract Two and as conveyed to Edwards Avery Road LLC of record in Instrument No. 201705010057599;

Thence N 02° 20' 39" E, with the westerly line of said 21.470 acre tract and the easterly line of said Tract Two, 627.4+/- feet to a northwesterly corner of said 21.470 acre tract and a southwesterly corner of that 6.379 acre tract of land as conveyed to The Pines at Tuttle Crossing III, LLC of record in Instrument No. 201309200160860;

Thence with northerly lines of said 21.470 acre tract, with the southerly line of said 6.379 acre tract and with the southerly line of that 18.965 acre tract of land as conveyed to The Orchard at Wilcox, Ltd. of record in Instrument No. 200103270061621, the following two (2) courses and distances:

N 84° 42' 02" E, 1076.7+/- feet to an angle point thereof;

N 72° 40' 27" E, 668.6+/- feet to a northeasterly corner of said 21.470 acre tract, a northwesterly corner of that 0.186 acre tract of land as conveyed to the City of Columbus, Ohio of record in Instrument No. 199903120062415 and being in the westerly right-of-way line of Wilcox Road (R/W Varies);

Thence S 06° 02' 51" E, with an easterly line of said 21.470 acre tract, a westerly line of said 0.186 acre tract and along said westerly right-of-way line, 538.2+/- feet to a southeasterly corner of said 21.470 acre tract, a southwesterly corner of said 0.186 acre tract and in the northerly line of that 1.00 acre tract of land as conveyed to Evelyn K. Fladt of record in Instrument No. 200101300019372;

Thence with southerly and easterly lines of said 21.470 acre tract, a northerly line of said 1.00 acre tract and with northerly and westerly lines of said 12.148 acre tract, the following six (6) courses and distances:

S 84° 13' 52" W, 370.7+/- feet to a point of curvature;

with a curve to the right having a central angle of 50° 38' 33" and a radius of 703.23 feet, an arc length of 621.57 feet and a chord bearing and distance of S 80° 56' 32" W, 601.53+/- feet to a point of reverse curvature;

with a curve to the left having a central angle of 48° 31' 37" and a radius of 251.26 feet, an arc length of 212.81 feet and a

chord bearing and distance of S 82° 00' 00" W, 206.50+/- feet to a point of tangency;

S 57° 44' 11" W, 39.8+/- feet to an angle point thereof;

S 35° 41' 54" E, 100.9+/- feet to an angle point thereof;

S 05° 41' 55" E, 60.9+/- feet to the True Point of Beginning and containing 21.47+/- acre more or less.

The above description was prepared by Advanced Civil Design Inc. on 12/3/2018 and is based on existing County Auditor records, County Recorder records and field surveys completed in July and August of 2018.

All references used in this description can be found at the Recorder's Office Franklin County Ohio.

Phase 2:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Virginia Military Survey No. 3012 and containing 12.15+/- acres of land, said 12.15+/- acres being all of that 12.148 acre tract of land as conveyed to The Pines at Tuttle Crossing II, LLC of record in Instrument No. 200006120115645, said 12.15+/- acres being more particularly described as follows;

Beginning at a northeasterly corner of said 12.148 acre tract, said corner also being the northwesterly corner of that 1.00 acre tract of land as conveyed to Evelyn K. Fladt of record in Instrument No. 200101300019372 and an angle point in the southerly line of that 21.470 acre tract of land as conveyed to The Pines at Tuttle Crossing Limited Partnership of record in Instrument No. 199904300109252;

Thence S 06° 19' 45" E, with an easterly line of said 12.148 acre tract and a westerly line of said 1.00 acre tract, 208.7+/- feet to a common corner thereof and a point in the northerly line of that 2.066 acre tract of land as conveyed to the City of Columbus, Ohio of record in Instrument No. 199912030299510;

Thence with common lines of said 12.148 acre tract and said 2.066 acre tract, the following three (3) courses and distances:

S 84° 13' 52" W, 133.8+/- feet to an angle point thereof;

S 06° 02' 51" E, 300.0+/- feet to an angle point thereof;

N 84° 13' 52" E, 300.0+/- feet to a common corner thereof, said corner also being in the westerly line of that 0.507 acre tract of land as conveyed to the City of Columbus, Ohio of record in Instrument No. 199905060114499 and in the westerly right-of-way line of Wilcox Road (R/W Varies);

Thence S 06° 02' 51" E, with an easterly line of said 12.148 acre tract, a westerly line of said 0.507 acre tract and along said westerly right-of-way line, 126.8+/- feet to a southeasterly corner of said 12.148 acre tract and a northwesterly corner of The Commons at Tuttle Crossing Condominium Community of record in Condominium Plat Book 91, Page 22;

Thence S 84° 13' 52" W, with a southerly line of said 12.148 acre tract and a northerly line of said The Commons at Tuttle Crossing Condominium Community, 130.0+/- feet to an easterly corner of The Commons at Tuttle Crossing Condominium Community 6th Amendment of record in Condominium Plat Book 97, Page 22;

Thence with southerly lines of said 12.148 acre tract and northerly lines of said 6th Amendment, the following three (3) courses and distances:

N 77° 55' 18" W, 226.0+/- feet to an angle point thereof;

N 51° 02' 54" W, 120.0+/- feet to an angle point thereof;

S 38° 57' 09" W, 187.8+/- feet to an angle point in a southerly line of said 12.148 acre tract, a westerly corner of said 6th Amendment and in the northerly line of The Commons at Tuttle Crossing Condominium Community 1st Amendment of record in Condominium Plat Book 91, Page 26;

Thence S 84° 13' 45" W, with a southerly line of said 12.148 acre tract, partially with the northerly line of said 1st amendment and with the northerly line of The Commons at Tuttle Crossing Condominium Community 2nd Amendment of record in Condominium Plat Book 92, Page 78, 339.6+/- feet to a southwesterly corner of said 12.148 acre tract, a northwesterly corner of said 2nd Amendment and in an easterly line of The Commons at Tuttle Crossing Condominium Community 5th Amendment of record in Condominium Plat Book 96, Page 22;

Thence with westerly and southerly lines of said 12.148 acre tract and with easterly and northerly lines of said 5th Amendment, the following two (2) courses and distances:

N 05° 20' 16" W, 152.9+/- feet to an angle point thereof;

S 84° 13' 46" W, 400.1+/- feet to a southwesterly corner of said 12.148 acre tract, a northwesterly corner of said 5th Amendment and in the easterly line of The Vinings 8th Amendment of record in Condominium Plat Book 130, Page 66;

Thence N 05° 30' 57" W, with a westerly line of said 12.148 acre tract, partially with an easterly line of said 8th Amendment and with an easterly line of The Vinings 9th Amendment of record in Condominium Plat Book 132, Page 57, 253.7+/- feet to a northwesterly corner of said 12.148 acre tract, a northeasterly corner of said 9th Amendment and in the southerly line of said 21.470 acre tract;

Thence with northerly and westerly lines of said 12.148 acre tract and with southerly and easterly lines of said 21.470 acre tract, the following seven (7) courses and distances:

N 84° 13' 52" E, 133.9+/- feet to an angle point thereof;

N 05° 41' 55" W, 60.9+/- feet to an angle point thereof;

N 35° 41' 54" W, 100.9+/- feet to an angle point thereof;

N 57° 44' 11" E, 39.8+/- feet to a point of curvature;

with a curve to the right having a central angle of 48° 31' 37" and a radius of 251.26 feet, an arc length of 212.81 feet and a chord bearing and distance of N 82° 00' 00" E, 206.50+/- feet to a point of reverse curvature;

with a curve to the right having a central angle of 50° 38' 33" and a radius of 703.23 feet, an arc length of 621.57 feet and a chord bearing and distance of N 80° 56' 32" E, 601.53+/- feet to a point of tangency;

N 84° 13' 52" E, 203.5+/- feet the True Point of Beginning and containing 12.15+/- acre more or less.

The above description was prepared by Advanced Civil Design Inc. on 12/3/2018 and is based on existing County Auditor records, County Recorder records and field surveys completed in July and August of 2018.

All references used in this description can be found at the Recorder's Office Franklin County Ohio.

Phase 3:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Virginia Military Survey No. 3012 and containing 6.38+/- acres of land, said 6.38+/- acres being all of that 6.379 acre tract of land as conveyed to The Pines at Tuttle Crossing III, LLC of record in Instrument No. 201309200160860, said 6.38+/- acres being more particularly described as follows;

Beginning at the northeasterly corner of said 6.379 acre tract of land, said corner being the northwesterly corner of that 18.965 acre tract of land as conveyed to The Orchard at Wilcox, Ltd. of record in Instrument No. 200103270061621 and being in the southerly line of that 9.606 acre tract of land as conveyed to Gage Crossing LLC of record in Instrument No. 201702220024904;

Thence S 05° 11' 12" E, with the easterly line of said 6.379 acre tract and with the westerly line of said 18.965 acre tract, 683.3+/- feet to a common corner thereof and in a northerly line of that 21.470 acre tract of land as conveyed to The Pines at Tuttle Crossing Limited Partnership of record in Instrument No. 199904300109252;

Thence S 84° 42' 02" W, with a southerly line of said 6.379 acre tract and a northerly line of said 21.470 acre tract, 451.9+/- feet to a common corner thereof and in the easterly line of that 28.603 acre tract of land described as Tract Two in the deed to Edwards Avery Road LLC of record in Instrument No. 201705010057599;

Thence N 02° 20' 39" E, with the westerly line of said 6.379 acre tract and the easterly line of said Tract Two, 689.2+/- feet to a common corner thereof and in the southerly line of said 9.606 acre tract;

Thence N 84° 39' 53" E, with a northerly line of said 6.379 acre tract and a southerly line of said 9.606 acre tract, 361.6+/- feet to the True Point of Beginning and containing 6.38+/- acre more or less.

The above description was prepared by Advanced Civil Design Inc. on 11/30/2018 and is based on existing County Auditor records, County Recorder records and field surveys completed in July and August of 2018.

All references used in this description can be found at the Recorder's Office Franklin County Ohio.

To Rezone From: L-AR-12, Limited Apartment Residential District & L-ARLD, Limited Apartment Residential District.

To: L-AR-1, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-1, Limited Apartment Residential 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 copies of the approved L-AR-1, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Sections 3370.03 of the Columbus City Codes; said site plans being titled, "**OVERALL SITE EXHIBIT**," and "**PARKING EXPANSION EXHIBIT**," elevations being titled, "**THE PINES AT TUTTLE CROSSING (BUILDING TYPE C)**," "**THE PINES AT TUTTLE CROSSING (GARAGE TYPE J)**," and "**THE PINES AT TUTTLE CROSSING (GARAGE TYPE K)**," and said text being titled, "**LIMITATION TEXT**," all dated May 17, 2019, and signed by R. Brian Newcomb, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-1

PROPERTY ADDRESS: 5303 Wilcox Road, Dublin, Ohio 43017

OWNER: The Pines at Tuttle Crossing Limited et al.

APPLICANT: The Pines at Tuttle Crossing Limited ("Pines I"), The Pines at Tuttle Crossing Limited II ("Pines II"), and The Pines at Tuttle Crossing III, LLC ("Pines III")

DATE OF TEXT: May 17, 2019

APPLICATION NUMBER: Z19-002

1. INTRODUCTION: The subject property is a multi-family residential apartment community, commonly known as The Pines at Tuttle Crossing, located on the West side of Wilcox Road, South of Tuttle Crossing Blvd. Currently, the site is developed with 594 apartment units (Pines I contains 256 units, Pines II contains 204 units, and Pines III contains 134 units). However, the applicants feel that the acreage for the community can easily support additional apartment units, which will be added through the conversion on largely unused garage buildings into apartment unit buildings, adding apartment units to open spaces, and converting select garages at the end of buildings into apartment units. The applicant is seeking a rezoning of the property to permit an increased density with up to a total of 825 apartment units for the entire property site, dividing the additional units across the existing 3 phases.

2. PERMITTED USES: Those uses permitted in Section 3333.02, AR-1 of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments.

1. The building setback from Wilcox shall be 50 feet, the parking and maneuvering setback shall be 30 feet.
2. Pines I and II shall only contain 1 and 2-story buildings. Pines III shall be permitted to add 1, 2, and 3-story buildings.
3. The maximum density for Pines I will be 20 units per acre for a total of 429 units; the maximum density for Pines II will be 20 units per acre for a total of 243 units; and the maximum density for Pines III will be 24 units per acre for a total of 153 units.

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

1. The subject property is serviced by 2 direct access points on Wilcox Road.
2. The subject property currently contains 1,339 parking spaces, including spaces located directly in front of garages serving individual units (Pines I contains 675 parking spaces, Pines II contains 421 parking spaces, and Pines III contains 243 parking spaces). The applicant is submitting a Council Variance Application simultaneously with this Rezoning Application in order to encroach into the setback to add approximately 27 parking spaces on the North end of the Phase III parcel (parcel No. 010-255885-00).
3. A shared-use path will be constructed along the Wilcox Road frontage area.
4. 40 bicycle parking spaces will be constructed throughout the subject property.

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

The frontage along Wilcox Road will continue to be landscaped with ornamental trees in a grid like fashion, along with a fence which will run the length of the frontage.

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

The buildings added or modified shall be of similar design to those already comprising the subject property. Design and elevation may be modified slightly to reflect final architectural detailing. The general building elevations and materials, however, shall reasonably conform to the existing building elevations and materials. Elevations for the proposed improvements are attached hereto.

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

1. Light fixtures shall not exceed 14 feet in height.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure compatibility.

F. Graphics and/or Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

The applicants are submitting a site plan prepared by Advanced Civil Design, showing the potential placement of additional apartments units.

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