



Legislation Details (With Text)

File #: 1280-2013 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 5/20/2013 **In control:** Zoning Committee

On agenda: 6/24/2013 **Final action:** 6/27/2013

Title: To rezone 5910 & 5942 SUNBURY ROAD (43081), being 7.8± acres located at the southeast corner of Sunbury Road, and the exit ramp from eastbound State Route 161, From: R, Rural District, To: L-C -4, Limited Commercial District. (Rezoning # Z12-052)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1280-2013attachments, 2. Notice Of Public Hearing - Council Mtg20130610

Date	Ver.	Action By	Action	Result
6/27/2013	2	CITY CLERK	Attest	
6/25/2013	2	MAYOR	Signed	
6/24/2013	2	COUNCIL PRESIDENT	Signed	
6/24/2013	1	Zoning Committee	Taken from the Table	Pass
6/24/2013	1	Zoning Committee	Amended as submitted to the Clerk	Pass
6/24/2013	1	Zoning Committee	Approved as Amended	Pass
6/10/2013	1	Zoning Committee	Tabled to Certain Date	Pass
6/3/2013	1	Columbus City Council	Read for the First Time	

Rezoning Application Z12-052

APPLICANT: Metro Development LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

PROPOSED USE: Hotel development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0-1) on March 14, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Given the expansion of State Route 161 over the years, single-unit development is not realistic any longer at this location. The proposal is consistent with land uses in the area due to the presence of multi-family development to the east across Big Walnut Creek. The applicant is providing a substantial buffer and prohibiting windows along the south property line to help alleviate the proposed developments impact on the existing single-unit dwelling south of this site. Given that and the applicant's substantial conformance with development standards for apartment complexes in Apartment Residential Districts, Staff supports the proposed land use on this site.

To rezone **5910 & 5942 SUNBURY ROAD (43081)**, being 7.8± acres located at the southeast corner of Sunbury Road, and the exit ramp from eastbound State Route 161, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District. (Rezoning # Z12-052)

WHEREAS, application #Z12-052 is on file with the Building Services Division of the Department of Development requesting rezoning of 7.8± acres from R, Rural District to 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 given the expansion of State Route 161 over the years, single-unit development is not realistic any longer at this location. The proposal is consistent with land uses in the area due to the presence of multi-family development to the east across Big Walnut Creek. The applicant is providing a substantial buffer and prohibiting windows along the south property line to help alleviate the proposed developments impact on the existing single-unit dwelling south of this site. Given that and the applicant's substantial conformance with development standards for apartment complexes in Apartment Residential Districts, Staff supports the proposed land use on this site, 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:

5910 & 5942 SUNBURY ROAD (43081), being 7.8± acres located at the southeast corner of Sunbury Road, and the exit ramp from eastbound State Route 161, and being more particularly described as follows:

7.8 Rezoning Description

South Side of SR 161

East Side of Sunbury Road

Situated in the State of Ohio, County of Franklin, Township of Blendon and City of Columbus, and being: the remainder of that 3.0 acre tract conveyed to Danny L. Lalama of record in Deed Book 3601, Page 247, the remainder of that 3.0 acre tract conveyed to Danny L. Lalama and Elaine Lalama of record in Official Record 27443J13 and that 3.372 acre tract conveyed to William S. Darling, Jr. of record in Instrument Number 200410130238182, and described as follows:

Beginning at the southeast corner of said 3.0 acre tract, the same being the northeast corner of that 2.1178 acre tract conveyed to Lisa Pickens Silva, Tr. of record in Instrument Number 201109090113189, in a west line of Chilcote's Ingleside Addition as recorded in Plat Book 19, Page 28;

Thence N 84° 18' 18" W, along the north line of said 2.1178 acre tract, 617.92 feet to the east right-of-way line for Sunbury Road;

Thence along said east right-of-way line per Instrument Numbers 200604040062398, 200303040063330, 200302210051740 and 200211190294757, the following courses;

N 03° 03' 49" W, 35.55 feet;

with a curve to the right (delta=12° 14' 00", radius=306.90 feet), a chord bearing and chord distance of N 03° 16'

22" E, 65.40 feet;

N 08° 36' 51" E, 38.65 feet;

N 08° 10' 41" E, 42.36 feet;

N 07° 29' 00" E, 18.82 feet;

N 06° 57' 23" E, 84.22 feet to the south limited access right-of-way line for SR 161;

Thence along said south limited access right-of-way line per Instrument Numbers 200211190294755 and 200211190294760, the following courses;

S 85° 55' 34" E, 277.30 feet;

N 59° 15' 09" E, 186.40 feet;

N 21° 15' 26" E, 174.04 feet;

N 52° 48' 59" E, 138.82 feet;

N 63° 47' 49" E, 56.66 feet;

S 73° 28' 07" E, 127.64 feet to the west line of a highway easement per Deed Book 1686, Page 622;

Thence S 14° 12' 24" W, along said west easement line, 57.04 feet;

Thence S 77° 11' 06" E, along the south line of said easement, 200.92 feet to a west line of said Chilcote's Ingleside Addition;

Thence along the west perimeter of said subdivision, the following courses;

S 46° 41' 11" W, 81.25 feet;

S 42° 51' 29" W, 145.02 feet;

S 33° 20' 37" W, 142.20 feet;

S 32° 08' 14" W, 37.02 feet;

S 26° 10' 42" W, 113.62 feet;

S 26° 50' 36" W, 157.92 feet to the *Point of Beginning*. Containing a 7.8 acres, more or less.

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

To Rezone From: R, Rural District,

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

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial 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 in the office of the Department of Building and Zoning Services and shall register a copy of the approved L-C-4, Limited Commercial District 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**," and said plan titled, "**SITE PLAN SUNBURY ROAD SITE**," both signed by Jill S. Tangeman, Attorney for the Applicant, and both dated April 17, 2013, and the text reading as follows:

DEVELOPMENT TEXT

Application: Z12-052
Address: Sunbury Road
Owner(s): William Darling / Daniel Lalama
Applicant: Metro Development LLC
Zoning Districts: L-C-4
Date of Text: April 17, 2013

1. Introduction: The applicant seeks to rezone the subject site for construction of hotel. The site shall be constructed in accordance with the Site Plan attached hereto.

2. Permit Uses: A hotel as permitted in Chapter 3356.03 (C-4) and accessory structures including a community building and pool as shown on the Site Plan shall be the only uses permitted. Hotel guests shall be obligated to stay a minimum of 30 days in accordance with state law licensing for residential hotels.

3. Development Standards: Except as otherwise noted above and herein, the applicable development standards of Chapter 3356 (C-4) shall apply to this site.

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

1. The building and parking setbacks shall be as shown on the Site Plan attached hereto.

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

1. At least one bike rack located within fifteen (15) feet of each building shall be provided on site.
2. Prior to approval of a site compliance plan for this site, the developer shall pay a fee in lieu of construction of future road improvements by the City of Columbus, Department of Public Service at the intersection of Sunbury Road & Service Road (approximately 450 feet south of the intersection of Sunbury Road & State Route 161 Eastbound Exit Ramp). The amount of the fee shall be \$67,840.63. This fee in lieu of construction shall be paid by the developer and the City of Columbus, Department of Public Service shall be responsible for the future road improvement construction as determined necessary by the City of Columbus.
3. The property owner recognizes that the southbound left turning movement and westbound left turning movement at the intersection of Sunbury Road & Service Road (approximately 450 feet south of the intersection of Sunbury Road & State Route 161 Eastbound Exit Ramp) may need to be restricted in the future as determined solely by the City of Columbus, Department of Public Service. Such restrictions on left turning movements may be triggered by future development or future increases in traffic volumes.
4. Upon development of this site, the developer shall be responsible for restriping Sunbury Road such that a

southbound left turn lane with a length of 225 feet is provided at the intersection of Sunbury Road & Service Road (approximately 450 feet south of the intersection of Sunbury Road & State Route 161 Eastbound Exit Ramp), as approved by the City of Columbus, Department of Public Service or Ohio Department of Transportation, where applicable. Such restriping of Sunbury Road performed by the developer does not negate or nullify the provisions of Items #1 or #2 3.B.2 or 3.B.3 above.

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

1. The south property line labeled “40’ landscape buffer” on the site plan shall be landscaped with a five-foot high mound with 8 evergreen trees and 2 shade trees per 100 lineal feet.
2. Where freestanding walls are used for screening, they shall be integrated into the building design and/or landscaping plan.

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

1. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.
2. Buildings shall be finished on all sides/elevations with the same or similar level and quality of finish.
3. There shall be no windows on the southern ends of Buildings 2 and 3 as identified on the Site Plan.

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

1. All parking lot lighting shall be designed and placed to minimize off-site light spillage and glare. Buildings and landscaping may be uplighted or downlighted from a concealed source. Ground mounted lighting shall be shielded and landscaped.
2. Parking lot lighting shall be no higher than 14 feet.

F. Graphics and/or Signage Commitments.

1. All signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial zoning district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous

1. The proposed shall be developed in general conformance with the submitted site plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Streets are schematic and subject to change. Any adjustment to the site plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. The developer shall comply with the park land dedication ordinance by contributing money to the City’s Recreation and Parks Department. For purposes of calculating the park land dedication ordinance, all hotel units shall be treated as residential units.

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