



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 0923-2017, **Version:** 2

Rezoning Application Z16-070

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

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on January 12, 2017.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is currently undeveloped and zoned in the PUD -8, Planned Unit Development District under Z13-055 (Subarea D). The existing development text permits 82 attached single-unit dwellings on individual lots meant for condominium development. The applicant proposes a revised PUD-8, Planned Unit Development District to allow a multi-unit residential development containing 104 apartment units with increased green space. The PUD Text carries over commitments for setbacks, maximum building height, access and street details, sidewalks, landscaping and buffering, building materials, and elevations; and Pay as We Grow and parkland dedication ordinance obligations remain as well. The site is located within the boundaries of *The Rocky Fork Blacklick Accord* (2003), which recommends "Town Mixed Use" development at this location, which includes apartments and condominiums within the context of Town Mixed Use areas.

To rezone **6224 CENTRAL COLLEGE ROAD (43054)**, being 13.1± acres located at the northeast corner of Central College Road and New Albany Road West, From: PUD-8, Planned Unit Development District, To: PUD-8, Planned Unit Development District (Rezoning # Z16-070) **and to declare an emergency.**

WHEREAS, application No. Z16-070 is on file with the Department of Building and Zoning Services requesting rezoning of 13.1± 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 request, which will allow a multi-unit residential development in the place of an attached single-unit condominium development, is compatible with the density and development standards of adjacent residential developments. *The Rocky Fork Blacklick Accord* recommends "Town Mixed Use" development for this location, which includes multi-unit residential development. The site plan incorporates natural resources and increased preservation of open space, while also increasing density by 18 units which is supported by both staff and the Rocky Fork - Blacklick Accord Implementation Panel;

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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:

6224 CENTRAL COLLEGE ROAD (43054), being 13.1± acres located on the northeast corner of Central College Road and New Albany Road West, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 7, Quarter Township 2, Township 2, Range 16, United States Military Lands, being part of that 17.166 acre tract as conveyed to Central College Hospitality Ltd by deed of record in Instrument Number 201208280126113 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at a southeasterly corner of said 17.166 acre tract, a southwesterly corner of Lot 5 of that subdivision entitled "The Business Campus at New Albany" of record in Plat Book 101, Page 79, being the northerly right-of-way line of Central College Road of record in Plat Book 101, Page 37;

thence North 85° 59' 39" West, with said northerly right-of-way line, a distance of 1066.70 feet to a point of curvature;

thence continuing with said northerly right-of-way line and the easterly right-of-way line of New Albany Road West, of record in Plat Book 101, Page 37, with the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 50.00 feet, an arc length of 78.54 feet, a chord bearing of North 40° 59' 39" West and chord distance of 70.71 feet to a point of tangency;

thence North 04° 00' 21" East, with said easterly right-of-way line, a distance of 26.67 feet to a point;

thence North 55° 44' 02" East, across said 17.166 acre tract, a distance of 471.02 feet to a point;

North 03° 37' 59" East, continuing across said 17.166 acre tract, a distance of 242.96 feet to a point in the line common to said 17.166 acre tract and that 36.212 acre tract as conveyed to Farms at New Albany Park by deed of record in Instrument Number 200804030050911;

thence with said common line, the following courses and distances:

with the arc of a curve to the left, having a central angle of 109° 56' 26", a radius of 97.50 feet, an arc length of 187.09 feet, a chord bearing of North 70° 05' 04" East and chord distance of 159.68 feet to a point of tangency;

with the arc of a curve to the right, having a central angle of 79° 04' 04", a radius of 15.00 feet, an arc length of 20.69 feet, a chord bearing of North 54° 29' 44" East and chord distance of 19.08 feet to a point of tangency;

South 86° 00' 14" East, a distance of 69.03 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 46° 00' 08", a radius of 165.08 feet, an arc length of 132.54 feet, a chord bearing of South 63° 00' 05" East and chord distance of 129.01 feet to a point of tangency;

North 67° 46' 57" East, a distance of 68.42 feet to a point; and

South 86° 00' 54" East, a distance of 334.38 feet to a point in the easterly line of said "The Business Campus at New Albany";

thence South 03° 38' 26" West, with the line common to said 17.166 acre tract and "The Business Campus at New Albany", a distance of 668.24 feet to the POINT OF BEGINNING containing 13.1 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 change 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, "**PLANNED UNIT DEVELOPMENT PLAN, EXCHANGE, PHASE II,**" and "**EXCHANGE, PHASE II ELEVATIONS,**" signed by Eric Zartman, Attorney for the Applicant, and text titled, "**PLANNED UNIT DEVELOPMENT TEXT,**" signed by Michael T. Shannon, Attorney for Applicant, all dated March 16, 2017, and the text reading as follows:

PLANNED UNIT DEVELOPMENT TEXT

Property Address: 6224 Central College Road (43054)

Parcel ID: 010-234598

Property Size: +/- 13.1 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: March 16, 2017

Application: Z16-070

I. Introduction

The subject property site ("Site"), PID: 010-234598, is situated in north-east Columbus, Ohio. The Site is located at the north-east corner of the intersection of Central College Road and New Albany Road. The Site is not subject to a Commercial Overlay or Planning Overlay. The Site is not situated within an Area Commission. The Site is not a Historic Site. However, the Site is situated within the Rocky Fork-Blacklick Accord (2003) and requires a recommendation from the Rocky Fork-Blacklick Accord Panel. Per the 2003 Land Use Map Update, the future planned use for the Site is "Town Mixed Use."

The Site is bordered on the north, south, and west by the City of Columbus. The parcel on the north is zoned PUD-8. The parcels on the south and west are zoned CPD. The parcel on the east is in New Albany and zoned Office Campus District. The parcel on the east is part of the Business Campus at New Albany.

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 PUD 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. There shall be minimum building and parking setbacks of 80 feet from the Central College Road right-of-way and the

New Albany Road West right-of way. The setback may include a sand filter retention area. If included, the retention area shall implement modern retention strategies while integrating the rural character of the corridor. All landscaping and buffers shall integrate with the naturalized character of the corridor. Though the Department of Public Service may require a sidewalk within the public right-of-way, the setback may include additional passive recreational amenities, including a sidewalk/leisure path. The setback shall include 4-rail horse fencing to enclose the retention area in a Paddock area.

3. Perimeter yard shall be developed in accordance with the attached PUD Plan.

4. 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. Central College Road shall provide two access points to the Site. Churchill Downs Drive shall provide one access point to the Site. However, all traffic-related commitments, including access, shall be designated and located to the specifications of the City of Columbus, Department of Public Service.

2. All streets within the development shall be private and will be maintained by the Owner.

3. If required by the Department of Public Service or the Department of Public Safety, parking restrictions shall be installed per current City policy on signage for private streets and alleys/lanes. They shall include that parking be limited to one side of the street where street widths are less than 26 feet. No parking shall be permitted on either side of any street within 61 feet of the midpoint of street intersections, and that there will be no parking on alleys/lanes. Fire hydrants shall be located on the side of the street where no parking is permitted.

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, always, be in force for 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.

7. The street grid as illustrated on the Planned Unit Development Plan, Exchange, Phase II may change subject to approval from the Department of Public Service.

8. All streets will have sidewalks on both sides at a minimum of 5' wide. Along Central College Road, sidewalks will be located within 20' of the front building facades. Adjacent to the Central College Road right-of-way, there will be either a sidewalk at a minimum of 5' wide or a multi-purpose trail at a minimum of 10' wide. However, any sidewalk commitments shall be designated and located to the specifications of the City of Columbus, Department of Public Service.

9. At the west access point to Central College Road serving the Site, the developer shall extend the existing median east of this location to the west to restrict this access point to right-in and right-out turning movements only.

10. At the east access point to Central College Road serving the Site, the developer shall modify the striping and existing

median west of this access point to accommodate an eastbound left turn lane at this access point, as approved by the city of Columbus, Department of Public Service.

11. Parallel parking spaces shall be 8 ft. wide. on all private streets.
12. Parking shall be as detailed on the Planned Unit Development Plan, Exchange, Phase II.

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

1. 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.
2. Trees shall be planted along Central College Road at four trees per 100 lineal 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. All landscaping and buffers within the setback shall integrate with the naturalized character of the corridor.
3. All wiring shall be underground unless otherwise required to be above ground by a public utility.
4. Streetlights shall be pedestrian-scale and decorative-style fixtures.

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

1. 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 if 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 like 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.
2. All windows shall be simulated divided light with mullions on a double glass pane.
3. The buildings shall have sloped or pitched roofs. Flat roofs shall only be allowed with decorative cornices.

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

1. 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.
2. Where used for security purposes or to illuminate walkways, roadways, and parking lots, only fully shielded cut-off style outdoor light fixtures shall be used.
3. Outdoor light pole fixtures shall not exceed 18 feet in height.
4. All external outdoor lighting fixtures within a development shall be of similar type.
5. Ground mounted lighting shall be landscaped at its base and shielded to reduce glare. Incandescent lighting shall be used with this type of fixture.

G. Graphics and Signage Commitments:

1. 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:

1. The PUD Plan illustrates a variance permitting reduced parking space dimensions to allow parallel parking spaces to be 8 feet wide on all private streets. CCC § 3312.29.

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. Applicant shall commit to the architectural design provided in the building elevation plans titled "Exchange, Phase II Elevations" dated March 16, 2017. 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 plan 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.

4. The subject Site shall be developed in accordance with the submitted plan titled, "Planned Unit Development Plan, Exchange, Phase II" dated March 16, 2017. The Plan 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 plan 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.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**