



Legislation Text

File #: 1483-2017, **Version:** 1

Rezoning Application Z16-045

APPLICANT: NP Limited Partnership; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on February 9, 2017.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 15.08± acre site consists of one undeveloped parcel zoned in the L-C-4, Limited Commercial District and CPD, Commercial Planned Development District. The requested L-ARLD, Limited Apartment Residential District will allow a multi-unit residential development. The limitation text addresses landscaping and screening for the adjacent commercial properties to the north and west, traffic access, open space, and pedestrian connectivity commitments. The site is within the boundaries of the *Far North Area Plan (2014)*, which recommends medium-density residential land uses at this location. The proposed L-ARLD, Limited Apartment Residential District is consistent with the land use recommendations of the Plan, and is compatible with the surrounding land uses and development pattern along Lazelle Road.

To rezone **510 LAZELLE ROAD (43240)**, being 15.08± acres located on the north side of Lazelle Road, 230± feet east of Sancus Boulevard, From: L-C-4, Limited Commercial District and CPD, Commercial Planned Development District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z16-045).

WHEREAS, application # Z16-045 is on file with the Department of Building and Zoning Services requesting rezoning of 15.08± acres from L-C-4, Limited Commercial District and CPD, Commercial Planned Development District, to L-ARLD, 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 requested L-ARLD, Limited Apartment Residential District will allow the applicant to develop a multi-unit residential development which is both consistent with the land use recommendation for this site in the *Far North Area Plan*, and compatible with the adjacent multi-unit residential development, while also providing additional landscaping, screening, pedestrian connectivity and open space amounts and location; 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:

510 LAZELLE ROAD (43240), being 15.08± acres located on the north side of Lazelle Road, 230± feet east of Sancus Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Delaware, City of Columbus, being part of Farm Lot 11, Quarter Township 4, Township 3, Range 18, United States Military Lands, being 15.083 acres out of Farm Lot 11, being a 15.083 acre tract of land out of an original 33.630 acre tract of land described in a deed to N.P. Limited Partnership of record in Deed Book 589, Page 401, and being more particularly described as follows:

COMMENCING for reference at Franklin County Geodetic Survey Monument 1435 at the intersection of the centerline of Sancus Boulevard of record in Plat Cabinet 1, Slide 129 and the centerline of Lazelle Road (County Road 6);

Thence South 86°37'53" East, a distance of 276.81 feet with the centerline of said Lazelle Road, to a point;

Thence North 03°22'07" East, a distance of 50.00 feet, crossing said Lazelle Road to a Mag nail found on the north right-of-way line of said Lazelle Road, being on the north line of a 0.306 acre tract of land described in a deed to the City of Columbus of record in Official Record Volume 200, Page 285, being at the southeast corner of a 0.095 acre tract of land described in a deed to Polaris AZ, LLC of record in Official Record Volume 987, Page 2098, and being the TRUE POINT OF BEGINNING of the tract to be described;

Thence North 03°01'37" East, a distance of 187.39 feet with the east line of said 0.095 acre tract, to a Mag nail found at the northeast corner of said 0.095 acre tract;

Thence North 86°37'53" West, a distance of 22.11 feet with the north line of said 0.095 acre tract, to a 1" iron pipe found with an EDG cap at the northwest corner of said 0.095 acre tract, being at the northeast corner of a 0.916 acre tract of land described in a deed to Polaris AZ, LLC of record in Official Record Volume 909, Page 1763, being at the southeast corner of a 1.000 acre tract of land described in a deed to The Ohio Automobile Club of record in Official Record Volume 1144, Page 1118, and being on a west line of said 33.630 acre tract;

Thence North 03°01'37" East, a distance of 202.61 feet with the east line of said 1.000 acre tract and with a west line of said 33.630 acre tract, to a 1" iron pipe found with an EDG cap at the northeast corner of said 1.000 acre tract and being on a south line of said 33.630 acre tract;

Thence North 86°37'53" West, a distance of 215.00 feet with the north line of said 1.000 acre tract and with a south line of said 33.630 acre tract, to an iron pin set at the northwest corner of said 1.000 acre tract, being on the east right-of-way line of said Sancus Boulevard, and being on the most westerly line of said 33.630 acre tract;

Thence North 03°01'37" East, a distance of 280.00 feet with the east right-of-way line of said Sancus Boulevard and with the most westerly line of said 33.630 acre tract, to an iron pin set;

Thence South 86°37'53" East, a distance of 250.00 feet crossing said 33.630 acre tract, to an iron pin set;

Thence North 03°01'37" East, a distance of 617.43 feet crossing said 33.630 acre tract, then with the east line of a 2.124 acre tract of land described in a deed to N.P. Limited Partnership of record in Official Record Volume 268, Page 2241, with the east line of a 1.075 acre tract of land described in a deed to Cort Venture, LLC of record in Deed Book 671, Page 766, and with a west line of said 33.630 acre tract, to a 1" iron pipe found with an EDG cap at the northeast corner of said 1.075 acre tract, being at the northwest corner of said 33.630 acre tract, and being on the south line of a 61.594 acre tract of land described in a deed to DDR PTC LLC of record in Official Record Volume 1086, Page 798;

Thence South 86°37'53" East, a distance of 469.66 feet with the north line of said 33.630 acre tract and with the south line of said 61.594 acre tract, to an iron pin set at the northwest corner of a 17.858 acre tract of land described in a deed to Edward Rose Millennial Development, L.L.C., of record in Official Record Volume 934, Page 52;

Thence with the west line of said 17.858 acre tract the following three (3) courses and distances:

- 1) South 03°22'07" West, a distance of 1103.19 feet to an iron pin set;
- 2) North 86°37'53" West, a distance of 120.56 feet to an iron pin set;
- 3) South 03°22'07" West, a distance of 184.22 feet to an iron pin set on the north line of said 0.306 acre tract and being on the north right-of-way line of said Lazelle Road;

Thence North 86°37'53" West, a distance of 354.32 feet with the north line of said 0.306 acre tract and with the north right-of-way line of said Lazelle Road, to the TRUE POINT OF BEGINNING containing 15.083 acres of land, more or less.

Basis of Bearings: Bearings are based on data acquired by GPS observations as per NAD 83 (1986) - Ohio State Plane Coordinate System - North Zone from the Delaware County Geodetic Control Monumentation.

All iron pins set are 5/8" solid iron pins 30" in length with a yellow plastic cap stamped "CT Consultants".

The above description is based on and referenced to an exhibit titled "Plat of Survey of a 15.083 Acre Tract" prepared by CT Consultants, attached hereto and made a part hereof. All references are to the records of the Recorder's Office, Delaware County, Ohio.

To Rezone From: L-C-4, Limited Commercial District and CPD, Commercial Planned Development District

To: L-ARLD, Limited Apartment Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-ARLD, 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 change on the said original zoning map and shall register a copy of the approved L-ARLD, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**DEVELOPMENT TEXT L-ARLD, LIMITED APARTMENT RESIDENTIAL DISTRICT,**" dated May 21, 2017, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

L-ARLD, LIMITED APARTMENT RESIDENTIAL DISTRICT

EXISTING DISTRICT: L-C-4, Limited Commercial, and CPD, Commercial Planned Development District

PROPOSED DISTRICT: L-ARLD, Limited Apartment Residential District

PROPERTY ADDRESS: 510 Lazelle Road, Columbus, OH 43240

APPLICANT: NP Limited Partnership c/o Dave Perry, David Perry Co., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

OWNER: NP Limited Partnership c/o Dave Perry, David Perry Co., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

DATE OF TEXT: May 21, 2017

APPLICATION NUMBER: Z16-045

INTRODUCTION:

The site is 15.08 +/- acres located on the north side of Lazelle Road, 230' east of Sancus Boulevard. The property is zoned commercial (L-C-4 and CPD). Applicant proposes to rezone the property to the L-ARLD, Limited Apartment Residential District for development of an apartment complex. The proposed multi-family residential land use is

supported by the Far North Plan. The abutting property to the east is also zoned L-ARLD and is developed with an apartment complex.

1. PERMITTED USES: The permitted use of the site shall be multi-family residential development, as permitted in Section 3333.02, AR-12, ARLD and AR-1, Apartment Residential District Use, and accessory uses and structures.

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards of Chapter 3333, Apartment Residential Districts, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards of the Columbus City Code shall apply.

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

B. Access, Loading, Parking and/or Traffic Related Commitments. A traffic access study has been approved by the City of Columbus. A full turning movement curbcut is permitted on both Sancus Boulevard and Lazelle Road for the proposed apartment complex.

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

1. Street trees shall be provided on the Sancus Boulevard and Lazelle Road frontage of the site at approximately 50' on center, subject to adjustment of spacing as needed for driveways or other obstructions, and shall be located on site within 20 feet of the right of way.
2. Screening, which may consist of landscaping, mounding, fencing and/or walls, shall be provided in the north and west perimeter yards where adjacent apartment buildings abut commercial zoning. Screening shall provide 75% opacity to five (5) feet high, subject to breaks in the screening to provide pedestrian connections, if available with abutting property owners and subject to appropriate pedestrian connection points with the adjacent commercial development. A minimum of one (1) pedestrian connection shall be provided on either the north or west perimeter yard. The pedestrian connection (s) shall be paved and illuminated.
3. Open space shall be provided adjacent to the east terminus of the entrance drive from Sancus Boulevard. The open space shall have grass, trees and/or other landscaping and may include sidewalk, on-grade patio, gazebo, grill(s) or other amenities, but no building shall be located in this area. The open space shall have a minimum area of 6,000 square feet (0.138 +/- acres). The purpose of this open space area is to provide a focal point with open space at the terminus of the entrance drive. The actual area of this open space shall be noted on the final site compliance plan.
4. The site is 15.08 +/- acres. A minimum of four (4) acres of the site shall be open space. Open space, for purposes of compliance with this standard, shall be site area without buildings or pavement, except shall include the open space area to be provided by 2.C.3. and may also include the swimming pool and patio around the pool. The actual area of total open space shall be noted on the final site compliance plan.

D. Dumpsters, Lighting, Outdoor Display Areas and/or Environmental Commitments. N/A

E. Graphics and Signage Commitments. All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the ARLD, Apartment Residential District. All signage shall be monument style or shall be incorporated into an entrance feature. Any variance to the applicable sign requirements of the ARLD, Apartment Residential District shall be submitted to the Columbus Graphics Commission.

F. Miscellaneous. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.

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