



## Legislation Text

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**File #:** 2975-2017, **Version:** 1

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### **Rezoning Application: Z17-020**

**APPLICANT:** Spectrum Acquisition Columbus LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Housing for the elderly and assisted living.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on October 12, 2017.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a religious facility and a driveway to an office building in the I, Institutional and C-2, Commercial districts. The requested CPD, Commercial Planned Development District will allow up to 110 dwelling units for independent living, assisted living, and memory care. The site is located within the boundaries of the *Olentangy West Area Plan* (2013), which recommends "Institutional" land uses for this location. The Plan also recommends the use of design guidelines for new commercial development, pedestrian connections, appropriate landscaping and screening, and balancing parking needs with the goal of creating walkable/bikeable neighborhoods. The CPD text commits to a site plan and provides commitments for density and graphics provisions. The permitted uses include those in the I, Institutional district. Variances are included in this request to reduce the minimum number of parking spaces from 165 required spaces to 83 provided, to eliminate the two required loading spaces, and to reduce the parking setback line from 10 to 0. This proposed type of residential development is consistent with the recommendations of the *Olentangy West Area Plan* and is also compatible with the density and development standards of adjacent institutional and residential developments.

To rezone **3660 OLENTANGY RIVER ROAD (43214)**, being 3.5± acres located on the east side of Olentangy River Road, opposite Latham Court, **From:** I, Institutional and C-2, Commercial districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z17-020).

**WHEREAS**, application # Z17-020 is on file with the Department of Building and Zoning Services requesting rezoning of 3.5± acres from I, Institutional and C-2, Commercial districts, to CPD, Commercial Planned 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 requested CPD, Commercial Planned Development District is compatible with the density and development standards of adjacent institutional and residential developments, and is consistent with the recommendations of the *Olentangy West Area Plan*; 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:

**3660 OLENTANGY RIVER ROAD (43214)**, being 3.5± acres located on the east side of Olentangy River Road, across from the intersection with Latham Court, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, in the City of Columbus, being in Lot 13, second quarter of Township 1, Range 18, United States Military Lands and being part of a 5.268 acre tract, as conveyed to 3650 ECP Olentangy, LLC in Instrument Number 201510130144637, part of a 2.603 acre tract as conveyed to Olentangy Christian Reformed Church in Deed Book 2404, Page 152, all of a 0.397 acre tract as conveyed to Olentangy Christian Reformed Church in Deed Book 2404, Page 152, and all of a 0.170 acre tract as conveyed to Olentangy Christian Reformed Church in Official Record Volume 5789, Page D14, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a 5/8" iron pin found along the southerly line of said 5.268 acre tract, and in the northerly line of Lot 1 of Riverview Professional Village, as subdivided in Plat Book 39, Page 49, as conveyed to CWC II, LLC in Instrument Number 201201030000525, and along the easterly easement right-of-way of Olentangy River Road (varies), as conveyed to the County of Franklin in Deed Book 1356, Page 175 and being the TRUE POINT OF BEGINNING for the parcel herein described;

Thence along the northerly line of said Riverview Professional Village and the southerly line of said 5.268 acre tract, North 87 degrees 09 minutes 49 seconds West, 46.03 feet to a mag nail set along the easterly line of a 2.000 acre tract as conveyed to Hospital Properties, Inc. in Official Record Volume 10784, Page D12 and at the intersection of the centerline of right-of-way for Olentangy River Road, the southwesterly corner of said 5.268 acre tract, and the northwesterly corner of Lot 1 of said Riverview Professional Village;

Thence along the easterly line of said 2.000 acre tract, the easterly line of Gore Addition as recorded in Plat Book 27, Page 91, the easterly line of Turkey Run Office Park as recorded in Plat Book 57, Page 109 and vacated by the Franklin County Court of Common Pleas in Case No. 95 CVH-12-8522, recorded in Official Record Volume 31738, Page H16, the westerly lines of said 5.268, 2.603, and 0.397 acre tracts and the centerline of Olentangy River Road North 11 degrees 14 minutes 22 seconds West, 423.38 feet to a mag nail set along the easterly line of said Turkey Run Office Park and at the intersection of the centerline of Olentangy River Road, the northwesterly corner of said 0.397 acre tract, and the southwesterly corner of a 8.648 acre tract as conveyed to Whetstone Propco, LLC in Instrument Number 201308090136839;

Thence along the southerly line of said 8.648 acre tract, the northerly line of said 0.397 acre tract, and the northerly line of said 2.603 acre tract South 87 degrees 10 minutes 49 seconds East, 465.69 feet to a 5/8" iron pin capped "EP Ferris Surveyor No. 6027" on the southerly line of said 8.648 acre tract, at the northeasterly corner of said 2.603 acre tract, and at the northwesterly corner of a 0.134 acre tract as conveyed to 3650 ECP Olentangy, LLC in Instrument Number 201510130144637;

Thence along the easterly lines of said 2.603 and 0.170 acre tracts, the westerly lines of said 0.134 and 5.268 acre tracts, and across said 5.268 acre tract South 02 degrees 50 minutes 10 seconds West, 410.81 feet to an iron pin set on the southerly line of said 5.268 acre tract, at the northeasterly corner of Lot 2 of Riverview Professional Village as conveyed to Riverview Offices, LLC in Instrument Number 200503020037406, and at the northwesterly corner of Lot 3 of Riverview Professional Village as conveyed to 3600 Olentangy, LLC in Instrument Number 201409160121833;

Thence along the southerly line of said 5.268 acre tract and the northerly line of said Lot 1 and 2 North 87 degrees 09 minutes 49 seconds West, 316.69 feet to a 5/8" iron pin found, and being the POINT OF BEGINNING containing 3.906 acres (170,135 Sq. Ft.) more or less;

The above described parcel contains 0.871 acres (37,929 Sq. Ft.) out of PIO 010-103193, 2.639 acres (114,955 Sq. Ft.) out of PIO 010-126692, and 0.397 acres (17,293 Sq. Ft.) out of PIO 010-096918 for a total of 3.906 acres (170,135 Sq. Ft.), in which 0.128 acres (5,590 Sq. Ft.) of PIO 010-103193, 0.220 acres (9,575 Sq. Ft.) of PIO 010-126692, and 0.090 acres (3,942 Sq. Ft.) of PIO 010-096918 for a total of 0.438 acres (19,107 Sq. Ft.) lie within the P.R.O.;

Subject to all legal rights-of-way and/or easements, if any, of previous record.

The basis of bearing is based on the Ohio State Plane Coordinate System South Zone, NAD83 (CORS96). Said bearing originated from a field traverse which was tied to said coordinate system by GPS observation and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The easterly right-of-way line of Olentangy River Road is North 11 degrees 14 minutes 22 seconds West.

All monuments found are in good condition unless otherwise noted.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 and is based on field surveys conducted by E.P. Ferris and Associates, Inc. in April 2017 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.

**To Rezone From:** I, Institutional District and C-2, Commercial District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the CPD, Commercial Planned 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 CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**PRELIMINARY SITE PLAN FOR SPECTRUM ACQUISITION COLUMBUS LLC**," and "**LANDSCAPE CONCEPT PLAN**," and text titled, "**CPD TEXT**," all dated October 12, 2017, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

**CPD TEXT**

**PROPOSED DISTRICTS:** CPD, Commercial Planned Development

**PROPERTY ADDRESS:** 3660 Olentangy River Road

**OWNER:** Olentangy Christian Reformed Church et al.

**APPLICANT:** Spectrum Acquisition Columbus LLC

**DATE OF TEXT:** 10/12/17

**APPLICATION:** Z17-020

**1. INTRODUCTION:** The site is on the east side of Olentangy River Road across the street from Latham Court. The development consists of a larger parcel occupied by a church and a proposed parcel split of ground in front of an office building. A variety of institutional, medical as well as office uses are in the vicinity of the site.

**2. PERMITTED USES:** Those uses permitted in Chapter 3349 I, Institutional District of the Columbus City Code, except the following uses, which shall be prohibited: electric substation, fire station, funeral home, gas regulator station, police station, telephone exchange, utility pumping station and an off premise graphic if approved by the Columbus Graphics Commission.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or on the submitted drawing the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

**A. Density, Height, Lot and/or Setback Requirements**

Maximum number of elderly housing dwelling units shall be 110. These units will consist of independent living, assisted living and memory care.

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

Upon redevelopment of the property to the north and/or south of the subject property and upon approval from the Department of Public Service to signalize the intersection of Olentangy River Road and Latham Court due to background traffic needs, traffic generated by the subject property or planned additional traffic volumes from the property to the north and/or south of the subject property that would plan to access the intersection of Olentangy River Road and Latham Court, cross access easements shall be provided to provide the properties to the north and/or south access to the intersection of Olentangy River Road and Latham Court via the access point to Olentangy River Road serving the subject property. The location of the cross access driveway shall be to the east of the proposed building. The adjacent property owner(s) that connects to this cross access driveway shall pay the cost of that connection and shall share proportionally the cost of maintenance for the cross access easement.

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

See submitted Landscape Concept Plan.

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

N/A

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

N/A

F. Graphics

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

2. There shall be a combined freestanding graphic on the site for onsite uses and for those uses on tax parcel 010-103193 to the east of the site subject to the approval from the Columbus Graphics Commission.

G. Miscellaneous

1. Variances.

a) Section 3312.49 Minimum number of parking spaces required: to reduce the number of parking spaces from 165 to 83. Parking calculation  $110 \text{ dwelling units} \times 1.5 \text{ spaces} = 165$

b) Section 3312.53 Loading Spaces: to reduce the number of loading spaces from two to zero.

c) Section 3312.27 Parking setback line - to reduce the parking setback from ten to zero along Olentangy River Road.

2. Site Plan. The subject site shall be developed in accordance with the Site Plan and Landscape Concept Plan. The Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the Plans shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. CPD Criteria.

a) Natural Environment, The site is currently developed with a church and a driveway to an office building.

- b) Existing Land Uses. The property is zoned I, Institutional and C-2, Commercial.
- c) Activities. The proposed development will provide housing for the elderly.
- d) Behavior Patterns. Existing development in the area have established vehicular and pedestrian patterns for the area.
- e) Transportation and Circulation. The site will have access to Olentangy River Road and COTA provides bus service on Olentangy River Road.
- f) Visual Form of the Environment. The building design will be appropriate for the area and the mixed use nature of the development.
- g) View and Visibility. The site will have access to Olentangy River Road.
- h) Proposed Development. The proposed development is along a major commercial arterial which provides access to SR 315 as well as to Riverside Hospital.
- i) Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

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