



## Legislation Text

File #: 3097-2017, Version: 1

### Rezoning Application Z17-035

**APPLICANT:** NP Limited Partnership; c/o Dave Perry, Agent.; Dave 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 November 9, 2017.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 2.47± acre site is undeveloped and consists of one parcel and the northwest corner of an adjacent parcel, both zoned in the L-C-4, Limited Commercial District. The requested L-ARLD, Limited Apartment Residential Development will allow multi-unit residential development. The limitation text provides commitments to landscaping, screening, and pedestrian connectivity. The site is within the boundaries of the *Far North Area Plan* (2014), which recommends community commercial land uses at this location. While the proposed use is not consistent with the Plan's land use recommendation, Staff supports deviation noting that the site directly abuts multi-unit residential development on two sides. Additionally, the request is consistent with the density and development standards of the L-ARLD zoning district east and south of the subject site.

To rezone **8558 SANCUS BOULEVARD (43240)**, being 2.47± acres located on the east side of Sancus Boulevard, 670± feet north of Lazelle Road, From: L-C-4, Limited Commercial District, To: L-ARLD, Limited Apartment Residential District (Rezoning # Z17-035).

**WHEREAS**, application # Z17-035 is on file with the Department of Building and Zoning Services requesting rezoning of 2.47± acres from L-C-4, Limited Commercial 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 is consistent with the density and development standards of the adjacent L-ARLD zoning district and will not add incompatible uses to the area; 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:

**8558 SANCUS BOULEVARD (43240)**, being 2.47± acres located on the east side of Sancus Boulevard, 670± feet north of Lazelle Road, 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 2.469 acres out of Farm Lot 11, being 2.124 acres out 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, being 0.345 acres 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 North 03°01'37" East, a distance of 719.76 feet with the centerline of said Sancus Boulevard, to a point;

Thence South 86°58'23" East, a distance of 40.00 feet, crossing said Sancus Boulevard to an iron pin set on the east right-of-way line of said Sancus Boulevard, being on the west line of said original 33.630 acre tract, and being the TRUE POINT OF BEGINNING of the tract to be described;

Thence North 03°01'37" East, a distance of 430.12 feet with the west line of said original 33.630 acre tract, with the west line of said 2.124 acre tract, and with the east right-of-way line of said Sancus Boulevard, to a Mag nail set at the northwest corner of said 2.124 acre tract and being at the southwest corner of a 1.075 acre tract of land described in a deed to Cort Venture, LLC of record in Deed Book 671, Page 766;

Thence South 86°37'53" East, a distance of 250.00 feet with the north line of said 2.124 acre tract and with the south line of said 1.075 acre tract, to a 1" iron pipe found with a CEA cap at the northeast corner of said 2.124 acre tract, being at the southeast corner of said 1.075 acre tract, and being on a west line of said original 33.630 acre tract;

Thence South 03°01'37" West, a distance of 430.12 feet with the east line of said 2.124 acre tract, with a west line of said original 33.630 acre tract, and then crossing said original 33.630 acre tract, to an iron pin set;

Thence North 86°37'53" West, a distance of 250.00 feet crossing said original 33.630 acre tract, to the TRUE POINT OF BEGINNING containing 2.469 acres of land, more or less, there being 2.124 acres out of Parcel Number 318-433-01-020-000, 0.345 acres out of Parcel Number 318-433-01-009-000, and 2.469 acres out of City of Columbus Tax District 45.

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 2.469 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

**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 November 10, 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

**PROPERTY ADDRESS:** 8558 Sancus Boulevard, Columbus, OH 43240

**PID:** 31843301020000, 31843301009000 (part)

**EXISTING DISTRICT:** L-C-4, Limited Commercial

**PROPOSED DISTRICT:** L-ARLD, Limited Apartment Residential

**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:** November 10, 2017

**APPLICATION NUMBER:** Z17-035

### INTRODUCTION:

The site is 2.469 +/- acres located on the east side of Sancus Boulevard, 600' +/- north of Lazelle Road. The property is zoned L-C-4, Limited Commercial (Z91-018C). Applicant proposes to rezone the property to the L-ARLD, Limited Apartment Residential District for development of an apartment complex. The proposed multi-unit residential land use is supported by the Far North Plan. The 15 acre abutting property to the east is also zoned L-ARLD and the property farther east is zoned L-ARLD and is developed with an apartment complex.

**1. PERMITTED USES:** The permitted use of the site shall be multi-unit 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.**

N/A

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

1. Street trees shall be provided on the Sancus Boulevard 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 perimeter yard where abutting 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 pedestrian connection point(s) with the adjacent commercial development, if permitted. A minimum of one (1) pedestrian connection shall be provided on either the north or east side of the site. The pedestrian connection(s) shall be paved and illuminated.

#### **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.