



Legislation Text

File #: 1410-2018, **Version:** 1

Rezoning Application: Z18-004

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

PROPOSED USE: Multi-unit residential and extended-stay hotel developments.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on April 13, 2018.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with multi-unit residential and extended-stay hotel developments in the L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial districts, respectively. The applicant requests the L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial districts to amend the existing zoning. The site was not developed in accordance with the approved site plan, and additional parking spaces were built within the required perimeter yard. A concurrent Council variance (Ordinance #1411-2018; CV18-003) has been submitted to reduce the perimeter yard on the south side of the L-AR-12 district from 25 feet to 10 feet. The limitation text commits to a site plan and includes use restrictions, setback requirements, site access provisions, landscaping, exterior building material commitments, and graphics controls. The site is located within the planning area of the *Far North Area Plan* (2014), which recommends "Medium-High Density" land uses for this location. The Plan also recommends that parking should be hidden to the greatest extent possible by locating it to the rear or side of a building and/or with extensive landscaping. The proposal remains consistent with the Plan's land use recommendations, as the extended-stay hotel development in the L-C-4 district is existing and functions in conjunction with the multi-unit residential development in the L-AR-12 district. Additionally, the Planning Division has determined that the added parking spaces are sufficiently screened.

To rezone **104 LAURISTON LANE (43235)**, being 9.2± acres located on the west side of North High Street at the intersection with Dilmont Drive, **From:** L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts, **To:** L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts (Rezoning # Z18-004).

WHEREAS, application # Z18-004 is on file with the Department of Building and Zoning Services requesting rezoning of 9.2± acres From: L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts, To: L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the site will maintain the multi-unit residential and extended-stay hotel developments that are compatible with the density and development standards of adjacent developments, and the additional parking spaces are adequately screened from adjacent properties; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

104 LAURISTON LANE (43235), being 9.2± acres located on the west side of North High Street at the intersection with Dilmont Drive, and being more particularly described as follows:

Sub Area 1, L-C-4
6.7 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 2, Range 18, United States Military Lands, being out of that 19.658 acre tract conveyed to Traditions at Highbluffs, LLC by deed of record in Instrument Number 200503170049255 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Lazelle Road and High Street (U.S. Route 23);

thence South 03° 03' 48" East, with the centerline of said High Street, a distance of 48.58 feet to a point;

thence South 86° 56' 12" West, across the right-of-way of said High Street, a distance of 75.99 feet to a point in the southerly right-of-way line of said Lazelle Road;

thence South 83° 43' 29" West, with the northerly line of that 1.127 acre tract conveyed to Tim Donut U.S. Limited, Inc., by deed of record in Instrument Number 200706140104131, the southerly right-of-way line of said Lazelle Road, a distance of 231.47 feet to the westerly terminus of said southerly right-of-way line of said Lazelle Road, being the TRUE POINT OF BEGINNING;

thence with the easterly perimeter of said 19.658 acre tract, the following courses and distances: South 55° 48' 36" West, a distance of 69.98 feet to a point of curvature to the left;

with the arc of said curve to the left, having a central angle of 24° 38' 44", a radius of 132.02 feet, an arc length of 56.79 feet, a chord bearing and distance of South 09° 28' 43" West, 56.35 feet to a point;

South 02° 50' 39" East, a distance of 313.31 feet to a point; and

North 87° 09' 21" East, a distance of 322.28 feet to a point in the westerly right-of-way line of said High Street;

thence South 02° 52' 06" East, with the westerly right-of-way line of said High Street, a distance of 245.00 feet to a point;

thence across said 19.658 acre tract, the following courses and distances:

South 87° 09' 21" West, a distance of 271.37 feet to a point of curvature to the right;

with the arc of said curve to the right, having a central angle of 60° 07' 31", a radius of 46.00 feet, an arc length of 48.27 feet, a chord bearing and distance of North 62° 46' 54" West, 46.09 feet to a point of reverse curvature;

with the arc of said curve to the left, having a central angle of 09° 26' 32", a radius of 161.45 feet, an arc length of 26.61 feet, a chord bearing and distance of North 27° 36' 13" West, 26.58 feet to a point of compound curvature;

with the arc of said curve to the left, having a central angle of 57° 43' 23", a radius of 90.00 feet, an arc length of 90.67 feet, a chord bearing and distance of North 61° 11' 11" West, 86.89 feet to a point;

South 89° 57' 08" West, a distance of 44.24 feet to a point;

North 02° 08' 11" West, a distance of 77.65 feet to a point;

North 47° 49' 36" West, a distance of 97.81 feet to a point;

South 87° 07' 59" West, a distance of 202.15 feet to a point; and

North 02° 52' 01" West, a distance of 470.59 feet to a point in the northerly line of said 19.658 acre tract;

thence North 83° 43' 29" East, with the northerly line of said 19.658 acre tract, a distance of 455.88 feet to a point;

thence South 06° 16' 31" East, with the westerly terminus of said Lazelle Road, a distance of 90.00 feet to the TRUE POINT OF BEGINNING and containing 6.7 acres of land more or less.

Sub Area 2, L-AR-12
2.5 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 2, Range 18, United States Military Lands, being out of that 19.658 acre tract conveyed to Traditions at Highbluffs, LLC by deed of record in Instrument Number 200503170049255 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Lazelle Road and High Street (U.S. Route 23); thence South 03° 03' 48" East, with the centerline of said High Street, a distance of 48.58 feet to a point;
thence South 86° 56' 12" West, across the right-of-way of said High Street, a distance of 75.99 feet to a point in the southerly right-of-way line of said Lazelle Road;

thence South 83° 43' 29" West, with the northerly line of that 1.127 acre tract conveyed to Tim Donut U.S. Limited, Inc., by deed of record in Instrument Number 200706140104131, the southerly right-of-way line of said Lazelle Road, a distance of 231.47 feet to the westerly terminus of said southerly right-of-way line of said Lazelle Road;

thence North 06° 16' 31" West, with the westerly terminus of said Lazelle Road, a distance of 90.00 feet to a point at a northeasterly corner of said 19.658;

thence South 83° 43' 29" with the northerly line of said 19.658 acre tract, a distance of 455.88 feet to the TRUE POINT OF BEGINNING;

thence across said 19.658 acre tract, the following courses and distances:

thence South 02° 52' 01" East, across said 19.658 acre tract, a distance of 470.59 feet to a point;

thence South 87° 07' 59" West, continuing across said 19.658 acre tract, a distance of 240.00 feet to a point in the westerly line of said 19.658 acre tract;

thence North 02° 52' 01" West, with the westerly line of said 19.658 acre tract, a distance of 456.29 feet to a point;

thence North 83° 43' 29" East, with the northerly line of said 19.658 acre tract, a distance of 240.43 feet to the TRUE POINT OF BEGINNING, and containing 2.5 acres of land, more or less.

To Rezone From: L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts.

To: L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts.

SECTION 2. That a Height District of Thirty-Five (35) feet is hereby established on the L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts 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-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts 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 plan titled, "**THE RESIDENCES AT LIBERTY CROSSING SETBACK EXHIBIT**," dated May 4, 2018, and said text titled, "**LIMITATION OVERLAY TEXT**," dated January 23, 2018, both signed by Jill S. Tangeman, attorney for the Applicant, said text reading as follows:

LIMITATION OVERLAY TEXT

Zoning District: L-C-4, L-AR-12

Property Location: 104 Lauriston Lane, being 9.2+/- acres located on the west side of High Street and south of Lazelle Road West

Owner: BRG Liberty Crossing LLC

Applicant: BRG Liberty Crossing LLC

Date of Text: January 23, 2018

Application: Z18- 004

1. Introduction: The subject site was rezoned in 2011 to allow for the existing L-C-4 and L-AR-12 zoning districts. The applicant seeks to amend the existing limitation text for the L-AR-12 subarea to reduce the setback on the south side of the property from 25' to 10'. A companion council variance has been filed to address the reduced perimeter yard setback requirement. No other changes to the existing zoning are being requested.

Subarea 1 L-C-4

2. Permitted Uses: Those uses listed in Chapter 3356.03 (C-4, Regional Scale Commercial District) of the Columbus City Code shall be permitted.

A. The following uses are excluded from this site:

Amusement arcade
Animal Shelter
Astrology, Fortune Telling and Palm Reading
Automobile and light truck dealers
Automotive accessories, parts, and tire sales
Automobile maintenance and repair
Automotive sales, leasing, and rental
Bar/cabaret/nightclub
Billboards
Blood and organ bank
Bowling Centers
Building Material and Supplies Dealers
Check Cashing and Loans
Coin operated laundry (does not prohibit such facilities which are part of a hotel or motel use)
Community Food Pantry
Crematory
Drive-in Motion Picture Theaters
Family planning center
Farm Equipment and Supply Stores
Free standing parking lots and parking garages
Funeral Home and Services
Halfway house
Hospital
Missions / Temporary Shelters
Monopole or cellular telecommunication towers (does not prohibit individual telecommunication equipment for individual tenants provided that said equipment is screened to the height of said equipment)
Motorcycle, boat and other motor vehicle dealers
Motor vehicle accessories and parts dealers
Outdoor Power Equipment Stores
Pawn Brokers
Recreational vehicle dealers
Repossession services

Social Advocacy Agency
Truck, utility trailer and RV sales, rental and leasing
Used merchandise stores
Vending machine operator

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. Setback from North High Street shall be twenty-five (25) feet for parking, loading and maneuvering areas and 100 feet for buildings.
2. Setbacks from Lazelle Road West shall be twenty-five (25) feet for parking, loading and maneuvering areas and sixty (60) feet for buildings.
3. Setback from the southern property line where adjacent to the existing multi-family development shall be twenty-five (25) feet for buildings and ten (10) feet for parking and maneuvering per CV18-003.
4. Any hotel or motel building shall be a minimum of three stories in height but no more than four stories in height in accordance with 3309.142(A). One of the buildings shall contain a fitness facility including pool and a business center. Registration desk shall be in the lobby of a building. The building(s) shall be designed with only interior access to rooms off hallways.
5. Any building within 100 feet of the west property line of this subarea shall have any loading or service areas on either the north, south or east facade.
6. Setback from the park area shall be fifteen (15) feet for parking and maneuvering and twenty-five (25) feet for buildings.
7. All uses other than hotel/motel shall not exceed 35 feet in height.

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

1. There shall be a full service curb cut for a private access point on Lazelle Road West subject to the approval of the Division of Planning and Operations. There will be no additional curb cuts on High St.
2. The developer shall make improvements to the intersection of North High Street and Lazelle Road such that the eastbound and westbound left turn movements shall be aligned and the eastbound and westbound left turn movements can be made concurrently. The intention is to eliminate the split phasing operation that currently exists at this intersection.
3. The developer shall be responsible for signal modifications that will eliminate the split phasing operation of the eastbound and westbound movements at the intersection of North High Street and Lazelle Road and add right turn overlap phases for any legs of this intersection with dedicated right turn lanes.
4. The developer shall restripe the northbound left turn lane at the intersection of North High Street and Lazelle Road to have a length of 443 feet, which includes a 50 foot taper.

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

1. A tree row shall be established along Lazelle Road West containing one street / deciduous tree for every 30 feet of roadway frontage.

2. All vehicular use areas shall be screened from adjacent public right-of-ways with a continuous planting hedge, wall or earth mound a minimum of four (4) feet in height.
3. The existing landscape buffer including mounding and trees on the north, west and south property lines shall be maintained. The existing six foot wood fence along the west side of the commercial area beginning at the north end of the mounding at the south property line and extending northward to the south end of the mounding along the north property line except in the area where the driveway connects the two portions of the site shall remain.
4. Adjacent to the city's park property the applicant shall install 3 deciduous and 1 evergreen tree per 100 linear feet within the setback area along its common property line with the park.
5. All trees and landscaping shall meet the following minimum size requirements at the time of planting: 2.5" caliper for deciduous trees; 6 foot high for evergreens (spruce or norway); 1.5" caliper for ornamental trees; and shrubs shall be two (2) gallon in size. Tree caliper is measured six (6) inches above the adjacent grade.

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

1. The buildings will be built of one or any combination of the following: brick, stone, synthetic stone, wood, engineered wood siding, vinyl, metal and glass. The above referenced vinyl shall be limited to trim purposes and vinyl siding shall not be allowed. The brick to be used in construction of the buildings shall be the "Harmar #790" or a comparable brick as reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee. Any hotel or multi-use shall have a water table of either stone, synthetic stone or brick (minimum of ten feet in height) of each side of every multi story building elevation.
2. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view by the same materials utilized on the building's roof or exterior. Color shall also match the building's exterior or roof. Mechanical or other utility equipment shall be fully screened from offsite view by a fence, landscape material or a wall utilizing the same material of the buildings.
3. Blank facades on the rear of buildings are prohibited. Therefore, articulating such facades with recesses, fenestrations, fences or pilasters is required.
4. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.
5. No materials, supplies, equipment shall be stored or permitted to remain on any portion of the parcel outside the permitted structure (except for utility and HVAC equipment).

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

N/A

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.
2. All free standing signage along High Street shall be monument style constructed of materials which complement the built commercial buildings.

G. Miscellaneous Commitments.

The site shall be developed in general conformance with the submitted Site Plan attached hereto as Exhibit A. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plans 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.

Subarea 2 (L-AR-12)

- 1. Introduction:** The site is located west of High Street between Highbluffs Blvd. and Lazelle Road West.
- 2. Permitted Uses:** Those uses permitted in Section 3333.02, AR-12 of the Columbus City Code.
- 3. Development Standards:** Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. Maximum number of units is 30.
2. The building and parking setback from the west property line shall be 60 feet. The building and parking setback from the north property line shall be 60 feet. The building setback on the south property line shall be 25 feet and the parking setback on the south property line shall be 10 feet per concurrent CV18-013.

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

Access to this site shall be via Lazelle Road W.

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

1. The developer shall install street trees 30 feet on center within the setback along Lazelle Road West. The existing trees within the 60 foot buffer along the west and northwest property lines shall be maintained in their natural state subject to the right to remove dead and diseased trees and landscaping from that buffer. Snow fencing shall be installed along the east side of the 60 foot buffer during the construction of the multi-family units.
2. All trees and landscaping shall be well maintained. Dead materials shall be replaced within six (6) months or the next planting season, whichever occurs first. All trees shall meet the following minimum size at the time of planting: Shade trees 2 1/2" caliper; Ornamental trees 1 1/2" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

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

1. The buildings will be built of one or any combination of the following: brick, stone, synthetic stone, wood, engineered wood siding, vinyl, metal and glass. The brick to be used in construction of the buildings shall be the "Harmar #790" or a comparable brick as reviewed and approved by the City's Director of the Department of Building and Zoning Services or his/her designee.
2. Notwithstanding the building materials listed in 3D1 above the building materials for the buildings which are adjacent to the west property line shall be brick and vinyl and the water table area shall be constructed of a decorative split face block. The brick used in construction of the buildings shall be the "Harmar #790" or a comparable brick as reviewed and approved by the City's Director of the Department of Building and Zoning Services or his/her designee.

The front façade shall consist of a minimum of 46% of the designated brick. The style of the building units adjacent to the west property line shall be two story townhouse units (same style as the units at The Traditions at Highbluffs). For the units that are adjacent to the west property line the minimum net floor area for living quarters is 1,100 square feet.

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

N/A

F. Graphics and/or Signage Commitments.

N/A

G. Miscellaneous Commitments.

The site shall be developed in general conformance with the submitted Site Plan attached hereto as Exhibit A. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plans 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.