



Legislation Text

File #: 1411-2018, **Version:** 1

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.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts (Ordinance # 1410-2018; Z18-004) to amend the existing zoning for multi-unit residential and extended-stay hotel developments. The property is currently subject to Ordinance # 0613-2011 (CV10-041) which permits multi-unit residential development without frontage on a public street. Variances are now requested to carry over the frontage variance in the event the L-AR-12 and L-C-4 subareas are split for financing purposes, and to reduce the perimeter yard on the south property line from 25 feet to 10 feet to accommodate a parking expansion. The *Far North Area Plan* (2014) 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. Staff finds the requested variances to be supportable because the site is being designed in a manner that mitigates its impact on nearby residential uses. The proposal also remains consistent with the Plan's recommendation of effectively screening parking, as the existing landscape buffer consisting of mounding and trees will be maintained as installed.

To grant a Variance from the provisions of Sections 3333.16, Fronting; and 3333.255, Perimeter yard; of the Columbus City Codes for property located at **104 LAURISTON LANE (43235)**, to permit reduced development standards for an existing multi-unit residential development and an extended-stay hotel development in the L-AR-12, Limited Apartment Residential District and L-C-4, Limited Commercial District, respectively, and to repeal Ordinance # 0613-2011, passed May 16, 2011 (Council Variance # CV18-003).

WHEREAS, by application # CV18-003, the owner of property at **104 LAURISTON LANE (43235)**, is requesting a Council variance to permit reduced development standards for an existing multi-unit residential development and an extended-stay hotel development in the L-AR-12, Limited Apartment Residential District and L-C-4, Limited Commercial District, respectively; and

WHEREAS, Section 3333.16, Fronting, requires each dwelling to front on a public street, while the applicant requests to allow a multi-unit residential development without frontage on a public street in the event the L-AR-12 and L-C-4 subareas are split for financing purposes; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet for multi-unit residential developments and extended-stay hotel developments that are adjacent to residentially-zoned property, while the applicant proposes to maintain a reduced perimeter yard on the south property line of 10 feet; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; and

WHEREAS, the City Departments recommend approval because the variances will cause no negative impact on the surrounding properties, while achieving design principles proposed within the *Far North Area Plan* including hiding parking to the greatest extent possible by locating it to the rear or side of a building and/or with extensive landscaping;

and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **104 LAURISTON LANE (43235)**, in using said property as desired; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3333.16, Fronting; and 3333.255, Perimeter yard; of the Columbus City Codes for property located at **104 LAURISTON LANE (43235)**, insofar as said sections prohibit a multi-unit development without frontage on a public street; and a reduced perimeter yard from 25 feet to 10 feet along the south property line; said property being more particularly described 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.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the L-AR-12, Limited Apartment Residential District in Ordinance # 1410-2018 (Z18-004).

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

SECTION 5. That Ordinance # 0613-2011, passed May 18, 2011, be and is hereby repealed.