



Legislation Text

File #: 0047-2019, **Version:** 1

Rezoning Application: Z18-047

APPLICANT: M Five LP; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on November 8, 2018.

GREATER SOUTH EAST AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The site consists of two undeveloped parcels zoned in the L-C-2, Limited Commercial District. The requested PUD-6, Planned Unit Development District will permit a multi-unit residential development consisting of 12 four-unit dwellings and 2 six-unit apartment buildings (60 units; 5.7 units/acre) on private streets with 2.73 acres of open space. The PUD plan depicts the buildings and open space locations, site access, landscaping, and sidewalks/paths. The text includes commitments for setbacks, a turn lane, screening, building materials, and lighting controls. The site is within the boundaries of the *South East Land Use Plan* (2018), which recommends "Employment Center" land uses at this location. Residential uses are generally not supported within this classification. Staff would consider support for residential development on the rear portion of the site if the frontage was retained in the L-C-2, Limited Commercial District to match the established zoning pattern to the west.

To rezone **4464 PROFESSIONAL PARKWAY (43125)**, being 10.53± acres located on the north side of Professional Parkway, 860± feet east of Hamilton Square Boulevard, **From:** R, Rural District, **To:** PUD-6, Planned Unit Development District (Rezoning #Z18-047).

WHEREAS, application #Z18-047 is on file with the Department of Building and Zoning Services requesting rezoning of 11.57± acres from R, Rural District, to PUD-6, Planned Unit Development District; and

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

WHEREAS, the Greater South East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend disapproval of said zoning change because the requested PUD-6, Planned Unit Development District is inconsistent with the land use recommendations of the *South East Land Use Plan*. Staff would consider support for residential development on the rear portion of the site if the frontage was retained in the L-C-2, Limited Commercial District to match the established zoning pattern to the west; 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:

4464 PROFESSIONAL PARKWAY (43125), being 10.53± acres located on the north side of Professional Parkway,

860± feet east of Hamilton Square Boulevard, and being more particularly described as follows:

DESCRIPTION OF 10.527 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 9, Township 11, Range 21 of the Congress Lands, and being a part Lot 19 of the South Hamilton Square Section 2, Part 1, Plat book 71, Page 38, and being all of a 7.887 acre tract (Parcel No. 101-215435-00), as conveyed to M Five L P, as recorded in Instrument Number 199412230264558, and all of a 2.640 acre tract (Parcel No. 010-243274-00) as conveyed to M Five L P, as recorded in Instrument No. 199803100065111, all references being to those of record in the Recorder's Office, Franklin County, Ohio, said 10.5274 acre tract being more particularly bounded and described as follows:

Beginning at the southeast corner of Lot 19 of the South Hamilton Square Section 2, Part 1, Plat Book 71, Page 38, and also being the southeast corner of said 7.887 Acre tract, and the southwest corner of said 2.640 acre tract, and also on the northerly right-of-way of Professional parkway (60' R/W);

Thence westerly along the northerly right-of-way line of Professional Parkway North 81°51'00" West, 325.00 feet, to the southeast corner of The Lakeview Office Condominium, as recorded in Condominium Plat Book 49, Page 37;

Thence northerly and westerly along The Lakeview Office Condominium tract the following five (5) courses and distances;

North 08°09'00" East, 195.62 feet to the point;

Along the arc of a non-tangent curve to the left (Radius = 260.00 feet, Arc Length = 75.64, Delta = 16°40'04") a chord bearing and distance of South 88°16'56" West, 75.37 feet, to a point of reverse curve;

Along the arc of a curve to the right (Radius = 210.00 feet, Arc Length = 181.71, Delta = 49°34'34") a chord bearing and distance of North 75°15'47" West, 176.09 feet, to a point of complex curve;

Along the arc of a curve to the right (Radius = 65.00 feet, Arc Length = 18.99, Delta = 16°44'13") a chord bearing and distance of North 42°06'15" West, 18.92 feet, to a point;

North 81°51'00" West, 101.27 feet to a point on the easterly line of 6.586 acre tract as conveyed to Hamilton Square Re., LLC., as recorded in Instrument No. 201608040101796;

Thence along easterly line of said 6.586 acre tract North 08°09'00" East, 385.00 feet to a point on the northerly line of Lot 19, and the southerly line of a 13.726 acre tract as conveyed to Brittany Bay Limited as recorded in Deed Volume 13476, Page 6A03;

Thence easterly along the northerly line of Lot 19, and the southerly line of said 13.726 acre tract South 81°51'00" East, 880.00 feet to the northwest corner of a 6.998 acre tract as conveyed to Summerville at Lakeview as recorded in Instrument No. 20151005040701;

Thence southerly along the westerly line of said 6.998 acre tract South 08°09'00" West, 624.17 feet to a point on the northerly right-of-way line of Professional Parkway;

Thence westerly along the northerly right-of-way line of Professional Parkway the following two courses and distances:

Along the arc of a curve to the left (Radius = 330.00 feet, Arc Length = 127.07, Delta = 22°03'47") a chord bearing and distance of North 70°48'59" West, 126.29 feet, to a point of tangency; and ...

North 81°51'00" West, 66.04 feet to the Point of Beginning, and containing 10.527 acres, more or less, according to

available records.

The bearings in the above description are based on the recorded plat of South Hamilton Square Section 2, Part 1, Plat Book 71, Page 38.

This legal description was prepared from available records, no field work was not performed. This survey is not intended to be used for land transfer.

Subject to all valid and existing easements, restrictions and conditions of record.

To Rezone From: L-C-2, Limited Commercial District,

To: PUD-6, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-6, Planned Unit 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 changes on the said original zoning map and shall register a copy of the approved PUD-6, Planned Unit Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.09 of the Columbus City Codes; said plans being titled, "**DEVELOPMENT PLAN**," and said text being titled, "**PUD NOTES**," both dated December 4, 2018, and signed by Jill S. Tangeman, Attorney for the Applicant, and the text reading as follows:

PUD NOTES

Zoning District: PUD-6

Property Location: 4464 Professional Parkway, being 10.672+/- acres east of S. Hamilton Road

Owner: M Five LP

Applicant: M Five LP

Date of Text: December 4, 2018

Application: Z18- 047

1. Introduction: The site is located east of S. Hamilton Road and north of U.S. 33 and is currently zoned for C-2 uses. The applicant originally planned to develop the property for small single-story office condominium buildings. The applicant started the development, but has struggled to maintain occupancy or sell office units. The site has been marketed for office use since 1989. After almost 20 years of trying to develop the site for office uses, the applicant has determined that residential units would be a more appropriate, especially given that there are existing multi-family uses neighboring the property.

2. Permitted Uses: No building will be erected, altered, placed or permitted to remain on this property other than four-unit or six-unit multi-family, ranch-style dwellings; a master meter building; and a mail kiosk as shown on the submitted Site Plan.

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 60.
2. The building and pavement setback shall be 10' from all property lines.
3. Maximum building height shall be 35 feet.

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

1. Access to this site shall be via Professional Parkway.
2. Streets shall be private.
3. The street alignments shall be developed generally as shown on the plan. However, they are subject to refinement with final engineering and may be adjusted to reflect engineering, topographical or other site data established at the time of development and engineering plans are completed. The Director of Public Service, Traffic Management Division and/or their designees may approve adjustments to the street alignments upon submission of the appropriate data regarding the proposed adjustment.
4. The applicant will re-stripe and/or add new markings in order to extend the two-way left turn lane on Professional Parkway to serve the entrance to the proposed development.

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

1. The developer shall install a perimeter fence as shown on the Site Plan.
2. Perimeter trees and landscaping shall be provided as shown on the Site Plan.
3. A mulch leisure path will be provided around the existing pond.
4. Internal sidewalks will be provided on one side of the street as shown on the Site Plan.
5. Five foot wide sidewalks will be provided on Professional Parkway as shown on the Site Plan.

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 (including brick or stone veneer) synthetic stone, wood, engineered wood siding, vinyl, metal and glass.
2. Dwelling units may be used as model homes for the purpose of marketing and sales.
3. Decks and patios are permitted in the perimeter yard.

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

1. Light poles shall not exceed 14 feet in height.

F. Graphics and/or Signage Commitments.

1. All signage and graphics will conform to the Columbus Graphics Code. Any variances needed for the applicable graphics requirements will be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments.

1. The applicant shall comply with the City's Parkland Dedication Ordinance.
2. The site shall be developed in general conformance with the submitted site plan titled, "Development Plan." 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.