



Legislation Text

File #: 0899-2019, **Version:** 1

Rezoning Application Z17-043

APPLICANT: NRFC Easton Holdings, LLC c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Commercial office and parking development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 14, 2019.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 15.45± acre site includes one parcel developed with an office building in the CPD, Commercial Planned Development District, and two undeveloped parcels in the R-1, Residential District. The applicant is proposing a new CPD district to permit the development of additional parking for the existing office building. The CPD text establishes use restrictions and supplemental development standards that address building and parking setbacks, specific building height limitations, traffic access to the site, preservation of existing vegetation, landscaping, street trees, lighting controls, loading space location, graphics restrictions, and includes a commitment to develop the site in accordance with the submitted site plans. Variances to allow parking spaces and maneuvering to cross parcel lines and to increase the maximum number of parking spaces permitted are included in the CPD text. The site is within the boundaries of the *Northeast Area Plan* (2007), which recommends "Office" land uses on the southern two parcels and "Low Density Residential" land uses on the northernmost parcel. The variances to allow the development to exceed the maximum number of parking spaces permitted, and to allow parking spaces and maneuvering to cross parcel lines, are all supportable. The proposal is consistent with Plan's land use recommendation for "Office" uses for two of the parcels, is compatible to the existing development along Stelzer Road, and includes appropriate height limitations and screening from adjacent residential uses.

To rezone **3100 EASTON SQUARE PLACE (43219)**, being 15.45± acres located at the northwest corner of Easton Square Place and Stelzer Road, **From:** CPD, Commercial Planned Development District and R-1, Residential District, **To:** CPD, Commercial Planned Development District (Rezoning #Z17-043).

WHEREAS, application #Z17-043 is on file with the Department of Building and Zoning Services requesting rezoning of 15.45± acres from CPD, Commercial Planned Development District and R-1, Residential District, to CPD, Commercial Planned Development District; and

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

WHEREAS, the Northeast Area 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 will permit additional parking for the existing office development. The request is consistent with *Northeast Area Plan*'s recommendation for "Office" land uses for the majority of the site, and includes appropriate development standards in consideration of the adjacent residential land uses; 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:

3100 EASTON SQUARE PLACE (43219), being 15.45± acres located at the northwest corner of Easton Square Place and Stelzer Road, and being more particularly described as follows:

ZONING DESCRIPTION OF 2.05 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 2, Township 1, Range 17, United States Military Lands, being all of that 0.470 acre tract (being all of Lot 19 of “Brunswick Estates”, of record in Plat Book 29, Page 8) conveyed to Morso Holding Co. by deed of record in Instrument Number 200106260144477, and part of that 1.667 acre tract conveyed to Morso Holding Co. by deed of record in Instrument Number 200106260144478, (all references refer to the records of the Recorder’s Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at the common corner of said 1.667 acre tract and Lot 21 of “Brunswick Estates No. 2”, of record in Plat Book 31, Page 8, being in the northerly line of that 13.400 acre tract conveyed to NRFC Easton Holdings, LLC and NRFC Easton Holdings 2, LLC by deed of record in Instrument Number 200712130213949;

Thence North 04° 06' 45" East, with the westerly line of said 1.667 acre tract, a distance of 184.24 feet to a point;

Thence South 86° 06' 11" East, with a northerly line of said 1.667 acre tract a distance of 153.87 feet to a point at the southwesterly corner of said 0.470 acre tract;

Thence North 04° 06' 45" East, with the westerly line of said 0.470 acre tract, a distance of 102.70 feet to a point;

Thence South 85° 53' 03" East, with the northerly line of said 0.470 acre tract, a distance of 200.00 feet to a point in the westerly right-of-way line of Stelzer Road;

Thence South 04° 06' 45" West, with said westerly right-of-way line, a distance of 101.93 feet to a point in the northerly line of said 1.667 acre tract;

Thence South 86° 06' 11" East, with said westerly right-of-way line, the northerly line of said 1.667 acre tract, a distance of 20.00 feet to a point;

Thence South 04° 06' 45" West, with said westerly right-of-way line, across said 1.667 acre tract, a distance of 184.45 feet to a point in the northerly line of that 0.232 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200608110159178;

Thence North 86° 04' 11" West, with the northerly line of said 0.232 and 13.400 acre tracts, a distance of 373.87 feet to the POINT OF BEGINNING, containing 2.052 acres, more or less.

ZONING DESCRIPTION OF 13.40 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 2, Township 1, Range 17, United States Military Lands, being all of that 13.400 acre tract conveyed to NRFC Easton Holdings, LLC and NRFC Easton Holdings 2, LLC by deed of record in Instrument Number 200712130213949, (all references refer to the records of the Recorder’s Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at the northerly terminus of the northerly right-of-way line of Easton Square Place, as dedicated in Plat Book 112, Page 99, being in the line common to said 13.400 acre tract and that 0.232 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200608110159178;

Thence with said northerly right-of-way line, the southerly line of said 13.400 acre tract, the following courses and distances: with the arc of a curve to the right, having a central angle of 80° 21' 07", a radius of 50.00 feet, an arc length of 70.12 feet, a chord bearing of South 44° 17' 19" West and chord distance of 64.51 feet to a point of tangency; South 84° 27' 52" West, a distance of 33.49 feet to a point; and North 85° 53' 15" West, a distance of 886.82 feet to a point;

Thence North 04° 06' 45" East, with the westerly line of said 13.400 acre tract, a distance of 606.44 feet to a point;

Thence South 86° 04' 11" East, with the northerly line of said 13.400 acre tract, a distance of 961.46 feet to a point in the westerly right-of-way line of Stelzer Road, being the common corner of said 13.400 and 0.232 acre tracts;

Thence South 04° 06' 45" West, with said westerly right-of-way line, the easterly line of said 13.400 acre tract, a distance of 554.59 feet to the POINT OF BEGINNING, containing 13.40 acres, more or less.

To Rezone From: CPD, Commercial Planned Development District & R-1, Residential District

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of one hundred ten (110) 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 site plans being titled, "**3100 EASTON SQUARE PLACE SITE PLAN SHEET 1**," and "**3100 EASTON SQUARE PLACE SITE PLAN SHEET 2**," both dated March 14, 2019 and text titled, "**CPD TEXT**," dated January 31, 2019, all signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

CPD TEXT

PROPERTY LOCATION: 3100 Easton Square

OWNER: NRFC Easton Holdings LLC

APPLICANT: NRFC Easton Holdings LLC

EXISTING ZONING DISTRICT: CPD, R-1, Residential

PROPOSED DISTRICT: CPD

DATE OF TEXT: 1/31/19

APPLICATION: Z18-043

1. INTRODUCTION: The subject site is improved with a three-story office building and surface parking lot. The current tenant has vacated the property. In order to secure a new tenant, the owner is seeking to expand parking to the north and to add a retention pond to meet market requirements.

2. PERMITTED USES: The following uses shall be permitted within this development: Those uses as listed in Chapter 3353, C-2, Commercial District of the Columbus City Code.

1. Excepting therefrom: photography studio, and transmission tower.

2. The two northern parcels may be used only for parking and retention as shown on the submitted drawing for the

existing office building.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3353, C-2, Commercial District shall apply.

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

1. Setback from Easton Square Place shall be 25' for all parking, loading, and maneuvering areas and 100' for buildings.
2. Setback from Stelzer Road shall be 50' for all parking, loading, and maneuvering areas and 100' for buildings.
3. Setback from the residential lots along Florian Drive abutting the north and west side of the site shall be 50' for all parking, loading, and maneuvering areas and 100' for buildings.
4. For that portion of the site which is adjacent to Stelzer Road and south of the residential lots along Florian Drive, the height limit for buildings located between the 100 foot building setback and 200 feet from the right-of-way of Stelzer Road shall be 35 feet. The height limit for buildings located 300 feet or more from the right-of-way of Stelzer Road shall be 100 feet. The portions of buildings, or structures, which exceed 60 feet in height, may not cover more than 15% of the area of the subject property on which the 100 foot limit is permitted.
5. The height limit is measured by the City of Columbus Code definition of height.

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

1. Stelzer Road shall have a minimum of 120' right-of-way.
2. Easton Square Place shall have a minimum 60' right-of-way and, except for required turn lanes, shall be a standard 36-foot street from its intersection with Morse Crossing to Stelzer Road.
3. Curbcuts on Easton Square Place shall be restricted to 300 feet measured centerline to centerline and either aligned or offset by at least 150 feet from curb cuts on the other side of the street. These spacing requirements shall not apply to right-in/right-out curb cuts.
4. There shall be a full access curbcut located north of Easton Square Place to Stelzer Road located at least 500 feet from Easton Square Place (measured centerline to centerline). Any improvements to that curbcut shall be determined by the City's review of the submitted traffic access study.
5. Notwithstanding the traffic limitations contained within this document, said traffic limitations, including number and location of curbcuts, may be modified with the approval of the Department of Public Service.

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

1. Reasonable and good faith efforts shall be used to preserve existing trees and vegetation within the required 50-foot parking setback adjacent to the residential lots to the north and west of the site. Any open areas within the existing tree line shall be supplemented with a minimum of 5 deciduous trees per 100 lineal feet. These trees shall be grouped or spaced to fill in the tree line wherever existing trees do not occur.
2. A tree row shall be established along Stelzer Road and Easton Square Place containing one tree for every 30' of road frontage. Trees shall be equally spaced or grouped together.
3. Special treatment shall occur along Stelzer Road. There shall be a mixture of deciduous shade and ornamental trees and evergreen trees and shrubs at a quantity of three deciduous shade trees, one ornamental tree, three evergreen trees and

five deciduous or evergreen shrubs per 100 lineal feet or fraction thereof of frontage. This is the minimum amount of landscaping required along Stelzer Road. Trees do not have to be equally spaced but may be grouped.

4. Notwithstanding the landscaping treatment in Section 3C, the new parking area and the retention pond shall be landscaped in accordance with the submitted landscape plan, Exhibit B.

5. The area identified as open space shall be preserved in its native setting subject to sound forestry practices and the installation of utilities.

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

N/A

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

N/A

2. Loading areas shall be screened from view from all public roadways and parking lots with either a wall, fencing, or landscaping.

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the C-2, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. CPD Requirements

A. Natural Environment: The natural environment of this development is limited to relatively flat terrain on the eastern portion, sloping to the west.

B. Existing Land Use: To the north is Brunswick Estates, zoned R1; to the west and south is land zoned CPD; and to the east is land zoned L-M-2.

C. Transportation and Circulation: Primary access to the Subarea is from Stelzer Road and Easton Square Place.

D. Visual Form of the Environment: The visual form of the area consists of multi-story office buildings to the west and south, and single-family development to the north.

E. View and Visibility: The site has great visibility from Stelzer Road.

F. Proposed Development: The proposed development shall have office and office related uses.

G. Behavior Patterns: No new behavior patterns will be established as a result of this rezoning.

H. Emissions: This development would conform to the City's requirements for light levels, sound, smells, and dust. It is anticipated that this development would not adversely affect proposed adjacent uses in this regard.

G. Miscellaneous

1. Variances

Section 3312.25 Maneuvering: to allow maneuvering for parking spaces to cross parcel lines.

Section 3312.29 Parking space: to allow parking spaces to cross parcel lines.

Section 3312.29 Minimum number of parking spaces required: to increase the maximum number of parking spaces from 996 to 1136.

2. The site shall be developed in general conformance with the submitted Site Plan's attached hereto as Exhibit A (Sheet 1 and Sheet 2). 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.