

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
DECEMBER 10, 2015**

- 7. APPLICATION: Z15-022**
- Location:** **3780 EAST POWELL ROAD (43035)**, being 12.63± acres located on the southwest side of East Powell Road, 480± feet north of Worthington Road (31844104005000 and part of 31844202025001; Far North Columbus Communities Coalition).
- Existing Zoning:** R, Rural and L-C-4, Limited Commercial Districts.
- Request:** L-AR-3, Limited Apartment Residential District.
- Proposed Use:** Multi-unit residential development.
- Applicant(s):** N.P. Limited; c/o Dave Perry; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.
- Property Owner(s):** The Estates of Richard D. Baggs, Jr. and Ora Opel Baggs; c/o Diana Lynn Baggs, Co-Administrator; 3780 E. Powell Road; Lewis Center, OH 43035 and Charlene Sue McDonald, Co-Administrator; 2690 Greentree Court; Lewis Center, OH 43035; and Polaris 91 LLC; c/o Dave Perry; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.
- Planner:** Shannon Pine; 645-2208; spine@columbus.gov

BACKGROUND:

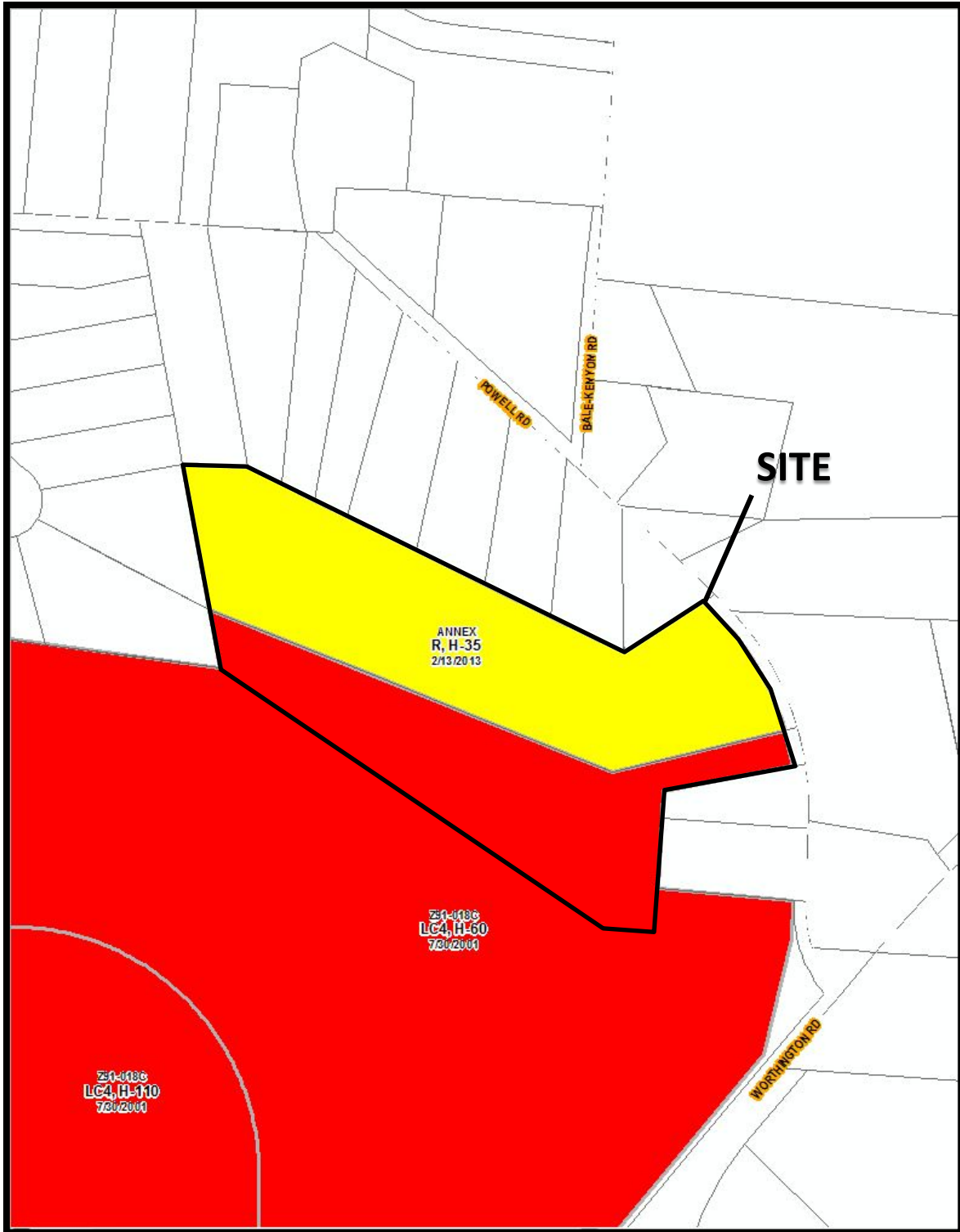
- The 12.63± acre site is developed with a single-unit dwelling in the R, Rural District, and also includes undeveloped land in the L-C-4, Limited Commercial District. The requested L-AR-3, Limited Apartment Residential District will permit 139 apartment units (11.01 units/acre) and/or an assisted living facility.
- To the north and east across East Powell Road are single-unit dwellings in Orange Township. Also to the east are a child daycare center, a monopole telecommunications antenna, and an office development, also in Orange Township. To the south is undeveloped land in the L-C-4, Limited Commercial District (former amphitheater development). To the west are single-unit dwellings in in Orange Township.
- The site is within the planning area of The Far North Area Plan (2014), which recommends Very Low Density Residential uses (with the option of up to 8 du/acre of multi-unit residential development) for the portion of the site currently zoned R, and Regional Mixed Use development (including higher density multi-unit residential development) for the portion of the site currently zoned L-C-4. The Plan includes a number of design-related recommendations that are applicable to this location, including preservation and protection of natural resources, and site access. The Planning Division

supports this proposal conditioned on a commitment to the preservation of the Stream Corridor Protection Zone (with a cross-access easement to allow for one limited-sized access point to the south), and an increased setback or centralized area in order to preserve more trees and open space within the proposed development. This conditional support is given in recognition that the proposal includes property with existing commercial zoning, and that the development would allow for access from the south (consistent with the Plan's recommendation).

- The site is located within the boundaries of the Far North Columbus Communities Coalition, whose recommendation is for approval of the requested district.
- The limitation text includes provisions for maximum number of units, setbacks, building height, tree preservation, street trees, landscaping/screening, building materials, garage orientation, and a commitment to a site plan that reflects setbacks, access, and the stream corridor protection zone. Companion CV15-063 has been filed to vary fronting for a parcel to be created with no public street frontage for a potential lot split, and for reduced perimeter yard that could accommodate a privacy fence with a height of eight feet. That request will be heard by City Council and will not be considered at this Development Commission meeting.
- The Columbus Thoroughfare Plan identifies East Powell Road as a C arterial requiring a minimum of 30 feet of right-of-way from centerline.

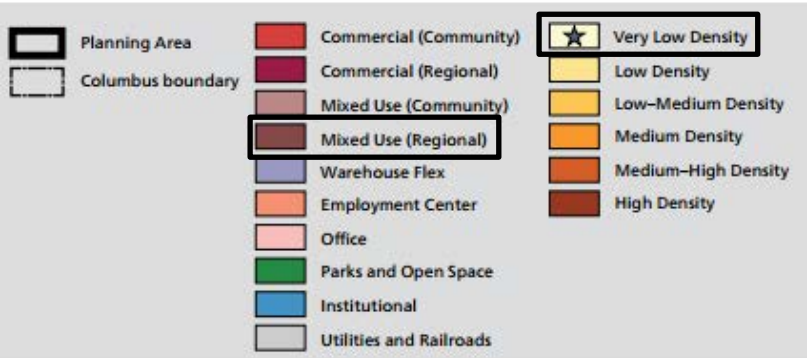
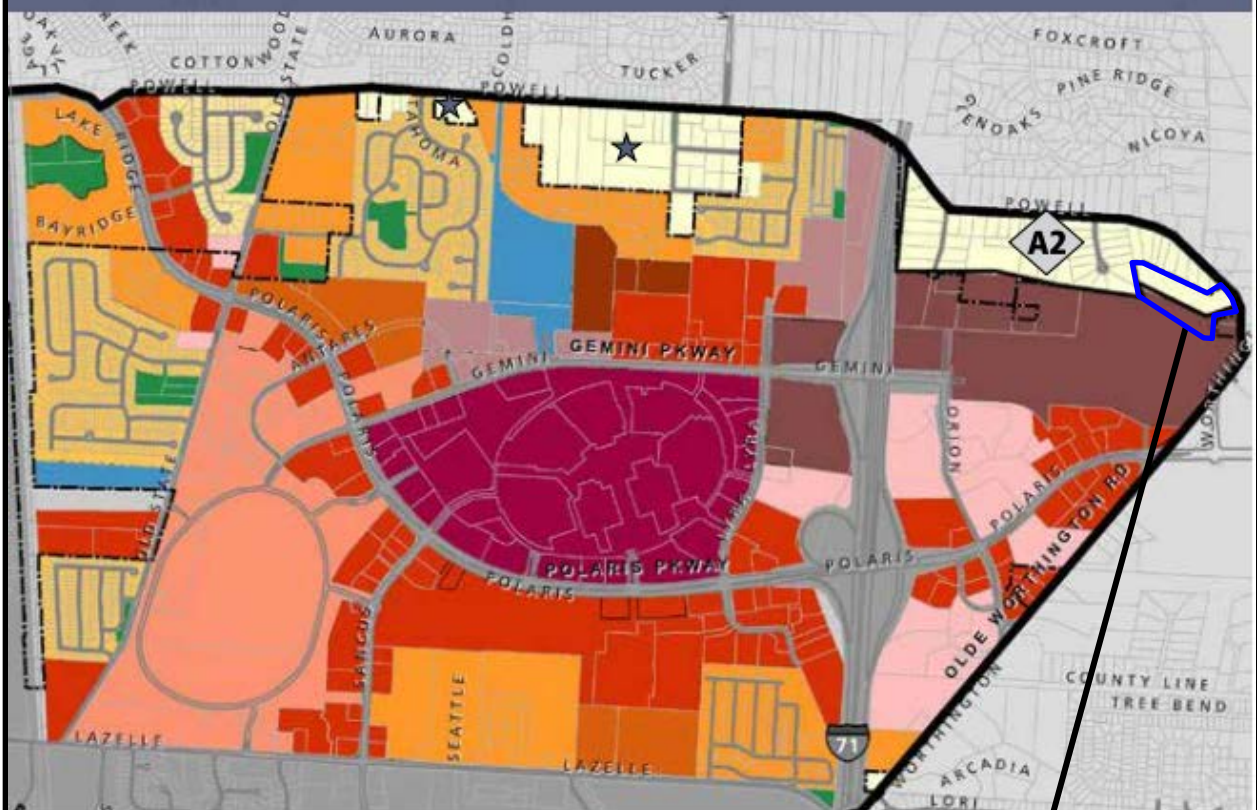
CITY DEPARTMENTS RECOMMENDATION: Disapproval.* The requested L-AR-3, Limited Apartment Residential District, will permit 139 apartment units (11.01 units/acre) and/or an assisted living facility with appropriate density limitations, building design and orientation commitments, and screening in consideration of the abutting residential lots. The site plan depicts the Stream Corridor Protection Zone and setback areas, and the limitation text commits to tree preservation within the setback areas. The proposed use and density is consistent with the recommendations of The Far North Area Plan, but the conditions for increased setbacks or a centralized area for additional tree-preservation, and preservation of the Stream Corridor Protection Zone, have not been fully resolved. Staff will recommend approval upon resolution of these issues, and recognizes that this development can serve as a good transitional use between the low-density residential development in Orange Township and the regional commercial development to the south, while preserving natural resources.

*The setbacks from the south property line have been increased to encompass the SCPZ, and the setbacks from the west property line have been increased from 50 feet to 60 feet, thereby increasing the tree preservation areas. The conditions in the recommendation above have been met, and the Staff Recommendation is now for approval.



Z15-022
3780 East Powell Road
Approximately 12.63 acres
R & L-C-4 to L-AR-3

Figure 16: Polaris Subarea



SITE

Refer to page 55 for supporting text for site A2.

Refer to page 43 for supporting text.

Far North Area Plan (2014)
 Z15-022
 3780 East Powell Road
 Approximately 12.63 acres
 R & L-C-4 to L-AR-3



Z15-022
3780 East Powell Road
Approximately 12.63 acres
R & L-C-4 to L-AR-3



STANDARDIZED RECOMMENDATION FORM

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number Z-15-022 + CV-15-063

Address 3780 E. Powell Rd.

Group Name Fair North Columbus Communities Coalition

Meeting Date 11/13/15

Specify Case Type

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation (Check only one)

- Approval
- Disapproval

NOTES: Condition:

Garage doors along north border have doors face south.

Vote 12-0

Signature of Authorized Representative James Palmisano

SIGNATURE

RECOMMENDING GROUP TITLE FNCCC President

DAYTIME PHONE NUMBER 614/430-7840

Please FAX this form to Zoning at (614) 645-2463 within 48 hours of your meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

Rezoning Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # Z15-022

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 E Rich St., 3rd FL, Columbus, OH 43215

deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. N.P. Limited 8800 Lyra Drive, Suite 550 Columbus, OH 43240 # Columbus Based Employees: 3 Contact: Franza Geiger 614-841-000</p>	<p>2. Estate of Richard D. Baggs, Jr. Estate of Ora Opal Baggs c/o Diana Lynn Baggs, 3780 E. Powell Rd. Lewis Center, OH # Columbus Based Employees: 0 Contact: Diana Lynn Baggs 614-314-9577</p>
<p>3. Estate of Richard D. Baggs, Jr. Estate of Ora Opal Baggs c/o Charlene Sue McDonald 2690 Greentree Ct. Lewis Center, OH 43035 # Columbus Based Employees: 0 Contact: Charlene Sue McDonald 614-307-5370</p>	<p>4. Polaris 91, LLC 8800 Lyra Drive, Suite 550 Columbus, OH 43240 # Columbus Based Employees: 0 Contact: Franz Geiger 614-841-1000</p>

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 11th day of NOVEMBER, in the year 2015

Barbara A. Painter
SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2020
My Commission Expires

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2020

This Project Disclosure expires six (6) months after the date of notarization.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer