



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1932-2017, **Version:** 2

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### **Rezoning Application Z17-008**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; Underhill & Hodge LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on June 8, 2017.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned in the CPD, Commercial Planned Development District and is developed with a recently closed grocery/general store. The requested L-AR-2, Limited Apartment Residential District will allow redevelopment of the site with a maximum of 614 apartment units (36.66 units/acre). The site is within the planning area of the *Northwest Plan* (2016), which recommends "Mixed Use 2," a designation that includes commercial and high-density residential uses. The proposed L-AR-2 district includes provisions for setbacks, access, perimeter landscaping, garage building façades, and lighting controls. The proposal also commits to a site plan, landscaping / open space plan, and garage building elevations. The request is compatible with the surrounding development and zoning patterns of the area, and is consistent with the land use recommendations of the *Northwest Plan*. The project also includes a concurrent Council variance (Ordinance # 1933-2017; CV17-020) to reduce setbacks and allow for potential lot splits.

To rezone **7000 BENT TREE BOULEVARD (43235)**, being 16.75± acres located at the southeast corner of Bent Tree Boulevard and Sawmill Place Boulevard, **From:** CPD, Commercial Planned Development District, **To:** L-AR-2, Limited Apartment Residential District (Rezoning # Z17-008) **and to declare an emergency.** (AMENDED BY ORD. 2214-2017; PASSED 9/11/17)

**WHEREAS**, application # Z17-008 is on file with the Department of Building and Zoning Services requesting rezoning of 16.75± acres from CPD, Commercial Planned Development District, to L-AR-2, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the request is compatible with the surrounding development and zoning patterns of the area, and is consistent with the land use recommendations of the *Northwest Plan*;

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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:

**7000 BENT TREE BOULEVARD (43235)**, being 16.75± acres located at the southeast corner of Bent Tree Boulevard and Sawmill Place Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 19, U.S.M.D., being all of Lot Four (4) of Sawmill Place, a subdivision of record in Plat Book 66, Page 76, Recorder's Office, Franklin County, Ohio, said Lot 4 being in the name of Andersons as originally conveyed by Official Record 7762, Page E02 and more particularly described as follows:

Beginning at the southeasterly corner of said Lot 4, said corner also being the northeasterly corner of Lot 5 of said subdivision, the northeasterly corner of that tract of land as conveyed to AH-Ohio Columbus Owner of record in Instrument No. 200004280083348 and in the westerly right-of-way line of Federated Boulevard (75') as dedicated upon Plat Book 64, Page 19.

Thence N 78°05'24" W, with the southerly line of said Lot 4 and the northerly line of said Lot 5, 657.08+/- feet to the southwesterly corner of said Lot 4, the northwesterly corner of said Lot 5 and in a point of curvature in the easterly right-of-way line of Sawmill Place Boulevard (62') as dedicated upon said record plat for Sawmill Place;

Thence with the westerly line of said Lot 4 and said easterly right-of-way line, the following two (2) courses and distances:

with a curve to the left having a central angle of 12°38'48" and a radius of 931.00 feet, an arc length of 205.50+/- feet and a chord bearing and distance of N 06°09'38" W, 205.08+/- feet to a point of tangency;

N 12°29'02" W, 380.74+/- feet to a point of curvature at the right-of-way intersection of said Sawmill Place Boulevard (62') and Bent Tree Boulevard (62') as dedicated upon said plat for Sawmill Place;

Thence with northerly lines of said Lot 4 and along the southerly right-of-way line of said Bent Tree Boulevard (62'), the following five (5) courses and distances:

with a curve to the right having a central angle of 90°00'00" and a radius of 50.00 feet, an arc length of 78.54+/- feet and a chord bearing and distance of N 32°30'59" E, 70.71+/- feet to a point of tangency;

N 77°30'58" E, 19.00+/- feet to a point of curvature;

with a curve to the left having a central angle of 27°54'15" and a radius of 531.00 feet, an arc length of 258.61+/- feet and a chord bearing and distance of N 63°33'51" E, 256.06+/- feet to a point of curvature;

with a curve to the left having a central angle of 09°35'47" and a radius of 1831.00 feet, an arc length of 306.67+/- feet and a chord bearing and distance of N 44°48'51" E, 306.31+/- feet to a point of tangency;

N 47°52'33" E, 65.81+/- feet to a point of curvature at the right-of-way intersection of said Bent Tree Boulevard (62') and said Federated Boulevard (75');

Thence with the easterly lines of said Lot 4 and with the westerly right-of-way line of said Federated Boulevard (75'), the following three (3) courses and distances:

with a curve to the right having a central angle of 92°48'17" and a radius of 50.00 feet, an arc length of 80.99+/- feet and a chord bearing and distance of N 86°25'22" E, 72.42+/- feet to a point of curvature;

with a curve to the right having a central angle of 71°56'14" and a radius of 865.00 feet, an arc length of 1086.04+/- feet and a chord bearing and distance of S 11°12'08" E, 1016.10+/- feet to a point of tangency;

S 24°45'59" W, 174.21+/- feet to the True Point of Beginning;

Containing 16.749 +/- acres, more or less. Subject to all legal highways, easements and restrictions. The above description was prepared by Advanced Civil Design, Inc. on April 19, 2017 and is based on existing Franklin County Auditor's and Recorder's records and an actual field survey in April 2017.

This description is not to be used for the transfer of land.

**To Rezone From:** R, Rural District,

**To:** L-AR-1, Limited Apartment Residential District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District and L-AR-1, Limited Apartment Residential 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 L-AR-1, Limited Apartment Residential District 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 being titled, "**CONCEPT PLAN,**" "**LANDSCAPE CONCEPT AND OPEN SPACE PLAN,**" and "**GARAGE ILLUSTRATIONS,**" and said text being titled, "**LIMITATION OVERLAY TEXT,**" all signed by David Hodge, Attorney for the Applicant, dated July 5, 2017, and the text reading as follows:

#### **Limitation Overlay Text**

**Proposed District:** L-AR-2

**Property Address:** 7000 Bent Tree Boulevard

**Owner:** The Anderson's

**Applicant:** Preferred Living

**Date of Text:** July 5, 2017

**Application:** Z17 - 008

**1. Introduction:** The subject site was formerly The Anderson's store, located west of Federated Boulevard, south of Bent Tree Boulevard, and east of Sawmill Place Boulevard. This site is currently zoned CPD and is developed with a big-box retail store and an expansive parking lot. The property to the north is an undeveloped tract zoned CPD, to the south is a retention pond zoned CPD, other area zonings are apartment communities zoned in the L-ARLD district and general commercial uses zoned in the L-C-4 district. The applicant seeks rezoning of the property to the L-AR-2 district, in furtherance of a redevelopment consistent with the land use recommendations of the newly adopted Northwest Plan.

The applicant's objective is to redevelop the property consistent with existing planning objectives for the property introducing a variety of apartment housing types.

**2. Permitted Uses:** Multi-family residential and accessory uses customarily ancillary thereto.

**3. Development Standards:** Unless otherwise specified herein, the development standards shall be those applicable to the AR-2, Apartment Residential district.

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

1. The maximum number of dwelling units shall be 614.
2. The building and parking setbacks shall be as approved by City Council in concurrent Council Variance Application # CV17 - 020.
3. Perimeter yard(s) shall be as approved by City Council in concurrent Council Variance Application # CV17 - 020.

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

1. All access points shall be subject to the review and approval of the City of Columbus Department of Public Service.
2. Subject to review by the City of Columbus Department of Public Service, the applicant will either dedicate right-of-way along Federated Boulevard, or be issued an appropriate right-of-way dedication waiver.
3. If separate lots are created to differentiate the apartment residential products being offered, cross-access easements shall be provided.

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

1. Perimeter and interior landscaping and open space shall be substantially similar to that which is depicted on the attached plan entitled Landscape Concept and Open Space Plan. This plan is a general depiction of the open space and landscaping to be provided and is intended to represent the general character, location, and numbers of trees and bushes in and around the development. Precise locations and numbers may vary from that shown.
2. Perimeter path widths shall be a minimum of 6 feet in width.
3. The open space area west of the southernmost entrance from Federated Boulevard may alternatively be used for storm water detention / retention if required.

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

1. All buildings will be constructed with an exterior mixture including brick, brick veneer, stone or stucco stone, metal, glass, stucco, synthetic stucco (EIFS), wood, metal, and vinyl siding in various combinations throughout the development.
2. Garage structures shall be constructed of high quality materials and shall be designed architecturally to be consistent with and complimentary in character to the theme and architecture of the apartment residential buildings. Garage facades facing public streets shall consistent in character with the elevations depicted on the attachment entitled Garage Illustrations.

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

1. Maximum height of light poles shall be 18 feet.
2. All external lighting (parking and wall-mounted) shall be cut-off fixtures (down lighting) and shall be designed to prevent offsite spillage.
3. Lights shall be of the same or similar type and color.

**F. Graphics and/or Signage Commitments.**

All graphics and signage shall comply with Article 15, Chapter 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous.**

1. All new wiring shall be underground.
2. The site shall be developed in general conformance with the submitted Concept Plan, Landscape Concept and Open Space Plan, and Garage Illustrations. The Plans may be adjusted slightly to reflect engineering, topographical, or other site data developed at the time that development and engineering plans are completed. Any 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.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**