



Legislation Text

File #: 1709-2020, **Version:** 2

Rezoning Amendment Z17-027A

Ordinance #2655-2018, passed October 8, 2018 (Z17-027), rezoned 11.57± acres located on the north side of Lehman Road, 760± feet west of Bowen Road to PUD-6, Planned Unit Development District for a single-unit residential development. That ordinance committed to a PUD Plan and building renderings, and included development standards addressing building setbacks, traffic access, open space, street trees, screening, and building materials. This ordinance amends the PUD Plan and Text in Section 3 to adjust the Lehman Road setback from 40 feet to 35 feet, to increase lot coverage from 58% to 60%, to allow for an 8-foot tall fence in the rear setback of certain lots, and to remove building renderings while adding a commitment to prohibit garage forward design (or require a front porch) in order to accommodate a different developer. All other aspects of Ordinance #2655-2018 remain in effect, and are included in this amendment.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #2655-2018, passed October 8, 2018 (Z17-027), for property located at **7280 LEHMAN RD. (43110)**, by replacing Section 3 thereby modifying the PUD Plan and Text (Rezoning Amendment #Z17-027A).

WHEREAS, Ordinance #2655-2018, passed October 8, 2018, established the PUD-6, Planned Unit Development District on property located at **7280 LEHMAN RD. (43110)**, being 11.57± acres located on the north side of Lehman Road, 760± feet west of Bowen Road; and

WHEREAS, that rezoning established specific development standards addressing building setbacks, traffic access, open space, street trees, buffering, screening, and building materials commitments within the PUD Text; and

WHEREAS, the PUD Plan and Text required a building setback line of 40 feet along Lehman Road and included a commitment to building renderings; and

WHEREAS, the Applicant proposes to modify the PUD Text to reduce the building setback to 35 feet along Lehman Road, to increase the lot coverage from 58% to 60%, to allow for an 8-foot tall fence in the rear setback of certain lots, and to remove the commitment to building renderings while adding a commitment to prohibit garage forward design (or require a front porch); and

WHEREAS, the Applicant also proposes to replace the PUD Plan to account for the revised Lehman Road setback and proposed fence; and

WHEREAS, it is necessary to amend Ordinance #2655-2018 by replacing Section 3 with a new Section 3 to modify the PUD Plan and Text; and

WHEREAS, all other aspects of Sections 1 and 2 contained in Ordinance #2655-2018 are unaffected by this amendment and remain in effect, and are repeated below for clarity; 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:

7280 LEHMAN RD. (43110), being 11.57± acres located on the north side of Lehman Road, 760± feet west of Bowen Road, and being more particularly described as follows:

Description for a 12.3987 Ac. Tr. In Sec-18, Twp-15, Rge-20. Madison Township and the City of Columbus, Franklin County, Ohio for:

Lynd Land Development Company

Situated in the City of Columbus, County of Franklin, State of Ohio in Section 18, Township 15, Range 20, Congress Lands, and being all of a 12.399 acre tract conveyed to Lynd Land Development Company as recorded in Official Record 27488-G-17, Records Office, Franklin County, Ohio, more particularly bounded and described as follows:

beginning at a P-K Nail set at a common corner of said 12.399 acre tract and City of Columbus, 0.028 acre inst#200602080025290 in the south line of said Section 18, being the north line of section 19, which is N 89° 57'53" E, 60.16 feet from Franklin County Engineer's Monument #3325, found in the centerline of Lehman Road, 40' R/W, thence N 00°04'18" W, 300.00 feet, with a common line of said 12.399 and 0.028 acre tracts and the east line of Reserve "B" in the Canal Crossing Section 3 as recorded in Plat Book 104 Page 56, to a 3/4" iron pipe found at a common corner of said 12.399 acre tract and subdivision, passing a 3/4" iron pipe found at 30.06 feet;

thence N 89° 57' 53" E, 1800.35 feet, with the common line of said 12.399 acre tract and subdivision and Canal Crossing Section 2, Plat Book 102 Page 55, and a portion of Canal Crossing Section 1, Plat Book 102 Page 53, to a 3/4" iron pipe found at a common corner of said 12.399 and Lyndsey D. Champ 1.033 acre inst#201110040125410;

thence S 00° 03' 03" E, 300.00 feet, with a common line of said 12.399 and 1.033 acre tracts, to a P-K nail set at a common corner of said tracts in the north line of Thomas R. Hummel, Trustee & Sara E. Hummel, Trustee 106.7 acre inst #200102280040265, in Lehman Road, which is S 89° 57'53" W, 794.95 feet from Franklin County Engineer's Monument #9932, at the centerline intersection of said Lehman Road and Bowen Road, being the southeast corner of said section 18, & the northeast corner of said section 19, passing a 3/4" iron pipe found at 270.07 feet;

thence S 89° 57' 53" W, 1800.24 feet, with a common line of said 12.399 and 106.7 acre tracts, with the centerline of Lehman Road 4 (Y R/W and the common line of said sections 18 & 19, to the Place of Beginning; to contain 12.3987 acres, be the same more or less, of which 0.8265 acres are in Madison Township and 11.5722 acres are in the City of Columbus and subject to all legal easements, restrictions and conditions as the same may be or record.

0.8265 acres of this 12.3987 acre tract lie within the Right-of-Way of Lehman Road.

Basis of bearings: the south line of said 12.399 acre tract as S 89° 57' 53" W from OR-27488-G-17.

Prepared from a Boundary Survey performed by me Louis J. Haines, Professional Surveyor # 7205, on or about September 2012.

All 3/4" iron pipe set are 3/4" galvanized iron pipe cut to 30" lengths with an orange plastic id cap inscribed "Haines Surv. ".

To Rezone From: PUD-6, Planned Unit Development 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 Section 3 of Ordinance #2655-2018, passed October 8, 2018 (Z17-027), be hereby repealed and replaced with new Section 3 reading as follows:

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, "**LEHMAN PARK (SHEETS 1-2)**," and said text being titled, "**PLANNED UNIT DEVELOPMENT (PUD-6)**," all dated July 2, 2020, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

PLANNED UNIT DEVELOPMENT (PUD-6)

PROPERTY ADDRESS: 7280 Lehman Road, Columbus, OH 43110

PID: 490-169285

ACREAGE: 11.57 Acres

EXISTING ZONING: PUD-6, Planned Unit Development (Z17-027)

PROPOSED ZONING: PUD-6, Planned Unit Development District (amendment of Z17-027)

APPLICANT: Lehman Park, Ltd.; c/o Dave Perry, David Perry Company, Inc.; 411 E Town Street, Floor 1; Columbus, OH 43215; Lehman Park, Ltd.; c/o Curt Arnsperger; 13584 Church View Drive; Pickerington, OH; 43147 and Donald Plank, Plank Law Firm; 411 E Town Street, Floor 2; Columbus, OH 43215.

PROPERTY OWNER: Lehman Park, Ltd.; c/o Curt Arnsperger; 13584 Church View Drive; Pickerington, OH 43147

DATE OF TEXT: July 2, 2020

APPLICATION NUMBER: Z17-027A (ZA20-003)

INTRODUCTION: The 11.57 +/- acre site is located on the north side of Lehman Road, 800 +/- feet west of Bowen Road. The 11.57 +/- acre site is zoned PUD-6 by Ordinance 2655-2018, passed October 8, 2020 (Z17-027). Applicant proposes this amendment of the PUD-6 to reduce the Lehman Road building setback line from 50 feet to 35 feet, net of Lehman Road right of way dedication of 40 feet from centerline. The proposed subdivision is otherwise the same as the existing PUD-6. The PUD-6 permits 51 detached single unit dwellings. A site plan titled "Lehman Park, 7280 Lehman Road, Zoning Site Plan", hereafter "Site Plan," is submitted with this application.

1. PERMITTED USES: The permitted use for the area shall be fifty-one (51) detached single unit dwellings, as permitted in Section 3345.04, Permitted uses (Planned Unit Development).

2. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, or in this written text, the applicable development standards shall be those standards contained in Chapter 3345, Planned Unit Development, of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments:

1. The Lehman Road building setback line shall be a minimum of 75 feet from centerline of Lehman Road (35' net of the required 40 feet of right of way dedication from centerline).

2. The detached single-unit dwellings may be on separate lots (fee simple) or may contain no lots (condominiums). The following criteria applies to either scenario:

a. Platted lots: minimum lot size: 80 feet x 52 feet = 4,160 square feet; minimum setback from private street = 10 feet; minimum side yard = 6 feet each side; minimum rear yard building setback = 20 feet (north lots), 6 feet (south lots); and maximum lot coverage = 60%

b. Unplatted: minimum setback from private street = 10 feet; minimum distance the dwellings will be from each other 12' on side yards and 10' from interior road.

B. Access, Loading, Parking and/or other Traffic related commitments:

1. Vehicular access shall be from two proposed access points on Lehman Road, as shown on the Site Plan.
2. Per the Franklin County Engineer, a Lehman Road traffic study is not required per agreement with the Madison Township Trustees. Lehman Road will be milled and overlaid from the westerly property line point +/- 750' east of the easterly property line. All roadway improvements and recommendations will be addressed.
3. On-site streets shall be private.
4. Lehman Road right of way totaling 40 feet from centerline shall be conveyed to the City of Columbus in conjunction with the final Site Compliance Plan or plat, as applicable.

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

1. Landscaping/screening shall be provided as depicted on the Site Plan and Landscape Plan and in accordance with Chapter 3321 requirements.
2. Open space shall be provided as depicted on the Site Plan. Open Space areas may be developed with resident walking path(s), gazebo, benches or comparable leisure uses consistent with the open space area. A minimum of 0.94 ac (40,800 SF) is required at 800 square feet/unit for PUD-6, while 2.46 +/- acres is depicted on the Site Plan.
3. Within the north 20 foot building setback of Lots 7 - 35, inclusive, as numbered on the Site Plan, trees shall be planted at the rate of one (1) tree per dwelling. A privacy fence, maximum height eight (8) feet, shall be permitted, **but is not required**, along or adjacent to the north property line of the north lots within the north 20 foot building setback. Additional tree planting at the rate of 20 feet on center shall be placed along and within 20 feet of the east and west site property lines to supplement existing trees to provide trees at 20 feet +/- on center, including existing trees.
4. **A privacy fence or wall, maximum 8 feet tall, shall be permitted, but is not required, between the rear corners of adjacent houses or across the side yards of adjacent houses within five (5) for the rear corner of each house. Applicant anticipates on grade patios between houses, in the side yard of each house.**
4. 5. Street trees shall be provided on the private street at one tree per unit.
- ~~5. 6.~~ Street trees shall be provided along Lehman Road at minimum 30 feet on center.
- ~~6. 7.~~ A combination of 24 inch high mounding and plant material shall be provided along and adjacent to the south property line in the south 29 feet of the Lehman Road 35 foot building setback to provide buffering, landscaping and screening along Lehman Road,

D. Building design and/or Interior-Exterior treatment commitments:

Dwellings shall be predominantly single story. A construction option will be for a partial second floor. Building materials shall include brick, stone, cementitious siding, such as Hardi-Plank (brand name) and/or vinyl siding. All garages shall be attached. The garages will be at the same plane as or setback further from the primary facade OR the house will have a front porch of at least 48 SF.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments. N/A

F. Graphics and Signage commitments:

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the PUD, Planned Unit Development District. Any ground sign shall be monument-style. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration. No off-premise graphics shall be permitted on this site.

G. Modification of Code Standards:

1. Section 3345.08(b), Performance Criteria, to reduce rear yard for platted lots from 25% of lot area to 20 feet (16% +/-) for the north lots and six (6) feet (6% +/-) for the south lots.

2. Section 3345.11(a), Site plan requirements for showing parcels for dwelling units; to permit fifty-one (51) detached single -unit dwellings without separate parcels for each dwelling if the development does not have platted lots.

H. Miscellaneous commitments:

1. The site shall be developed in accordance with the submitted plan titled, "Lehman Park, 7280 Lehman Road, Zoning Site Plan", dated July 2, 2020. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final 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 his designee upon submission of the appropriate data regarding the proposed adjustment. Building footprints shown on the Site Plan are illustrative.

2. Applicant shall pay the applicable Parkland Dedication Ordinance (PDO) fee prior to issuance of an approved Subdivision Plat or Site Compliance Plan.

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