



## Legislation Details (With Text)

**File #:** 0839-2021      **Version:** 3

**Type:** Ordinance      **Status:** Passed

**File created:** 3/29/2021      **In control:** Zoning Committee

**On agenda:** 10/18/2021      **Final action:** 10/21/2021

**Title:** To rezone 3981 BOWEN RD. (43110), being 32.9± acres located at the southwest corner of Bowen Road and Long Road, From: PUD-6, Planned Unit Development District, To: L-ARLD, Limited Apartment Residential District (Rezoning #Z20-101) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0839-2021\_Attachments, 2. ORD0839-2021\_Labels

Date	Ver.	Action By	Action	Result
10/21/2021	3	CITY CLERK	Attest	
10/20/2021	3	MAYOR	Signed	
10/18/2021	1	Zoning Committee	Amended to Emergency	Pass
10/18/2021	1	Zoning Committee	Amended as submitted to the Clerk	Pass
10/18/2021	1	Zoning Committee	Approved as Amended	Pass
10/18/2021	3	COUNCIL PRESIDENT	Signed	
10/11/2021	1	Columbus City Council	Read for the First Time	

**Rezoning Application: Z20-101**

**APPLICANT:** Lawndale Commons, LLC; c/o Jill Tangeman, Atty.; 52 East Gay Avenue; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on March 11, 2021.

**GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION:** Disapproval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 32.9± acre site consists of a single undeveloped parcel in the PUD-6, Planned Unit Development District. The requested L-ARLD, Limited Apartment Residential District will permit a multi-unit residential development containing up to 336 apartment units. While the *South East Land Use Plan* (2018), recommends "Low Density Residential" land uses at this location, the increased density at this site is supportable because the submitted limitation text and site plans demonstrate high quality landscaping and screening, which includes mounding and fencing, usable open space that is connected by trails to internal sidewalks and adjacent parkland, and a series of interconnected streets, sidewalks, and paths leading to adjacent developments and parkland, all of which are consistent with *Columbus Citywide Planning Policies* (C2P2) Design Guidelines. Additionally, the applicant has committed to architectural elevations which are supported by Planning Division staff, and has also agreed to limit traffic access to Long Road with access to Bowen Road restricted for emergency vehicles only. The applicant will comply with the City's Parkland Dedication Ordinance by dedicating seven acres of parkland bordering an existing Metro Park.

To rezone **3981 BOWEN RD. (43110)**, being 32.9± acres located at the southwest corner of Bowen Road and Long Road, **From:** PUD-6, Planned Unit Development District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning #Z20-101) **and to declare an emergency.**

**WHEREAS**, application #Z20-101 is on file with the Department of Building and Zoning Services requesting rezoning of 32.9± acres from PUD-6, Planned Unit Development District, to the L-ARLD, Limited Apartment Residential District; and

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

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

**WHEREAS**, the City Departments recommend approval of the zoning change, while the proposed density is greater than *Far East Land Use Plan's* recommendation, the text and site plan demonstrate consistency with many *Columbus Citywide Planning Policies* (C2P2) Design Guidelines including landscaping, screening, connectivity, and architectural elevations, while also limiting traffic access to the site and dedicating parkland to an adjacent Metro Park;

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance in order to be able to start construction this year, the applicant needs for the rezoning to be effective immediately 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:

**3981 BOWEN RD. (43110)**, being 32.9± acres located at the southwest corner of Bowen Road and Long Road, and being more particularly described as follows:

Being a survey of parcels conveyed to The Estate of Claude L. Pennington as found in O.R.V. 9374, Page Ell and being auditors parcels #180-000474 (nka 535-299531), #180-000475 (nka 535-299532), and #180-000472(nka 535-299530) and being further described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southwest Quarter of Section 6, of Township 15 North, Range 20 West, Congress Lands East of the Scioto, and Lot 8, 9 and 10 of the McCracken Partition of record in the Court of Common Pleas by Court Record 58, Page 355, and being more particularly described as follows:

Commencing at a monument box with survey monument (FCGS #5114) found and accepted as marking the intersection of Long Road (r/w varies) with Bowen Road (r/w varies);

Thence, South 04 degrees 16 minutes 41 seconds West with Bowen Road a distance of 998.00 feet to a monument box with survey monument (FCGS #5035) found and accepted as marking the southeast corner of said Quarter, and marking a point in Bowen Road;

Thence, North 86 degrees 29 minutes 24 seconds West with the south section line of said quarter a distance of 50.00 feet to an iron pin set on the westerly right of way of said road, said pin also marking the southwest corner of a parcel currently owned by Franklin County Commissioners (Instrument #199312210295103), the place of beginning of the parcel herein described:

Thence, continuing North 86 degrees 29 minutes 26 seconds West with the south section line of said quarter, a distance of 1204.94 feet to an iron pin set on the north line of a parcel currently owned by Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District (Instrument #200010270218117), said pin also marking the southeast corner of a parcel currently owned by Donn & Alicia Ogilvie (Instrument #201111080145117);

Thence, North 04 degrees 01 minutes 33 seconds East with the east line of said Ogilvie parcel and passing through an iron pin found for reference at a distance of 1422.82, a total distance of 1455.24 feet to a railroad spike found in the centerline of Long Road (r/w varies), said spike marking the northeast corner of said Ogilvie parcel;

Thence, South 66 degrees 25 minutes 39 seconds East with said centerline a distance of 685.50 feet to a point referenced by an iron pin set on a bearing of South 04 degrees 05 minutes 18 seconds West and at a distance of 31.82 feet, said point marking the northwest corner of a parcel currently owned by Franklin County Commissioners (O.R.V. 29139, Page J17);

Thence, South 04 degrees 05 minutes 18 seconds West passing through said iron pin set, a total distance of 215.41 feet to an iron pin set marking the southwest corner of a parcel currently owned by S. & G. Bechtel (O.R.V. 7927, Page B17);

Thence, South 66 degrees 25 minutes 37 seconds East with the south line of said Bechtel parcel, a distance of 214.50 feet to an iron pin set marking the southeast corner of said parcel;

Thence, North 04 degrees 05 minutes 18 seconds East with the east line of said Bechtel parcel, a distance of 178.28 feet to an iron pin set on the southerly right of way of Long Road, the same as being the southwest corner of a parcel currently owned by Franklin County Commissioners (Instrument #199505240113925);

Thence, South 66 degrees 25 minutes 30 seconds East with the said southerly right of way, the same as being the southerly line of said County parcel a distance of 307.92 feet to an iron pin set marking a southerly point of a parcel currently owned by Franklin County Commissioners (Instrument #199312210295103);

Thence, South 44 degrees 37 minutes 34 seconds East with said right of way and said southerly line a distance of 13.46 feet to an iron pin set;

Thence, South 66 degrees 25 minutes 39 seconds East with said right of way and said southerly line a distance of 64.53 feet to an iron pin set on the westerly right of way of said Bowen Road, the same as being the westerly line of said County parcel;

Thence, South 04 degrees 16 minutes 41 seconds West with said west right of way and said west line a distance of 972.64 feet to the place of beginning, containing a total of 32.922 acres, of which 11.351 acres are located within parcel #180-000474 (nka 535-299531) (0.264 acre in right of way), 12.961 acres are located within parcel #180-000475 (nka 535-299532) (0.212 acre in right of way), and 8.610 acres are located within parcel #180-000472 (nka 535-299530), according to survey by Chad F. Craig P.S. #8195 for Seiler and Craig Surveying, Inc. on June 18, 2012, but subject to all easements and right of ways of record.

Iron pins set at 5/8" rods with caps stamped "CRAIG 8195".

Bearings are based on a line between Franklin County Monuments #5114 & #5035 being South 04 degrees 05 minutes 18 seconds West and are intended to be used for angular determination only.

Property Parcels: 535-299530, 535-299531, & 535-299532.

Property Address: 3981 Bowen Rd., Columbus, OH 43110.

**To Rezone From:** PUD-6, Planned Unit Development District.

**To:** L-ARLD, Limited Apartment Residential District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-ARLD, 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 change on the said original zoning map and shall register a copy of the approved L-ARLD, 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 text titled, “**LIMITATION OVERLAY TEXT**,” site plans titled, “**DEVELOPMENT PLAN**,” “**OPEN SPACE PLAN**,” “**PARK DEDICATION**,” and “**ARCHITECTURAL ELEVATIONS**,” all dated March 18, 2021, and signed by Jill Tangeman, Attorney for the Applicant, and the text reading as follows:

**LIMITATION OVERLAY TEXT**

**Zoning District:** L-ARLD, Limited Apartment Residential District

**Property Location:** 3981 Bowen Road

**Owner:** Lawndale Commons, LLC

**Applicant:** Lawndale Commons, LLC

**Date of Text:** March 18, 2021

**Application:** Z20-101

**1. Introduction:** The applicant seeks to rezone the subject site for construction of a multi-family residential development. The site shall be constructed in accordance with the Development Plan (hereinafter referred to as “Site Plan”), the Open Space, and the Architectural Elevations attached hereto.

**2. Permitted Uses:** Multi-unit residential development with 336 units and accessory uses such as a pool, community center, compactor, garages, mail kiosk and clubhouse as shown on the Site Plan. Dwelling units may be used as model homes for the purpose of marketing and sales.

**3. Development Standards:** Unless otherwise indicated in this text or on the Site Plan, the applicable development standards of Chapter 3333 of the Columbus City Codes as they apply to the ARLD district.

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

1. The building and parking setbacks shall be as shown on the Site Plan attached hereto.
2. Maximum building height shall be 35 feet.
3. Building and parking setback from Bowen Road is 25 feet. Building and parking setback from Long Road is 30 feet.
4. Maximum number of units shall be 336.

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

1. Access to this site shall be via Long Road. The access on Bowen Road shall be for emergency vehicles only and shall be blocked with bollards or a gate.
2. A northbound left turn lane with 100 feet of storage from the edge of pavement of Long Road is required to be installed at the proposed access point to Long Road. The proposed median within this access point will need to be pulled away from Long Road in order to accommodate this northbound left turn lane.
3. ~~A northbound right turn lane at the intersection of Gender Rd. & Abbie Trails Dr. is required to be installed to service~~

~~the needs of both off-site, background traffic and new traffic generated by the subject site.~~

~~43.~~ A fee in lieu of construction to be applied to ~~other future roadway improvements~~ **the construction of a northbound right turn lane at the intersection of Gender Road & Abbie Trails Drive** is required in the amount of \$96,546.24 (\$287.34 per dwelling unit based on 336 dwelling units). This fee in lieu of construction will be required to be provided prior to final site compliance plan approval.

~~54.~~ The developer shall be responsible for improving Bowen Rd on the west side of the centerline along the frontage of their property to a 12' wide travel lane with a 4' wide paved shoulder. A full-width mill & overlay is also required with these improvements. These roadway improvements shall be constructed or bonded prior to the developer receiving an access permit through the Franklin County Engineer's Office.

~~65.~~ Right of way dedication of 40' from centerline of Bowen Road is required.

~~76.~~ Right of way dedication of 40' from centerline of Long Road is required.

~~87.~~ Internal streets shall be private.

~~98.~~ The Site Plan identifies an area for connectivity from the western edge of this site and Spring Bloom Avenue or an extension of Spring Bloom Avenue. If a residential zoning is approved by Columbus City Council on the parcel to the west, then that zoned parcel shall have access across the subject site in accordance with the access shown on the Site Plan. The property owner shall grant that parcel an access easement subject to that parcel pay its pro rata share (based on acreage) for the construction and maintenance of said driveway.

~~109.~~ An off-site trail connection shall be provided at the southwest corner of the subject site in a location approved by Columbus and Franklin County Metro Parks.

~~110.~~ 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.

~~1211.~~ Internal sidewalks will be provided on one side of the interior loop street.

~~1312.~~ A shared use path will be installed at the south property line as shown on the Site Plan to provide connectivity to the adjacent park.

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

1. A 6' high vinyl privacy fence will be installed on the west property line as shown on the Site Plan. Privacy fence is offset every +/- 150' with grouping of upright trees to provide variation along fence line. A minimum 6' up to 17' high mound/buffer will be installed on the west property line adjacent to the existing residential structure as shown on the Site Plan. A 3' high mound/buffer will be installed north and south of existing residential structure to the west as shown on the Site Plan.

2. A three foot high mound with landscaping shall be installed on the east, west and south sides of Parcel No. 180-000471 as shown on the Site Plan.

3. A six to eight foot high mound planted with a mixture of shade trees and evergreen trees will be installed along Bowen Road as shown on the Site Plan.

4. Shade trees will be provided along Bowen Road and Long Road as shown on the Site Plan.

5. Open space will be maintained as shown on the Open Space Plan.

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

1. The buildings will be built in accordance with the Architectural Elevations attached hereto using one or any combination of the following: brick or stone (including brick or stone veneer), synthetic stone, wood, engineered wood siding, vinyl, metal and glass.

2. Decks and patios are permitted in the perimeter yard.

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

Light poles shall not exceed 14 feet in height.

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

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 by dedicating park land to the City of Columbus in accordance with the Park Dedication exhibit.

2. The site shall be developed in general conformance with the submitted Site Plan and Open Space Exhibit. These plans 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.

3. The buildings shall be constructed in accordance with the submitted Architectural Elevations. These building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding 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.**