



## Legislation Text

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**File #:** 1956-2022, **Version:** 1

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### **Rezoning Application: Z21-080**

**APPLICANT:** Richard J. Conie Company; c/o Dave Perry, Agent; 411 East Town Street, 1st Floor; Columbus, OH 43201; and Donald Plank, Atty.; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-1) on March 10, 2022.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 30.44± acre site is zoned in the R, Rural district, and consists of one undeveloped parcel and part of another parcel that is developed with a religious facility. The requested PUD-8, Planned Unit Development District will permit a total of 146 attached and detached dwelling units at a net density of 6.1 dwelling units per acre. The PUD text includes supplemental development standards that address open space, building setbacks, lot size, lot width, lot coverage, side and rear yards, traffic access, traffic improvements, street trees, residential unit trees, landscaping, fencing, building materials, building design and garage placement, and a commitment to develop the site in accordance with the submitted site plans. Additionally, the text includes modifications to code standards for building setbacks, lot width, lot area, and side and rear yards for some of the proposed lots. While the request is inconsistent with the *South East Land Use Plan's* (2018) recommendation for "Institutional," and "Open Space" uses at this location, the Plan includes full adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018), which provide rationale for support of non-institutional uses. Staff notes that approximately half of the units front open space and are oriented toward the street, open space is activated with trails and landscaping, there are stub streets to the north and west for future connectivity, street trees provided, and building elevations were reviewed with additional design commitments included in the text, all consistent with C2P2 recommendations.

To rezone **5900 SHANNON RD. (43110)**, being 30.44± acres located on the north side of Shannon Road, 775± west of Brice Road, **From:** R, Rural District, **To:** PUD-8, Planned Unit Development District (Rezoning #Z21-080).

**WHEREAS**, application #Z21-080 is on file with the Department of Building and Zoning Services requesting rezoning of 30.44± acres from R, Rural District, to PUD-8, Planned Unit Development District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed PUD-8, Planned Unit Development District will permit up to 146 detached and attached single-unit dwellings with a development text and site plan that demonstrate approximately half of the units front upon open space and are oriented toward the street; activated open space with trails and landscaping; stub streets to the north and west for future connectivity; street trees; and additional building design commitments; 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:

**5900 SHANNON RD. (43110)**, being 30.44± acres located on the north side of Shannon Road, 775± west of Brice Road, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BEING PART OF THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 11, RANGE 21, CONGRESS LANDS, BEING ALL OF THAT 20.071 ACRE TRACT OF LAND CONVEYED TO DAYSPRING NAZARENE MINISTRIES INC. OF RECORD IN INSTRUMENT NUMBER 199709050087006, AND BEING PART OF THAT 30.009 ACRE TRACT OF LAND CONVEYED TO DAYSPRING NAZARENE MINISTRIES INC. OF RECORD IN INSTRUMENT NUMBER 199604190102939, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
COMMENCING AT A CONCRETE MONUMENT BOX LOCATED AT AN ANGLE POINT IN THE CENTERLINE OF SHANNON ROAD;

THENCE SOUTH 85°27'25" EAST, 142.04 FEET, TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 04°05'34" EAST, ALONG THE WESTERLY LINE OF SAID 20.071 ACRE TRACT, 1058.68 FEET, TO THE NORTHWESTERLY CORNER OF SAID 20.071 ACRE TRACT;

THENCE SOUTH 86°00'03" EAST, ALONG THE NORTHERLY LINE OF SAID 20.071 AND 30.009 ACRE TRACTS, 1249.76 FEET, TO A POINT IN AFORESAID NORTHERLY LINE;

THENCE SOUTH 04°32'35" WEST, LEAVING AFORESAID NORTHERLY LINE, 1070.51 FEET THROUGH SAID 30.009 ACRE TRACT TO A POINT IN THE SOUTHERLY LINE OF SAID 30.009 ACRE TRACT, BEING A POINT IN THE CENTERLINE OF SHANNON ROAD;

THENCE NORTH 85°27'25" WEST, ALONG AFORESAID CENTERLINE, 1241.38 FEET, TO THE TRUE POINT OF BEGINNING;

CONTAINING AN AREA OF 30.441 ACRES, MORE OR LESS.

Parcel No: 010-262405 and 010-262406

Known as address: 5900 Shannon Rd., Columbus, OH 43110.

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

**To:** PUD-8, Planned Unit Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the PUD-8, Planned Unit 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 changes on the said original zoning map and shall register a copy of the approved PUD-8, 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, “**PUD PLAN - TURNING BRANCH SHEET 1 & 2,**” “**TURNING BRANCH SHANNON ROAD LANDSCAPE PLAN SHEET 3,**” and “**TURNING BRANCH SHANNON ROAD LANDSCAPE PLAN ENLARGEMENTS SHEET 4,**” and text titled “**DEVELOPMENT TEXT,**” all dated June 28, 2022, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

### **DEVELOPMENT TEXT**

**EXISTING ZONING:** R, Rural District

**PROPOSED ZONING:** PUD-8, Planned Unit Development District

**PROPERTY ADDRESS:** 5900 Shannon Road, Columbus, OH 43110

**APPLICANT:** Richard J. Conie Company c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

**OWNER:** Dayspring Nazarene Ministries, Inc. c/o Kevin Angel, 3919 Brice Road, Canal Winchester, OH 43110.

**DATE OF TEXT:** June 28, 2022

**APPLICATION NUMBER:** Z21-080

### **INTRODUCTION:**

The site is 30.441 +/- acres located on the north side of Shannon Road, 800 +/- feet west of Brice Road. Applicant proposes to rezone the property to PUD-8 for a single-family subdivision with detached and attached single family dwellings. The site plan titled “PUD PLAN - Turning Branch” (Sheets 1 and 2), “Turning Branch Shannon Road Landscape Plan” (Sheet 3) and “Turning Branch Shannon Road Landscape Plan Enlargements” (Sheet 4), all dated June 28, 2022, hereafter “Site Plan”, is submitted with this application as the site development plan.

**1. PERMITTED USES:** The permitted use shall be a single family dwelling subdivision, including detached and attached single family dwellings and Reserves A, B, and C, as permitted by Chapter 3345, Planned Unit Development, and as depicted on the Site Plan,

**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 3332, Residential Districts, as applicable to the R-2, Residential District, of the Columbus City Code.

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

1, Height District shall be H-35.

2. The maximum number of dwelling units shall be 146. Based on 146 dwelling units, gross and net site density is 4.8 DU/acre and 6.1 DU/acre, respectively.

3. Total open space is 3.96 +/- acres (1,181 +/- SF/DU).

4. The minimum front setback shall be 25’ on all public streets.

5. Lot standards shall be as follows:

Lots for attached dwelling units:

1. Minimum lot area: 3,800 SF.

2. Minimum lot width: 30’.

3. Minimum and total side yard: 0’ at party wall, 3’ on outside side yard, 3’ total side yard.

4. Rear yard: 25% of lot area.

5. Lot coverage: Maximum 50%.

b. Lots for detached dwelling units:

1. Minimum lot area: 4,800 SF.
2. Minimum lot width: 40'.
3. Minimum and total side yard: 3' per side on lots less than 50' wide. 5' per side on lots 50' wide or wider.
4. Rear yard: 25% of lot area.
5. Lot coverage: Maximum 50%.

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

1. There shall be no direct vehicular access from Reserve A, B and/or C to Shannon Road.
2. Shannon Road right of way totaling 40 feet from centerline shall be dedicated to the City of Columbus in conjunction with the final subdivision plat.
3. Site access to Shannon Road shall be located as depicted on the Site Plan.
4. All streets within the subdivision shall be public.
5. All public streets, including Shannon Road, shall have public sidewalk in accordance with Public Service Department design standards.
6. Every dwelling unit shall have a two car attached garage.
7. A contribution of \$53,274.22 for 146 dwelling units or \$364.89 per dwelling unit shall be paid to the City of Columbus for future Shannon Road/Brice Road intersection improvements. The contribution shall be paid prior to approval of the final plat.
8. The following turn lane improvements are required:
  - a. A 185 feet long (including a 60 feet diverging taper) eastbound left turn lane shall be constructed at the proposed intersection of Shannon Road and Twisted Tree Lane.
  - b. A 185 feet long (including a 60 feet diverging taper) eastbound left turn lane shall be constructed at the proposed intersection of Shannon Road and Turning Branch Way.

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

1. Street trees at 50' +/- on-center shall be provided along Shannon Road and all public streets within the subdivision, either in the right of way, with approval of the Columbus Recreation and Parks Department, or on the lots within 10' of the street right of way.
2. There shall be a minimum of one (1) dwelling unit tree per lot, in addition to street trees, if street trees are planted on the lots rather than in the right of way.
3. Reserves A, B and C are for the purpose of open space, landscaping, recreation, storm water detention and subdivision identification.
4. Reserves A and C shall contain mounding and landscaping generally parallel to and within 40 feet of the south side of three (3) lots and six (6) lots adjacent to the north side of Reserve A and C, respectively. Mounding shall be 4' - 6' tall, except tapering, as needed, and shall be planted with evergreen green trees in two rows with staggered planting, 25' on

center, and nine (9) deciduous trees, which may be spaced evenly or grouped, on the south side of the mound.

5. Reserve B development shall include recreational amenities, such as a multi-use path, bench seating, patios (2) with built-in grill on each patio, a pergola with swing and a Pickleball court, as depicted on the Site Plan (Sheet 3, 4).

6. Three (3) rail horse fence shall be placed along the Shannon Road frontage of Reserves A, B and C. Stone columns and landscaping shall be located on both sides of both subdivision streets at the intersections with Shannon Road, as depicted on the Site Plan (Sheet 3).

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

1. Dwellings shall be one or two story. Building materials shall include brick, cultured stone, cementitious siding and/or vinyl siding. All garages shall be attached.

2. Attached single-family dwellings may have attached garages projecting beyond the front plane of the dwelling.

3. For detached single-family dwellings on lots less than 50' wide, attached garages will be flush with the face of the dwelling or, if projecting, shall be flush with the front porch.

4. For detached single-family dwellings on lots 50' wide or wider, attached garages shall not extend more than 2' beyond the front porch. For any dwelling with the garage extending beyond the front porch, the front porch shall extend the full width of the front wall of the house between the attached garage and the front wall of the house. All garage doors shall have a top row of window glass.

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

N/A.

#### **F. Graphics and Signage Commitments.**

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the R-2, Residential District. Any variance to applicable sign requirements shall be submitted to the Columbus Graphics Commission.

#### **G. Other PUD Requirements.**

N/A.

#### **H. Modification of Code Standards.**

1. Section 3332.05(A)(4), Area District Lot Width Requirements, to reduce lot width from 50' to 30' - 42' for certain lots, as depicted on the Site Plan, for attached and detached single-family dwellings.

2. Section 3332.12, R-2 Area District Requirements to reduce lot area from 5,000 SF to 3,700 SF and 4,800 SF for certain lots for attached and detached single family dwelling units, as depicted on the Site Plan, and, for purposes of Section 3332.18, Basis of Computing Area, to reduce calculated area of lots for attached single family dwellings less than 40 feet wide to minimum lot area of 2,700 SF.

3. Section 3332.21(A), Building Lines, to reduce the Shannon Road building setback line from 40' (Columbus Multi-Modal Thoroughfare Plan) to 25' for Reserves A, B and C, and to reduce the building setback line for the street (Dancing Leaf Drive) on the north side of Reserve A for amenity structures in the 25' building setback, as depicted on the Site Plan (Sheets 3, 4).

4. Section 3332.25, Maximum Side Yards Required, to reduce maximum side yard from 20% of lot width to 3' feet on lots with attached single-family dwellings, 6' on lots less than 50' wide with detached single-family dwellings and 10' for lots 50' or more in width.

5. Section 3332.26, Minimum Side Yard Permitted, to reduce side yard for attached single family dwellings from three (3) feet to zero (0) feet along the common interior property line.

#### **I. Miscellaneous Commitments.**

1. The site shall be developed in accordance with the submitted Site Plan titled "PUD PLAN - Turning Branch" (Sheets 1 and 2), "Turning Branch Shannon Road Landscape Plan" (Sheet 3) and "Turning Branch Shannon Road Landscape Plan Enlargements" (Sheet 4), all dated June 28, 2022, and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. The site plan 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 Plan 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. All square footage information on the Site Plan is subject to minor adjustment based on surveying and final engineering of the subdivision plat.

2. Applicant shall comply as applicable with the Parkland Dedication Ordinance (PDO) by monetary contribution in conjunction with the final plat.

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