

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
AUGUST 12, 2004**

5. **APPLICATION:** **Z04-052**
Location: **3539 BRICE ROAD (43110)**, being 44.4± acres located east of the terminus of Mouzon Drive (530-122777).
Existing Zoning: R, Rural District.
Request: L-R-2, Residential District.
Proposed Use: Single-family residential development.
Applicant(s): ZDM Properties Inc., c/o William A. Goldman, Atty.; 500 South Front Street; Columbus, Ohio 43215.
Property Owner(s): Florence J. Simpson, c/o William A. Goldman, Atty.; 500 South Front Street; Columbus, Ohio 43215.
Planner: Don Bier, 645-0712, drbier@columbus.gov

BACKGROUND:

- o The undeveloped 44.4± acre site is zoned in the R, Rural District. The applicant requests the L-R-2, Limited Residential District to develop a maximum of 130 detached single-family dwellings. The proposed density is 2.93± units per acre. The site includes 11.6± acres of open space.
- o The site is surrounded by vacant land in the ARLD, Apartment Residential and C-2, Commercial Districts to the north, vacant land and large lot single-family dwellings to the east in the R, Rural District, a park in the R, Rural District to the south, and a combination of park and vacant land in the ARLD, Apartment Residential District and single-family dwellings in the L-R-2, Residential District to the west.
- o The site is located within the boundaries of the *Brice-Tussing Area Plan* (1990). The Plan recommends residential use for the majority of the site and commercial development for the portion of the site closest to the intersection of Brice and Chatterton Roads. Deviation from the Plan is warranted because proposed residential use on the entire site is consistent with existing zoning and development patterns in this area.
- o The L-R-2 overlay text permits a maximum of 130 detached single-family dwellings with attached garages. Development standards limit dwellings to 2½ stories in height, establish minimum dwelling unit size, and require 2-car attached garage and street trees. The applicant is committing to a registered site plan titled "Brice / Chatterton Road, Columbus, Ohio CONCEPT PLAN" that is dated May 23, 2004.

Section A.4 of the revised limitation text needs to specify that the 20-foot No Disturb Zone must be measured from the rear lot line or floodway line, whichever is more restrictive. In addition, sentence two in this paragraph negates the No Disturb Zone and must be removed. The Applicant will need to consult with the City's Floodplain Manager to develop appropriate deed restriction language for lots 4-19 and to determine if floodway was incorporated into any other lots. Finally, the applicant will need to resolve traffic issues including street alignments and Access Study related commitments.

CITY DEPARTMENTS' RECOMMENDATION: Approval **Conditional Approval (8/11/04) ①**,
Approval (9/22/04) ②.

The Applicant's request for the L-R-2, Limited Residential District to develop a maximum of 130 detached single-family dwellings at a density of 2.93 units per acre is generally consistent with *Brice-Tussing Area Plan*. The proposed single-family land use is also consistent with zoning and development patterns in this area. The limitation text includes use restrictions and development standards that address dwelling unit size, building height, garages, street lights, street trees, and graphics. A registered site plan is committed to that depicts the subdivision design and 16± acres of open space, including 9± acres of Powell Creek floodway adjacent to existing parks.

① Conditional Approval (8/11/04). The applicant submitted a revised site plan on 8/9/04 and a revised limitation overlay text on 8/10/04. The new site plan incorporates floodway into some lots and reconfigures lots and public streets. Therefore, staff's recommendation for approval is conditioned on receipt of a commitment from the Applicant to work with Transportation Division and Council Activities staff to revise the site plan and limitation overlay text as may be required by staff to address the issues noted, prior to submission of this rezoning request to City Council.

② Approval (9/22/04). The applicant has revised the site plan so that none of the proposed lots will include regulated floodway and has addressed Transportation Division issues.