

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
DECEMBER 8, 2005**

- 3. APPLICATION: Z05-080**
Location: **4079 SOUTHPOINT BOULEVARD (43207)**, being 8.6± acres located at the south terminus of Southpoint Boulevard, 350± feet east of South High Street (510-129900).
Existing Zoning: MHP, Manufactured Home Park District.
Request: AR-12, Apartment Residential District.
Proposed Use: Multi-family residential development.
Applicant(s): Ronald Younkin, Trustee; c/o David Perry, Agent; The David Perry Company; 145 East Rich Street; Columbus, OH 43215; and Donald T. Plank, Atty.; Plank and Brahm; 145 East Rich Street; Columbus, OH 43215.
Property Owner(s): Shenandoah Partnership; c/o Dave Perry, Agent; The David Perry Company; 145 East Rich Street; Columbus, OH 43215.
Planner: Walter Green, 645-2485, wagreen@columbus.gov

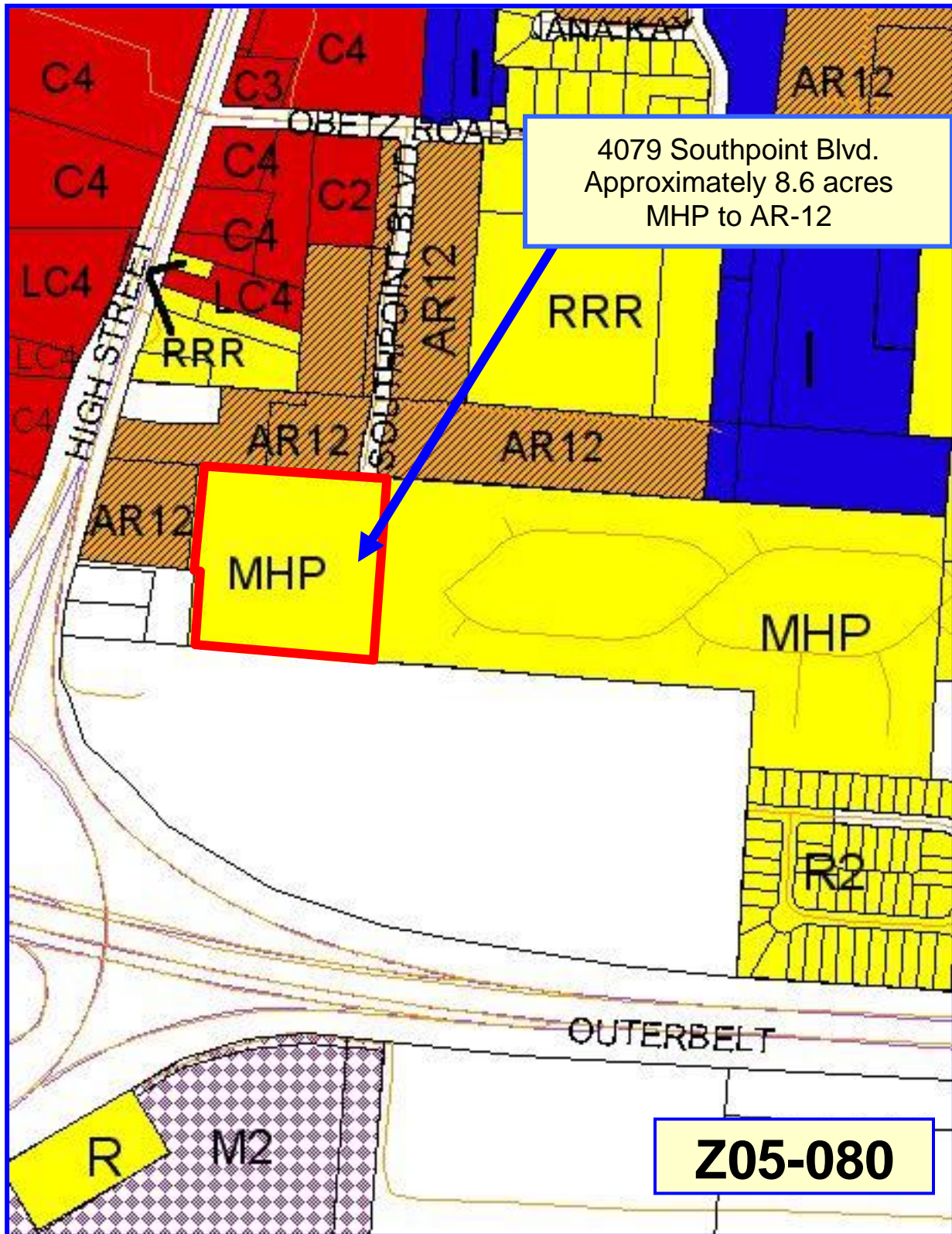
BACKGROUND:

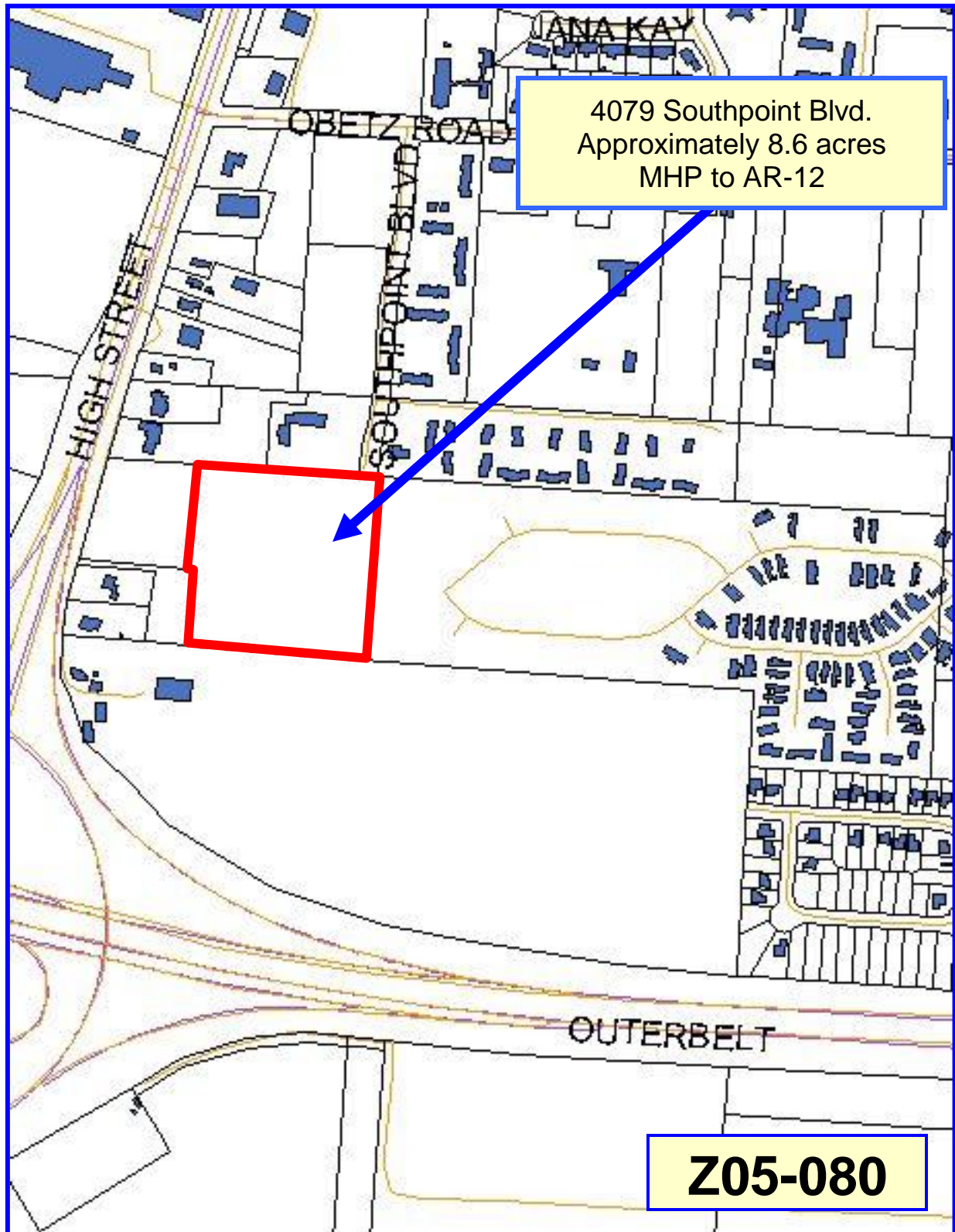
- o The 8.6± acre site is undeveloped and zoned MHP, Manufactured Home Park District. The applicant requests the AR-12, Apartment Residential District for multi-family development. The AR-12 Apartment Residential District permits a maximum density of 12 dwelling units per acre.
- o To the north are apartments and a single-family residence in the AR-12, Apartment Residential District. To the east is manufactured home development in the MHP, Manufactured Home Park District. To the south is a single-family residence with agricultural uses in Hamilton Township. To the west is an office and a single-family residence in Hamilton Township and an undeveloped property, zoned AR-12.
- o The Transportation Division has requested that Southpoint Boulevard be extended by the applicant through the property to the property to the south. However, at the deadline for the completion of this report this issue had not been resolved.

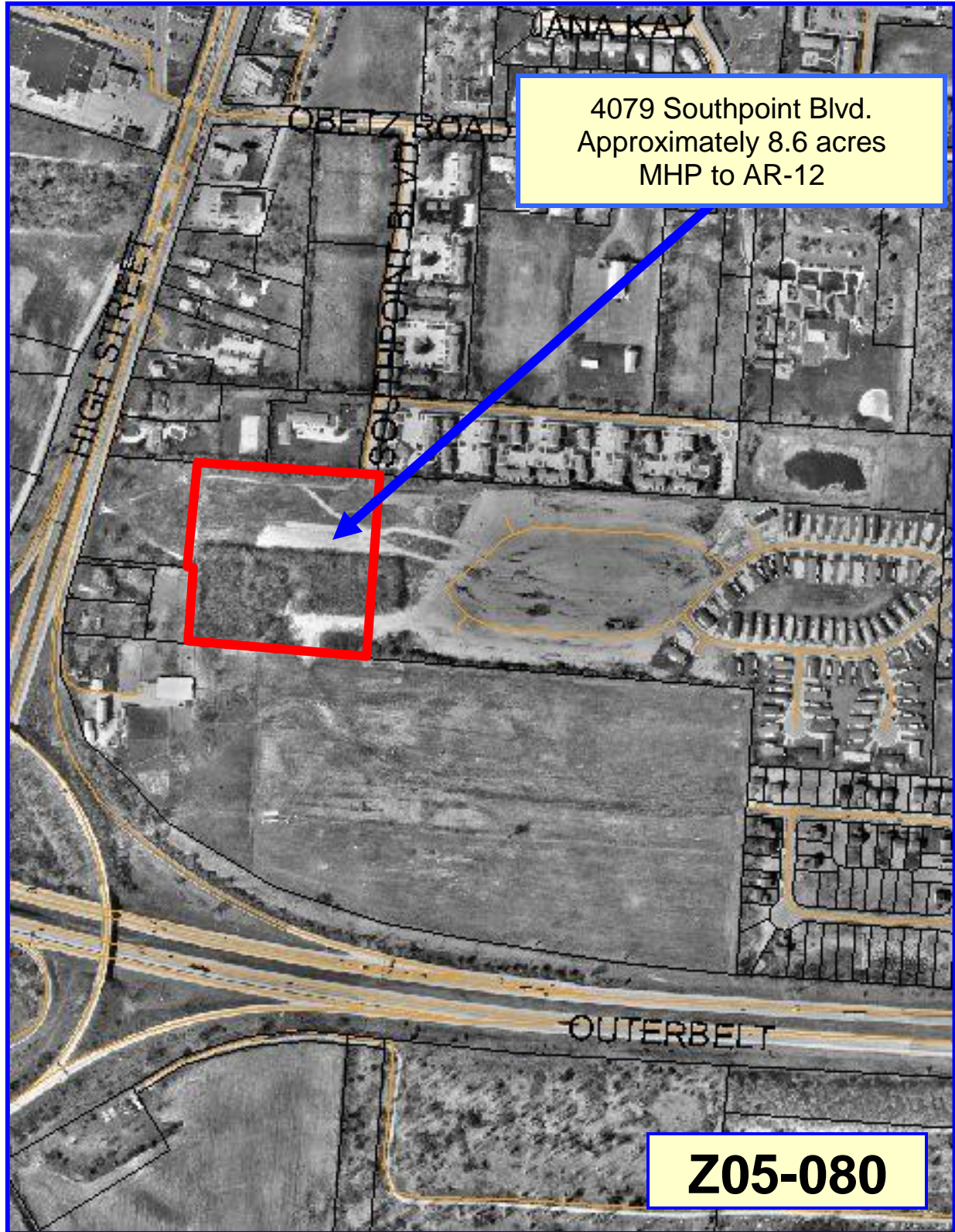
CITY DEPARTMENTS' RECOMMENDATION: Approval.**

The requested AR-12, Apartment Residential District, will allow multi-family development with a maximum density of 12 dwelling units per acre. Staff supports the land use, however the extension of Southpoint Boulevard by the applicant through the property to the south has not been resolved, therefore, staff cannot recommend approval at this time.

**The original staff recommendation was for disapproval due to the unresolved transportation issue. That issue has been resolved, staff now recommends approval of this application.







02/10/06 10:18 FAX 6142295287

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PLANK & BRAHM
A LEGAL PROFESSIONAL ASSOCIATION

145 E. RICH STREET
COLUMBUS, OHIO 43215-5240
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TELECOPIER (614) 228-1472
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MICHAEL F. RYAN
FRANKLIN E. SCK, JR.
CATHERINE A. CUNNINGHAM
DAVID WATKINS

February 10, 2006

**VIA FACSIMILE: (614) 645-7921
AND HAND DELIVERY**

Jessica Green
City of Columbus
Public Service Department
Division of Transportation
109 North Front Street
Columbus, OH 43215

Re: Case No. Z05-080, 4079 Southpoint Boulevard;
Southpoint Boulevard Extension

Dear Jessica:

The purpose of this letter is to summarize discussions regarding the above-referenced rezoning and the extension of Southpoint Boulevard between you and Dave Perry and to set forth the commitment by my client, Shenandoah Partnership, to complete said extension under the terms hereinafter set forth. This letter replaces my letter to you dated December 8, 2005.

(1). Shenandoah Partnership is selling that portion of Tax Parcel No. 510-129900 west of Southpoint Boulevard extended, to an apartment developer. The apartment developer, who is rezoning the property west of Southpoint Boulevard extended to the AR-12 District, will prepare all applicable street construction drawings (the "Drawer E Plan") for the extension of Southpoint Boulevard to the Ronald Sams, Trustee and Barabara A. Sams, Trustee property (Tax Parcel No. 150-000006) (the "Sams Property") for review and approval by the Public Service Department and other applicable City offices. Upon approval of the Drawer E Plan by the City, Shenandoah Partnership and the apartment developer shall deed the entire right-of-way for Southpoint Boulevard to the City.

(2). The apartment developer shall build approximately 2/3 of the Southpoint Boulevard extension south towards the Sam Property and provide a bond or letter of credit, acceptable to the City, to secure the apartment developer's obligation.

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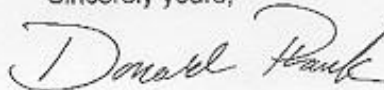
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(3.) Unless sooner built by the apartment developer, the construction of the remaining approximate 1/3 of the Southpoint Boulevard extension to the Sams Property shall be commenced by Shenandoah Partnership, its successors and assigns, the earlier of: (i) the date Shenandoah Partnership, its successors or assigns, requests access to Southpoint Boulevard for the manufactured home park being developed east of Southpoint Boulevard extended; or (ii) within sixty (60) days of the issuance, by the City of Columbus, of a Certificate of Zoning Clearance for the development of not less than 25% of the Sam's Property. In any event, Shenandoah Partnership shall provide a bond or letter of credit, acceptable to the City, to secure Shenandoah Partnership's obligation to build the approximately 1/3 remaining portion of the Southpoint Boulevard extension to the Sams property.

(4.) Shenandoah Partnership shall cause this letter or an affidavit, approved by the City, setting forth the terms of this letter to be recorded with the Office of the Franklin County Recorder prior to the release of the Drawer E Plans for construction of the north 2/3 of Southpoint Boulevard.

Should you have any questions or comments, please call.

Sincerely yours,



Donald T. Plank

DTP/wsb

cc: David B. Perry (via hand-delivery)
William Lewis (via facsimile)

COLUMBUS DEVELOPMENT COMMISSION
Basis for Recommendation

Date: **December 8, 2005**

Application #: Z05-080	Requested: AR-12	Address: 4079 Southpoint Blvd (43207)						
# Hearings:	Length of Testimony: 6:28 → 6:45 (20)	Staff Position: <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval <input checked="" type="checkbox"/> Conditional Approval						
# Speakers Support: (5)	Opposition: (5) Yes (1) No Abstain	Development Commission Vote: (5) Yes (1) No Abstain	Area Comm/ Civic Assoc: <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval <input checked="" type="checkbox"/> Conditional Approval					
Position Y=Yes N=No (write out ABSENT or ABSTAIN)	NO Fitzpatrick	YES Ingwersen	YES Barnes	YES Anderson	YES Cooley	YES Onwukwe	Vacant	
+ = Positive or Proper - = Negative or Improper								
Land Use AR-12	+	+		+				
Use Controls								
Density or Number of Units								
Lot Size								
Scale								
Environmental Considerations								
Emissions								
Landscaping or Site Plans								
Buffering or Setbacks								
Traffic Related Commitments	-			-				
Other Infrastructure Commitments								
Compliance with City Plans								
Timeliness of Text Submission								
Area or Civic Assoc. Recommendation	-							
Governmental or Public Input								
MEMBER COMMENTS:								
<p>FITZPATRICK: APPROPRIATE LAND USE; HOWEVER APPLICANT NEEDS TO COMMUNICATE CLOSER WITH SURROUNDING PROPERTY OWNERS TO STRIVE TOWARD A MORE COMPREHENSIVE MASTER PLAN.</p>								
<p>INGWERSEN: APPROPRIATE LAND USE - FITS DEVELOPMENT PATTERN. NEEDS TRAFFIC/CIRCULATION IMPROVEMENT TO BE SUCCESSFUL. AR-12 IS PART OF ADJACENT ZONING, UPGRADE FROM MHP. AS A BODY WE'RE NOT ABLE TO COMMENT ON POPULATION PROPOSED, JUST USE.</p>								
<p>BARNES: MHP TO AR-12 APPROPRIATE ADJACENT AR-12. CONSIDERING LAND USE ONLY - OCCUPANTS SHOULD NOT BE CONSIDERED (OR DISCRIMINATED AGAINST).</p>								
<p>ANDERSON: UNDERSTAND THE EXPRESSED CONCERNS, BUT LAND USE IS NOT IN-APPROPRIATE. AGREE W/ THE NEED FOR COMPREHENSIVE MASTER PLAN.</p>								
<p>ONWUKWE: This is an acceptable land use. The tenants or home owners should not be a determining factor for disapproving request. But the owner is requested to collaborate with neighbors to develop a comprehensive plan. Decision is based on proposed land use; NOT ON TENANTS TO BE.</p>								
<p>COOLEY: ACCEPTABLE LAND USE HOWEVER, WOULD NEED DISCUSS IN THE MASTER PLAN THAT FOCUSED ON LAND USE, NOT ON OCCUPANTS.</p>								
VACANT:								

North Side Pride Center

614-645-5221

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SAVE OUR SOUTHSIDE CIVIC ASSOCIATION, INC.
210 OBETZ ROAD, COLUMBUS, OHIO 43207

Mr. Chris Presutti
Zoning Supervisor, Building Services
757 Carolyn Avenue
Columbus Ohio 43224

Dear Mr. Presutti,

At the November 7, 2005 meeting of the Save Our Southside Civic Association our members voted unanimously against proposed AR12 zoning at 4079 Southpointe Boulevard (application No. 05335-0-00080).

We are currently drafting a Far South Side Plan to bring positive, well-planned development to our community. This proposed zoning in direct opposition to our plan. If granted this zoning would be detrimental to already proposed zoning (immediately south of Southpointe) that includes mixed land uses that are acceptable to our residents. The far South Side already has more than adequate numbers of low income and/or subsidized housing. For these reasons we ask that the proposed zoning be denied.

Sincerely,

Jamie Perry, Secretary, S.O.S., Inc.

205-080

205-080

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
 COUNTY OF FRANKLIN

APPLICATION # 05335-0-00080

Being first duly cautioned and sworn (NAME) Donald Plank
 of (COMPLETE ADDRESS) Plank & Brahm, 145 E. Rich Street Columbus, Ohio 43215
 deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following
 is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the
 subject of this application in the following format:

Name of business or individual
 Business or individual's address
 Address of corporate headquarters
 City, State, Zip
 Number of Columbus based employees
 Contact name and number

☐ If applicable, check here if listing additional parties on a separate page (REQUIRED)

1. Ronald Younkin, Trustee Greenlawn Realty 555 Greenlawn Avenue Columbus, Ohio 43223 Contact: Ronald Younkin # of Employees: 0	2. Shenandoah Partnership 555 Greenlawn Avenue Columbus, Ohio 43223 No. of Employees: 3 Contact: Ronald Younkin
3.	4.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 4th day of October, in the year 2005

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

11-05-08

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



STACEY L. DANZA
 Notary Public, State of Ohio
 My Commission Expires 11-05-08