



## Legislation Details (With Text)

**File #:** 1507-2004      **Version:** 1

**Type:** Ordinance      **Status:** Defeated

**File created:** 8/18/2004      **In control:** Zoning Committee

**On agenda:** 5/21/2007      **Final action:**

**Title:** To rezone 6261 MAPLE CANYON AVENUE (43229), being 7.73± acres located on the west side of Maple Canyon Avenue, 99± feet north of Sprucefield Drive, From: R, Rural District To: L-ARLD, Limited Apartment Residential District. (Rezoning # Z04-020)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1507-2004.StfRpt.pdf, 2. ORD1507-2004.zone.pdf, 3. ORD1507-2004.GIS.pdf, 4. ORD1507-2004.NLand.pdf, 5. ORD1507-2004prjdscl.pdf, 6. ORD1507-2004.labels.pdf, 7. City Council Data FormZ04-020.pdf

Date	Ver.	Action By	Action	Result
5/21/2007	1	Columbus City Council	Taken from the Table	Pass
5/21/2007	1	Columbus City Council	Approved	Fail
1/31/2005	1	Zoning Committee	Tabled Indefinitely	Pass
1/31/2005	1	Zoning Committee	Taken from the Table	Pass
1/10/2005	1	Zoning Committee	Waive the 2nd Reading	Pass
1/10/2005	1	Zoning Committee	Tabled to Certain Date	Pass
12/22/2004	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
11/30/2004	1	Dev Zoning Reviewer	Reviewed and Approved	
11/30/2004	1	Dev Zoning Drafter	Sent for Approval	
11/30/2004	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/5/2004	1	Dev Zoning Drafter	Sent for Approval	

### Rezoning Application Z04-020

**APPLICANT:** Preferred Real Estate Investments II, LLC; c/o Jill S. Tangeman, Atty.; 600 South High Street; Columbus, Ohio 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on August 12, 2004.

**CITY DEPARTMENTS' RECOMMENDATION:** Disapproval. The proposed development is not consistent with the *Northland Plan I*, (2001) which recommends "redevelopment be limited to single-family or low density multi-family (2-4 family units) consistent with surrounding densities". The applicant is proposing six to eight-unit buildings for a total of 100 units at a density of 12.9 units per acre. One to four-unit buildings surround the site. While the proposed density would be appropriate farther south on Maple Canyon Avenue closer to the commercial developments along Dublin Granville Road, it is not consistent with the surrounding single and multi-family developments to the north and east and is inconsistent with the established zoning and development patterns

along this portion of Maple Canyon Avenue. The proposed density would set a precedent for higher densities along this stretch of Maple Canyon Avenue.

To rezone **6261 MAPLE CANYON AVENUE (43229)**, being 7.73± acres located on the west side of Maple Canyon Avenue, 99± feet north of Sprucefield Drive, **From:** R, Rural District **To:** L-ARLD, Limited Apartment Residential District. (Rezoning # Z04-020)

**WHEREAS**, application #Z04-020 is on file with the Building Services Division of the Department of Development requesting rezoning of 7.73± acres from R, Rural District, to L-ARLD, Limited Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend disapproval of said zoning change because the proposed development is not consistent with the *Northland Plan I*, (2001) which recommends "redevelopment be limited to single-family or low density multi-family (2-4 family units) consistent with surrounding densities". The applicant is proposing six to eight-unit buildings for a total of 100 units at a density of 12.9 units per acre. One to four-unit buildings surround the site. While the proposed density would be appropriate further south on Maple Canyon Avenue closer to the commercial developments along Dublin Granville Road, it is not consistent with the surrounding single and multi-family developments to the north and east and is inconsistent with the established zoning and development patterns along this portion of Maple Canyon Avenue. The proposed density would set a precedent for higher densities along this stretch of Maple Canyon Avenue, 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:

**6261 MAPLE CANYON AVENUE (43229)**, being 7.73± acres located on the west side of Maple Canyon Avenue, 99± feet north of Sprucefield Drive, and being more particularly described as follows:

BEING A 7.725 ACRE TRACT OF LAND LOCATED ON THE  
WESTERLY SIDE OF MAPLE CANYON AVENUE AND  
SOUTHWEST OF HANBY SQUARE NORTH AND  
IN THE CITY OF COLUMBUS,  
COUNTY OF FRANKLIN,  
STATE OF OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, containing 7.725 acres of land, said 7.725 acres being all of Lot 40 and Lot 41 of Sharon Acres, a subdivision of Irecord in Plat Book 20, Page 1, said 7.725 acres also being all of Parcel II, Parcel III and Parcel IIII, as said parcels are described in the deed to Rick L. Heskett and Judy A. Heskett, of record in Official Record 30109D04, both being of record in the Recorder's Office, Franklin County, Ohio, said 7.725 acres being more particularly described as follows:

Beginning at a 2 inch iron pipe found at the southwest corner of Lot 41 of said Sharon Acres, the same also being the northwest corner of Sharon Acres Resubdivision of Lot 42, of record in Plat Book 52, Page 39, Recorder's Office, Franklin County, Ohio;

Thence N05°37'16"E, with the westerly lines of said Lot 41 and Lot 40 and with the easterly line of that tract of land referred to as

Parcel No. 1 in the deed to The Board of Education, of record in Deed Book 2829, Page 176, Recorder's Office, Franklin County, Ohio, a distance of 575.75 feet to a 1 1/2 inch iron pipe found at the northwesterly corner of Lot 40 of said Sharon Acres;

Thence S84 °25'44"E, with the northerly line of said Lot 40, and with the southerly line of that tract of land described in the deed to Eva Burdell Brofford, of record in Deed Book 1122, Page 427, Recorder's Office, Franklin County, Ohio, a distance of 608.93 feet to a point in a curve in the westerly right-of-way line of Maple Canyon Avenue (right-of-way varies), from which a 2 inch iron pipe bears west 0.22 feet for reference;

Thence southwardly, with the westerly right of way line of said Maple Canyon Avenue and with the arc of a curve to the left, having a radius of 1100.00 feet, a central angle of 13°12'23", and a chord that bears S12° 12'31"W, a chord distance of 252.98 feet to a ¾ inch (I.D.) iron pipe set at the point of tangency;

Thence SO5°36'19"W, continuing with said right-of-way line at Maple Canyon Avenue and with the easterly line of said Lot 41, a distance of 325.09 feet to a 3/4-inch (I.D.) iron pipe set at the southeasterly corner of said Lot 41, the same also being the northeasterly corner of Sharon Acres Resubdivision of Lot 42, from which a 1 inch iron pipe bears east 2.23 feet for reference;

Thence N84 °22'00"W, with the southerly line of said Lot 41, with the northerly line of said Sharon Acres Resubdivision of Lot 42, a distance of 580.00 to the point of beginning and containing 7.725 acres, more or less.

BEING A 7.725 ACRE TRACT OF LAND LOCATED ON THE WESTERLY SIDE OF MAPLE CANYON AVENUE AND SOUTHWEST OF HANBY SQUARE NORTH -(Cont'd)-

The above description is based upon our actual field survey of said premises by Bauer, Davidson & Merchant, Inc. in April of 2004.

Bearings of this description are based upon the bearing of N 84 °22'00"W, for the Southerly line of Lot 41 of Sharon Acres, of record in Plat Book 20, Page 1, Recorder's Office, Franklin County, Ohio.

**To Rezone From:** from R, Rural 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 Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-ARLD, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled "**LIMITATION OVERLAY TEXT**," signed by Jill S. Tangeman, Attorney for the Applicant, dated August 12, 2004, and reading as follows:

**LIMITATION OVERLAY TEXT**

<b>Zoning District:</b>	L-ARLD
<b>Property Location:</b>	7.725 +/- acres located at 6175 and 6261 Maple Canyon Avenue, Columbus, Ohio 43229
<b>Owners:</b>	Rick L. and Judy A. Heskett
<b>Applicants:</b>	Preferred Real Estate Investments II, LLC
<b>Date of Text:</b>	August 12, 2004
<b>Application No.:</b>	Z04-020

**1. Introduction:** The subject site is approximately 7.725 +/- acres located on Maple Canyon Avenue. The site is currently owned by Rick L. and Judy A. Heskett. The applicants are proposing to rezone the property for a townhouse development with a density not to exceed thirteen units per acre.

**2. Permitted Uses:** The uses permitted shall be those uses permitted in Sections 3333.02 and 3333.06 of the Columbus City Code.

**3. Development Standards:** Unless otherwise indicated in this text, the applicable development standards of Chapter 3333 Apartment Districts of the Columbus City Code shall apply.

A. Density, Height and Setback Commitments.

1. The height district shall be H-35, allowing for a mean 35-foot height limitation in accordance with the Columbus City Code.
2. A maximum of 100 units may be built on the site.

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

1. Access shall be in accordance with the review and approval of the City of Columbus Division of Transportation.
2. The Developer will install a sidewalk along Maple Canyon Avenue and along one side of the entrance driveway.
3. A total of 2.25 parking spaces per unit shall be provided.

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

1. Screening shall be installed along the required minimum twenty-five (25) foot perimeter setback of the site to the west to augment existing trees where applicable. Screening will consist of a 6-foot privacy fence and one tree for every forty (40) feet on center. Landscaping shall be a mixture of evergreen trees, shade trees and ornamental trees. All trees shall meet the following minimum size at the time of planting: 2 1/2" caliper for shade trees; 1 1/2" caliper for ornamental trees; 5 feet in height for evergreen trees. Tree caliper is measured six (6) inches from the ground. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or at the next planting season, whichever occurs first.
2. The Developer will be making a contribution of cash in lieu of dedicating land for park use at the time of zoning clearance.
3. The Developer will either maintain the existing fence along the north property line or will replace it with a fence of equal height to the existing fence.

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

1. The main exterior building material shall be wood, wood composition siding, vinyl, brick, stone, or cultured stone or a combination thereof. Those buildings that face Maple Canyon Avenue will have a front facade with a minimum of seventy-five percent (75%) brick. All other buildings will have a front facade with a minimum of twenty-five percent (25%) brick.
2. Dwelling units may be used as model homes for the purpose of marketing and sales.
3. At least fifty percent (50%) of the total units will have basements.

E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.

1. Main entry features will be landscaped and lit with concealed uplights.
2. Lighting poles shall be cut-off fixture types. All lighting poles, signs, frames and/or supports shall be uniform and be either black or dark bronze in color. No pole shall exceed sixteen (16) feet in height.

3. The Developer will repair 300 feet of an existing sanitary sewer per agreement with the Department of Public Utilities.

F. Graphics.

1. All signage and graphics shall conform to the Columbus Graphics Code. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

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