



Legislation Details (With Text)

File #: 0188-2005 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 1/21/2005 **In control:** Zoning Committee

On agenda: 2/28/2005 **Final action:** 3/2/2005

Title: To rezone 2250 EAST POWELL ROAD (43035), being 2.25± acres on the south side of East Powell Road, 2000± feet east of South Old State Road, From: R, Rural District To: L-AR-12, Limited Apartment Residential District and to declare an emergency. (Rezoning # Z04-081).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0188-2005.StfRpt.pdf, 2. ORD0188-2005.Zon.pdf, 3. ORD0188-2005.FNAP.pdf, 4. ORD0188-2005.PrjDscI.pdf, 5. City Council Data FormZ04-081.pdf, 6. ORD0188-2005.labels.pdf

Date	Ver.	Action By	Action	Result
3/2/2005	2	MAYOR	Signed	
3/2/2005	2	CITY CLERK	Attest	
2/28/2005	1	Zoning Committee	Approved as Amended	Pass
2/28/2005	2	Zoning Committee	Amended to Emergency	Pass
2/28/2005	2	COUNCIL PRESIDENT	Signed	
2/14/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
2/14/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
2/14/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
2/12/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
2/11/2005	1	Dev Zoning Drafter	Sent for Approval	
2/10/2005	1	Dev Zoning Drafter	Sent for Approval	
2/10/2005	1	Dev Zoning Reviewer	Reviewed and Approved	

Rezoning Application Z04-081

APPLICANT: State Street Realty Partners, LLC; c/o Jill S. Tangeman, Atty.; 145 East Rich Street; Columbus, Ohio 43215.

PROPOSED USE: Multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on December 9, 2004.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Staff recommends approval of this rezoning because the proposed four-unit multiple-family dwellings would provide a transition between the commercial zoning to the south and east of the church and the single-family dwellings to the north. This proposal does not front onto Old Powell Road and therefore does not continue further piecemeal intrusion of multi-family zoning into a the predominantly single-family corridor along Old Powell Road.

To rezone **2250 EAST POWELL ROAD (43035)**, being 2.25± acres on the south side of East Powell Road, 2000± feet east of South Old State Road, **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District **and to declare an emergency.** (Rezoning # Z04-081).

WHEREAS, application #Z04-081 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.25± acres from R, Rural District, to L-AR-12, Limited Apartment Residential District; and

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

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 continue to proceed with the construction of the left turn lane in an expedited manner for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed four-unit multiple-family dwellings would provide a transition between the commercial zoning to the south and east of the church and the single-family dwellings to the north. This proposal does not front onto Old Powell Road and therefore does not continue further piecemeal intrusion of multi-family zoning into a the predominantly single-family corridor along Old Powell Road, 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:

2250 EAST POWELL ROAD (43035), being 2.25± acres on the south side of East Powell Road, 2000± feet east of South Old State Road and being more particularly described as follows:

**DESCRIPTION OF 2.250 ACRES LOCATED IN ORANGE
TOWNSHIP TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED II ANNEXATION UNDER ORC §709.021 AND §709.023**

Situated in the State of Ohio, County of Delaware, Township of Orange, located in Farm Lot 22 of Section 4, Township 3, Range 18, United States Military Lands, being 2.250 acres of a 5.01 acre tract of land deeded to Hector M. and Brenda K. Ramos and known as PID #31842302006000, said 2.250 acres being more particularly bounded and described as follows:

Beginning at the southeasterly corner of said Ramos tract, being the southwesterly corner of that 5.01 acre tract deeded to Raymond Roten and known as PID #31842302005000, being in the northerly line of that 9.426 acre tract as deeded to The Woods at Polaris LLC and known as PID 31843201001001, being in the common line between Farm Lots 15 and 22, and being in the existing City of Columbus Corporation Line by Ordinance Number 499-03 and of record in Plat Cabinet 3, Slide 218;

Thence **N 86° 38' 19" W**, with the southerly line of said Ramos tract, being the northerly line of said Polaris tract, being said Farm Lot line, and being said corporation line, a distance of **217.37 feet** to the southwesterly corner of said Ramos tract, being the southeasterly corner of that 5.01 acre tract deeded to Frank Otto and Martha Potter and known as PID #31842302007000;

Thence **N 03° 03' 36" E**, with the easterly line of said Otto tract, being the westerly line of said Ramos tract, a distance of **450.84 feet** to a point;

Thence **S 86° 38' 19" E**, across said Ramos tract, a distance of **217.37 feet** to a point in the easterly line of said Ramos tract, being the westerly line of said Roten tract;

Thence **S 03° 03' 36" W**, with the easterly line of said Ramos tract, being the westerly line of said Roten tract, a distance of **450.84 feet** to the **True Point of Beginning**, and containing **2.250 acres**, more or less as calculated by the above courses, all of which lies within Farm Lot 22 of said Section, Township and Range. The above description was written by Clark E. White, P.S. #7868 on June 4, 2004.

All references used in this description can be found at the Delaware County Recorder's Office, Delaware County, Ohio. The **Basis of**

Bearings used in this description was transferred from a GPS survey of **Delaware County Monuments "97-036" and "97-146"** published by the Delaware County Engineer's Office, and is based upon the NAD83 Ohio State Plane Coordinate System, North Zone, and determines the bearing between said monuments as **S 01° 59' 20" W**.

The total length of the annexation perimeter is 1336.42 feet, of which 217.37 feet are contiguous with the existing City of Columbus Corporation Line, leaving 16% contiguity. This annexation does not create any islands of township property.

To Rezone From: from R, Rural District,

To: L-AR-12, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-12, 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-AR-12, 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 December 3, 2004, and reading as follows:

Limitation Overlay Text

Zoning District: L-AR-12
Property Location: 2.25 +/- acres at 2250 East Powell Road, Columbus, Ohio 43240
Applicant: State Street Realty Partners, LLC
Owner: Hector & Brenda Ramos
Date of Text: December 3, 2004
Application No.: Z04-081

1. Introduction: The subject site is approximately 2.25 +/- acres located on East Powell Road. The site, currently owned by Hector & Brenda Ramos, was recently annexed to the City of Columbus.

The applicant is proposing to construct low-density, ranch-style, multi-family dwelling units on the subject site. Each building will contain four units in a "cluster" arrangement and will be constructed of wood / wood composition siding, vinyl, brick or stone / cultured stone or a combination thereof. The applicant proposes to rezone the property to a limited apartment district that will permit a density of up to 9.0 +/- dwelling units per acre.

2. Permitted Uses: The development will include a total of 20 dwelling units. The development may also include a community recreation center or clubhouse and pool.

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

A. Density, Height and Setback Commitments.

1. No more than a total of 20 dwelling units shall be built.
2. No building shall be erected, altered, placed or permitted to remain on this property other than four-unit multi-family dwellings or a community recreation center, not to exceed one and one half (1 1/2) stories or thirty five feet in height.
3. All perimeter building setbacks shall be a minimum of twenty five (25) feet.

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

1. The internal private loop street shall be twenty feet wide and driveways shall be sixteen feet wide.
2. Access shall be in accordance with the review and approval of the City of Columbus Division of Transportation.

Access shall be through the existing shared driveway onto East Powell Road.

3. At the time of the completion of development, one westbound left turn lane shall be constructed according to the requirements of Delaware County on East Powell Road.

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

1. Landscaping shall be installed along the required minimum twenty-five (25) foot perimeter setback of the site to augment existing trees where applicable and shall provide seventy five percent (75%) opacity. Landscaping shall be a mixture of evergreen trees, deciduous trees and shrubs consisting of the following: Red Maple, Linden, River Birch, Crabapple, Washington Hawthorne, Colorado Spruce, Burning Bush, Viburnum, Sweetspire, Dense Yew, Hick's Yew and a variety of perennials and annuals.

2. An existing landscape buffer runs along the south and east sides of the site. The applicant shall use best efforts to preserve this existing tree line. Additional trees and shrubs will be added to fill in gaps as needed to achieve the seventy five percent (75%) opacity. 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.

3. The Developer will be making a contribution of cash in lieu of dedicating land for park use at the time of zoning clearance.

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

1. The main exterior building material shall be wood / wood composition siding or comparable, vinyl, brick, stone / cultured stone or a combination thereof.

2. Patios may be enclosed for additional living quarters, subject to zoning approval.

3. Garages shall be provided for each unit and shall have at least two enclosed spaces per dwelling unit. There will also be room for two additional cars to park in the unit's driveway for some units.

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

1. Main entry feature 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.

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. 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.~~