



Legislation Details (With Text)

File #: 0578-2005 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/15/2005 **In control:** Zoning Committee
On agenda: 6/27/2005 **Final action:** 6/30/2005
Title: To rezone 2134 EAST POWELL ROAD (43035), being 3.59± acres on the south side of East Powell Road, 2000± feet east of South Old State Road, From: R, Rural District To: L-R-4, Limited Residential District. (Rezoning # Z04-091).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0578-2005.StfRpt.pdf, 2. ORD0578-2005.zon.pdf, 3. ORD0578-2005.FNPlan.pdf, 4. ORD0578-2005.PrjDscI.pdf, 5. ORD0578-2005.labels.pdf, 6. City Council Data FormZ04-091.pdf

Date	Ver.	Action By	Action	Result
6/30/2005	1	CITY CLERK	Attest	
6/29/2005	1	MAYOR	Signed	
6/27/2005	1	Zoning Committee	Approved	Pass
6/27/2005	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/20/2005	1	Columbus City Council	Read for the First Time	
5/23/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
5/19/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
5/19/2005	1	Dev Zoning Drafter	Sent for Approval	
5/19/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/15/2005	1	Dev Zoning Drafter	Sent for Approval	

Rezoning Application Z04-091

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 February 10, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Staff recommends approval of this rezoning because this L-R-4, proposal limits density to 3.34 dwelling units per acre and commits to ranch style multi-family dwellings that are similar in character and density to the single-family development to the north, south and west.

To rezone **2134 EAST POWELL ROAD (43035)**, being 3.59± acres on the south side of East Powell Road, 2000± feet east of South Old State Road, **From:** R, Rural District **To:** L-R-4, Limited Residential District. (Rezoning # Z04-091).

WHEREAS, application #Z04-091 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.59± acres from R, Rural District, to L-R-4, Limited Residential District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because this L-R-4, proposal limits density to 3.34 dwelling units per acre and commits to ranch style multi-family dwellings that are similar in character and density to the single-family development to the north, south and west, 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 3.59± 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 A 3.593 ACRE TRACT OF LAND

Situated in the State of Ohio, County of Delaware, City of Columbus, located in Farm Lot 22, Section 4, Township 3, Range 18, United States Military Lands, and being 3.593 acres out of that original 120.00 acre tract of land as conveyed to Christ the King Lutheran Church by deed of record in Deed Book 521, Page 350, said 3.593 acres being more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Powell Road and Coldharbor Boulevard as shown in that subdivision plat entitled "Oak Creek East Section 2" of record in Plat Cabinet 2, Slides 174 - 174B, being in the northerly line of said original 120.00 acre tract;

Thence **N 86° 36' 18" W**, with the centerline of said Powell Road, being the northerly line of said original 120.00 acre tract, a distance of **34.30 feet** to a P.K. Nail set at the **True Point of Beginning** for the tract herein to be described;

Thence **S 03° 03' 09" W**, across said original 120.00 acre tract, a distance of **797.00 feet** to an iron pin set at the northeasterly corner of lot 86 of that subdivision entitled "Prestwick Commons Section 2" of record in Cabinet 2, Slides 182, 182A, 182B and 182C;

Thence with the northerly line of said "Prestwick Commons Section 2", the following courses and distances:

N 73° 04' 52" W, a distance of **34.00 feet** to an iron pin set;

N 16° 04' 51" W, a distance of **99.00 feet** to an iron pin set; and

N 20° 39' 51" W, a distance of **371.30 feet** to an iron pin set;

Thence **N 10° 44' 51" W**, **continuing** with said northerly subdivision line and with the easterly line of that 2.25 acre tract as conveyed to A. Clyde Eide, Trustee, by deed of record in Official Record 20, Page 826, a distance of **138.60 feet** to an iron pin set at an angle point in the easterly line of said 2.25 acre tract;

Thence **N 33° 08' 19" W**, **continuing** with the easterly line of said 2.25 acre tract, a distance of **276.27 feet** to a P.K. nail set in the centerline of said Powell Road, being the northeasterly corner of said 2.25 acre tract;

Thence **S 86° 38' 33" E**, with said centerline, a distance of **411.00 feet** to the **True Point of Beginning**, and containing **3.593 acres**, more or less, as calculated by the above courses, all of which lie within Farm Lot 22 of said Section, Township and Range. Subject, however, to all legal highways, easements, and restrictions of record. The above description was written by Clark E. White, P.S. #7868 on August 16, 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**.

To Rezone From: from R, Rural District,

To: L-R-4, Limited Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-R-4, Limited 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-R-4, Limited 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 January 18, 2005, and reading as follows:

Limitation Overlay Text

Zoning District: L-R-4

Property Location: 3.593 +/- acres at 2134 East Powell Road, Columbus, Ohio 43240

Applicant: State Street Realty Partners LLC

Owner: Christ The King Church

Date of Text: January 18, 2005

Application No.: Z04-091

I. Introduction: The subject site is approximately 3.593 +/- acres located on East Powell Road. The site, currently owned by Christ the King Church, 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 or wood composition siding, brick, stone or cultured stone, vinyl or some combination thereof. The applicant proposed to rezone the property to an R-4 district and will limit the number of units on the property to a total of twelve (12) dwelling units.

II. Permitted Uses: The development will include only three (3) 4-unit ranch condominiums, for a total of twelve (12) dwelling units.

III. Development Standards: Unless otherwise indicated in this text, the applicable development standards of Chapter 3332 of the Columbus City Codes shall apply.

A. Density, Height and Setback Commitments

1. No more than a total of twelve (12) dwelling units shall be built, such that density shall not exceed 3.34 units per acre.
2. No building shall be erected, altered, placed or permitted to remain on the property other than four-unit multi-family dwellings, not to exceed one and one half (1 1/2) stories or thirty-five feet in height.
3. The building and parking setback from East Powell Road shall be fifty (50) feet. The building and parking setback on the west property line shall also be fifty (50) feet.

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

1. Internal private streets shall be twenty feet wide and driveways shall be sixteen feet wide.
2. All access shall be along the existing driveway onto East Powell Road shared by Christ the King Church. There shall be no additional access onto East Powell Road.

3. Each unit in the development will have an attached garage with space for two cars. The stacking space in the driveway will be at least 9' by 18'. Parking will be prohibited on the internal private streets. There will be no parking permitted at the main entrance. "No Parking" signs will be posted as appropriate.
4. At the time of the completion of the development, one westbound left turn lane shall be constructed according to the requirements of Delaware County on East Powell Road.
5. A sidewalk shall be installed along East Powell Road at the time of the completion of the development.

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

1. An existing landscape buffer runs along the west side of the property. The applicant intends to preserve this landscape buffer and will add additional trees and shrubs to fill in gaps as needed to achieve seventy five percent (75%) opacity.
2. Landscaping shall be installed along the fifty (50) foot setback area off of East Powell Road to augment existing trees in order to achieve seventy five percent (75%) opacity.
3. Landscaping to be installed according to this text 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, Sweetpire, Dense Yew, Hich's Yew and a variety of perennials and annuals. 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.
4. The developer will be making a cash contribution 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 with a combination of brick, stone or cultured stone and some vinyl.

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

1. 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.