



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0722-2008, Version: 1

Rezoning Application # Z07-062

APPLICANT: Community Housing Network, Inc.; c/o Samantha Shuler; 957 East Broad Street; Columbus, Ohio 43215.

PROPOSED USE: Multi-family development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0-2) on April 10, 2008.

NORTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 2.29± acre site is undeveloped and zoned in the C-4, Commercial and AR-12, Apartment Residential Districts. The applicant is requesting the L-ARLD, Limited Apartment Residential District for multi-family development and commits to preservation of existing trees within 25 feet of the rear property line, tree planting along the west and south property lines at the ratio of one tree per twenty (20) linear feet and a maximum light pole height of fourteen (14) feet. The site is located within the Northwest quadrant of *The Northeast Area Plan (2007)* which supports residential uses along major thoroughfares and a transition of densities to low-density residential uses. A companion Council variance is being requested in conjunction with this rezoning to vary some development standards. The proposed L-ARLD, Limited Apartment Residential District, with the development standards in the limitation text, provides a transition from the commercial uses along Morse Road to the single-family dwellings to the south. The request is compatible with the land use recommendations of the *Northeast Area Plan*, and with development in the area.

To rezone **3237 MORSE ROAD (43231)**, being 2.29± acres located on the south side of Morse Road, 490± feet west of Dunbridge Road, **From:** AR-12, Apartment Residential and C-4, Commercial Districts, **To:** L-ARLD, Limited Apartment Residential District. (Rezoning # Z07-062).

WHEREAS, application #Z07-062 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.29± acres From: AR-12, Apartment Residential and C-4, Commercial Districts, To: L-ARLD, Limited Apartment Residential District; and

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

WHEREAS, the North East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed development, with the standards in the limitation text, provides a transition from the commercial uses along Morse Road to the single-family dwellings to the south and is compatible with the the land use recommendations of the *Northeast Area Plan (2007)*, and with development in the area, 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:

3237 MORSE ROAD (43231), being 2.29± acres located on the south side of Morse Road, 490± feet west of Dunbridge Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in quarter Township 2, Township-1, Range-17, United States Military Lands, and being part of that 3.761 acre tract as conveyed to Norman L. and Doris G. Chesrown by deed of record in Official Record 17725A01, all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning for references at Franklin County Monument Box No. 1136 located in the centerline of Morse Road;

Thence South 85 degrees 14' 30" East, passing through the centerline of Westerville Pike at 618.6 feet, a distance of 1817.2 feet to a point;

Thence South 04 degrees 11' 00" West, leaving said centerline of Morse Road, a distance of 50.00 feet to an iron pin set in the southerly right-of-way line of Morse Road at the northeast corner of the aforementioned 3.761 acre Chesrown tract;

Thence South 85 degrees 14' 30" East, along the southerly right-of-way line of said Morse Road, a distance of 75.75 feet to the True Point of Beginning for the following described 2.291 acre parcel;

Thence the following courses and distances across said 3.671 acre Chesrown tract:

South 04 degrees 45' 30" West, a distance of 25.00 feet to an iron pin set;

North 85 degrees 14' 30" West, a distance of 10.00 feet to an iron pin set;

South 04 degrees 11' 00" West, a distance of 275.03 feet to an iron pin set;

South 85 degrees 14' 30" East, a distance of 86.00 feet to an iron pin set in the easterly line of said 3.761 acre Chesrown tract and the westerly line of those tracts as conveyed to Patrick E. and Peggy L. Baker by deed of record in Official Record 5882A08;

Thence South 04 degrees 11' 00" West, continuing along said property line, a distance of 343.06 feet to an iron pin set in the northerly line of that subdivision entitled "Parkleigh Section No. 1" as recorded in Plat Book 42, Page 63;

Thence South 83 degrees 01' 09" West, along said subdivision northerly line, a distance of 249.52 feet to an iron pin set at the southeast corner of "Brentwood Condominium" as recorded in Condominium Book 7, Pages 70 through 76;

Thence North 04 degrees 07' 023" East, along said condominium easterly line a distance of 393.84 feet to an iron pin set in the westerly line of said 3.761 acre Chesrown tract;

Thence South 85 degrees 14' 30" East, across said 3.761 acre Chesrown tract, a distance of 129.22 feet to an iron pin set;

Thence North 04 degrees 11' 00" East, continuing across said 3.761 acre Chesrown tract, a distance of 275.03 feet to an iron pin set;

Thence North 85 degrees 14' 30" West, a distance of 10.00 feet to an iron pin set;

Thence North 04 degrees 45' 30" East, a distance of 25.00 feet to an iron pin set in the southerly right-of-way line of said Morse Road;

Thence South 85 degrees 14' 30" East, along said southerly right-of-way line Morse Road, a distance 50.00 feet to the True Point of Beginning and containing 2.291 acres according to a survey made by Jobes Henderson & Associates, Inc. in June 1995.

The bearings in the above description are based on the easterly line of the 3.761 acre Chesrown tract as being South 04 degrees 11' 00" West, as recorded in Official Record 17725A01.

All iron pins set are 5/8" in diameter by 30" in length with red surveyors identification caps marked J&H.

To Rezone From: AR-12, Apartment Residential and C-4, Commercial Districts,

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 titled, "**LIMITATION OVERLAY TEXT**," dated April 3, 2008 and signed by Samantha A. Shuler, attorney for the Applicant, and the text reading as follows:

Limitation Overlay Text

Zoning District: L-ARLD
Property Location: 2.291 +/- acres at 3237 Morse Road
Applicant: Community Housing Network, Inc.
Owner: Porter Equities, LLC and Mahlon Ray
Date of Text: December 31, 2007; Revised April 3, 2008
Application No.: Z07-062

1. **Introduction:** The subject site is 2.291 acres located on the south side of Morse Road between Westerville Road and Sunbury Road. The site is vacant and the main development area is set back 275 feet from Morse Road. The site is currently zoned AR-12, with some C4 area fronting Morse Road. The adjacent property is zoned C4 and ARLD and is developed with commercial and multifamily, except directly south of the site the property is zoned for and developed with single-family homes. The applicant is rezoning the entire site to L-ARLD to permit an apartment building to be developed on the site.
2. **Permitted Uses:** Those uses permitted in Columbus City Code Section 3333.02(1), (2), (3), (4), or (5).
3. **Development Standards:** Unless otherwise indicated in this text, the applicable development standards of Chapter 3333 of the Columbus City Codes shall apply.
 - A. **Density, Height and Setback Commitments:** The west side yard setback shall be 25 feet. As an alternative, a perimeter yard may substitute for required side and rear yards in compliance with Columbus City Code Section 3333.255.
 - B. **Access, Parking and/or Other Traffic Related Commitments:** Access shall be in accordance with the review and approval of the City of Columbus Division of Transportation.
 - C. **Buffering, Landscape, Open Space and/or Screening Commitments.**
 1. Trees shall be planted along the south and west property boundary lines at a ratio of one tree per twenty (20) linear feet. These trees may be evenly spaced or grouped.
 2. A tree preservation zone shall be maintained in the area 25 feet from the rear (south) lot line.
 3. A minimum 6-foot high board-on-board fence shall be installed on the property's west and south property lines.
 4. All trees and landscaping shall be well maintained. Dead items shall be replaced within four months or at the next planting season, whichever occurs first.
 5. Trees shall meet the minimum size at the time of planting: 2 ½ inches caliper for frontage and deciduous trees (measured 4' from grade); 2 ½ inches caliper for shade trees (measured 4' from grade); 2 ½ inch caliper for ornamental trees (measured 4' from grade); and 5 feet in height for evergreen trees.

6. 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. At least three sides of the dumpster enclosure shall be brick.

2. All external lighting shall be cut-off fixture types designed to prevent offsite spillage. All lighting poles, signs, frames and/or supports shall be uniform no pole shall exceed fourteen (14) feet in height.

3. Any wall-mounted lighting shall be shielded to prevent offsite spillage

E. Graphics.: All signage and graphics shall conform to the Columbus Graphics Code. Any variances needed for 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.