



City of Columbus

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

Legislation Text

File #: 0882-2005, Version: 3

Rezoning Application Z04-078

APPLICANT: Hague Avenue Associates; c/o Jeffrey L. Brown, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

PROPOSED USE: Multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on December 9, 2004.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-AR-12, Limited Apartment Residential District would permit limited multi-family residential development at a density of 7.8 dwelling units per acre which is consistent with the zoning and land use patterns of the area. The applicant will provide fencing and landscaping along identified perimeters to ensure compatibility with adjacent existing land uses.

To rezone **1286 NORTH HAGUE AVENUE (43204)**, being 24.1± acres located on the east side of Hague Avenue, 105± feet north of La Vista Drive, **From:** R, Rural District **To:** L-AR-12, Limited Apartment Residential District **and to declare an emergency..** (Rezoning # Z04-078)

WHEREAS, application #Z04-078 is on file with the Building Services Division of the Department of Development requesting rezoning of 24.1± 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 to begin construction as soon as possible 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 requested L-AR-12, Limited Apartment Residential District would permit limited multi-family residential development at a density of 7.8 dwelling units per acre which is consistent with the zoning and land use patterns of the area. The applicant will provide fencing and landscaping along identified perimeters to ensure compatibility with adjacent existing land uses, 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:

1286 NORTH HAGUE AVENUE (43204), being 24.1± acres located on the east side of Hague Avenue, 105± feet north of La Vista Drive, being more particularly described as follows:

DESCRIPTION OF A 24.102 ACRE TRACT

**NORTH OF LA VISTA DRIVE
ALONG THE EASTERLY SIDE OF HAGUE AVENUE
FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Franklin, located in Virginia Military Survey No. 530, being 24.102 acres consisting of all of the tract conveyed to Ralph P. Dematteo and John Dematteo in Deed Book 1704, Page 628 (Auditors Tax Parcel No. 140-000496), and being more particularly described as follows:

Commencing at a railroad spike found at the intersection of the centerline of said Hague Avenue with the centerline of El Paso Drive;

Thence North 23° 45' 39" West along the said centerline of Hague Avenue, a distance of 1287.47 feet to a nail set at the southwesterly corner of the said Dematteo, being the **Point of Beginning** of the herein described tract;

Thence North 23° 59' 35" West, continuing along the said centerline of Hague Avenue, a distance of 284.52 feet to a nail set at the southwesterly corner of a 0.353 acre tract conveyed to Lloyd D. and Dianne Dalin in Official Record 13530, Page E19 (Auditors Tax Parcel No. 140-003284);

Thence North 66° 31'25" East, along the southerly line of the said Dalin tract, a distance of 205.00 feet to a pin set at the southeasterly corner of the said Dalin tract;

Thence North 23° 59' 35" West, along the easterly line of the said Dalin tract, the easterly line of a 0.353 acre tract conveyed to Debra L. Frazier in Instrument 200108020177489 (Auditors Tax Parcel No. 140-003285), and the easterly line of a 0.353 acre tract conveyed to Merle G. and Margaret L. Norris in Official Record 00106, Page A03 (Auditors Tax Parcel No. 140-006365), a distance of 225.00 feet to a pin set at the northeasterly corner of the said Norris tract;

Thence South 66° 31'25" West, along the northerly line of the said Norris tract, passing a pin found at a distance of 179.77 feet, a total distance of 205.00 feet to a nail set in the said centerline of Hague Avenue;

Thence North 23° 59' 35" West, along the said centerline of Hague Avenue, a distance of 229.51 feet to a nail set at southwesterly corner of a 0.241 acre tract conveyed to Larry M. and Sharon Williams in Deed Book 3367, page 349 (Auditors Tax Parcel No. 140-002665);

Thence North 66° 05' 23 East, along the southerly line of the said Williams tract, the southerly line of a 0.339 acre tract conveyed to the said Larry M. and Sharon Williams in Deed Book 3367, Page 349 (Auditors Tax Parcel No. 140-004954), the southerly line of a 4.554 acre tract conveyed to Hubert and Helga Seifert in Official Record 08004, Page J07 (Auditors Tax Parcel No. 140-002920), and the southerly line of a 4 acre tract conveyed to Gary L. and Bonnie Watkinson in Deed Book 3436, Page 30 (Auditors Tax Parcel No. 140-004153), passing a pin set at 20.00 feet, a total distance of 1380.11 feet to a pin found in the westerly line of a 16.784 acre tract conveyed to Kathryn Osborn in Official Record 30254, Page G12 (Auditors Tax Parcel No. 010-153761);

Thence South 39° 16' 50" East, along the westerly line of the said Osborn tract, a distance of 768.25 feet to a pin found;

Thence South 66° 09' 09" West, along a northerly line of the said Osborn tract, the northerly line of a 7.409 acre tract conveyed to Wildwood Village III Limited Partnership in Official Record 14431, Page B17 (Auditors Tax Parcel No. 010-122831), the northerly line of a 5.086 acre tract conveyed to Wildwood Village II Limited Partnership in Official Record 14431, Page B12 (Auditors Tax Parcel No. 010-110083), the northerly line of a 5.388 acre tract conveyed to Wildwood Village I Limited Partnership in Official Record 14431, Page B07 (Auditors Tax Parcel No. 010-102522), and through the said right-of-way of Hague Avenue, passing a pin found at a distance of 1542.68 feet, a total distance of 1582.68 feet to the **Point of Beginning**.

Containing 24.102 acres, more or less, consisting of 0.236 acre of present roadway right-of-way occupation by Hague Avenue.

Subject to all applicable and valid rights-of-way, riparian rights, easements, conditions, restrictions and covenants, if any.

All pins set are ¾ inch I.D. steel pipe, 30 inches long, with identification cap stamped "HOCKADEN".

Bearings are based on the GPS survey conducted by Hockaden and Associates, Inc. and established to the Ohio State Plane Coordinate System - South Zone NAD 83, and all other bearings calculated from this meridian.

All references herein are to records in the Recorders Office, Franklin County, Ohio.

To Rezone 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 TEXT,**" **and said plan being titled "CONSERVATION EASMENT DRAWING,"** both signed by Jeffrey L. Brown, Attorney for the Applicant, dated ~~February 22~~ **May 23, 2005,** and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-12
PROPERTY ADDRESS: 1286 North Hague Avenue
OWNER: Ralph & John DeMatteo
APPLICANT: Hague Avenue Associates
DATE OF TEXT: 2/22/05
APPLICATION NUMBER: Z04-078

1. INTRODUCTION: This site is on the east side of North Hague Avenue and was recently annexed to the City of Columbus.

2. PERMITTED USES: These uses permitted in Section 3333.02, AR-12 of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments.

1. Maximum number of units 188.

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

1. The developer shall install a south bound left turn lane and a north bound right turn lane on North Hague Avenue at its access point subject to the review and approval of the City's Division of Transportation. The access point shall be located between parcel no. 140-0003284 and the site's south property line.

2. At the time of zoning clearance the developer shall dedicate 50 ft. from the centerline of Hague Avenue to the City of Columbus.

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

1. The existing trees within the building setback area along the north property line shall be maintained subject to sound forestry management practices and the fence provided for in item C (4).

2. The developer shall grant a conservation easement to the City's Recreation and Parks Department as shown on the attached exhibit. The easement is subject to one road connection and utility crossings. Prior to construction the developer shall install a snow fence on the perimeter of the conservation easement adjacent to the construction area. Final fence location shall be reviewed by the City's Recreation and Parks Department prior to the issuance of a zoning clearance.

3. The developer shall plant evergreen trees along the east property line of parcels 140-0063856365, 140-003285 and 140-003284 and along the south side of parcel 140-003284 beginning at the building setback line on the basis of one tree for every twenty feet. These trees may be grouped or evenly spaced.
4. The developer shall install a six foot tall wood fence along the north property line adjacent to parcel 140-002920 except in the area of the floodway of Barbee Ditch. In the area along said property line where there is open space in the tree line, the developer shall install evergreen trees (one tree for every 20 ft. of open space) in those open areas.
5. The developer shall install a six foot tall wood fence along the east property line adjacent to Parcel 010-153761 **beginning at the northeast corner of the site and extending southward to the north side of the conservation easement.**
6. All trees and landscaping shall be well maintained. Dead materials shall be replaced within six (6) months or the next planting season, whichever occurs first. All trees shall meet the following minimum size at the time of planting:

Shade trees 2 ½" caliper; Ornamental trees 1 ½" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

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

N/A

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Light fixtures shall not exceed 18 feet.

F. Graphics and/or Signage Commitments.

N/A

G. Miscellaneous Commitments.

1. The developer shall comply with the City's parkland dedication ordinance by a combination of monetary donation and a conservation easement.

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.~~