



City of Columbus

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

Legislation Text

File #: 1183-2005, Version: 1

Rezoning Application Z05-030

APPLICANT: Savko Bros. Properties III, LLC; c/o David Perry, Agent; The David Perry Company; 145 East Rich Street; Columbus, OH 43215; and Donald T. Plank, Atty.; Plank and Brahm; 145 East Rich Street; Columbus, OH 43215.

PROPOSED USE: Single-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on June 9, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests the L-R-2, Limited Residential District to develop a 50-lot single-family subdivision. The limitation text commits to a site plan, and contains provisions for street trees, a minimum net floor area for living quarters of not less than 1,600 square feet per dwelling, a minimum two-car garage per dwelling, and traffic and access controls. The site is within Subarea 34 of *The Northwest Plan* (1991), which supports infill development compatible with surrounding development. The proposed development is consistent with the recommendation of the Plan and the surrounding residential development.

To rezone **1400 FRANCISCO ROAD (43220)**, being 11.12± acres located at the northwest corner of Francisco Road and Rossmoor Place, **From:** R-1, Residential District, **To:** L-R-2, Limited Residential District. (Rezoning # Z05-030)

WHEREAS, application #Z05-030 is on file with the Building Services Division of the Department of Development requesting rezoning of 11.12± acres From: R-1, Residential District, To: L-R-2, 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 the requested L-R-2, Limited Residential District will allow a 50-lot single-family subdivision with limitations that commit to a site plan, and contain provisions for street trees, a minimum net floor area for living quarters of not less than 1,600 square feet per dwelling, a minimum two-car garage per dwelling, and traffic and access controls. The site is within Subarea 34 of *The Northwest Plan* (1991), which supports infill development compatible with surrounding development. The proposed development is consistent with the recommendation of the Plan and the surrounding residential development, 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:

1400 FRANCISCO ROAD (43220), being 11.12± acres located at the northwest corner of Francisco Road and Rossmoor Place, and being more particularly described as follows:

DESCRIPTION OF AN 11.123-ACRE PARCEL OF LAND FOR ZONING PURPOSES

Description of a 11.123 acre parcel of land located in the City of Columbus, County of Franklin, State of Ohio, and being part of Quarter Township 1, Township 1, Range 19, United States Military and being all of the following 6 parcels, a 5.714 acre parcel of land owned by Savko Bros. Properties III, LLC of record in Instrument No. 200409100212316, a 2 acre parcel of land owned by

Byers Investments, Inc. of record in Instrument No. 200004180075134, a 2 acre parcel of land and 2, 0.500 acre parcels of land owned by Rose Ciotola of record in Deed Book 3017, Page 607, and a 0.409 acre parcel of land owned by Rose Ciotola of record in OR 10012, Page A01 (all references to records being on file in the office of the Recorder, Franklin County, Ohio). Said 11.123 acre parcel being more fully described hereon;

Beginning at a Railroad Spike found in the centerline of Francisco Road at the southeast corner of Sheffield 2 of record in Plat Book 41, Page 54, and the southwest corner of said Savko 5.714 acre parcel;

Thence, North 06° 13' 19" East with the east line of said Sheffield 2 and the west line of said Savko 5.714 acre parcel, passing a Iron Pin found at 29.96 feet, 0.13 feet west of line a total distance of, 340.82 feet to an Iron Pin;

Thence, North 83° 27' 00" West with the northerly Right of Way of Denbigh Drive (50') a distance of 35.46 feet to an Iron Pine found at the southeast corner of Lot 8 of said Sheffield 2;

Thence, North 06° 34' 07" East with the east line of said Lot 8 a distance of 131.91 feet to Iron Pin found at the northeast corner of said Lot 8, the northeast corner of said Sheffield 2 and a point on the southerly line of Lot 140 in Sheffield or record in Plat Book 39, Page 1;

Thence, South 83° 27' 00" East with the south line of said Sheffield a total distance of, 945.65 feet to the Iron Pine found at the northwest corner of Lot 11 in Sheffield 3 of record in Plat Book 45, Page 121 and the northeast corner of a 0.409 acre parcel of land owned by Rose Ciotola of record in OR 22903, Page A01;

Thence, South 06° 02' 00" West with the west line of said Sheffield 3, the east line of said 0.409 acre parcel, the east line of a 0.50 acre parcel of land owned by Rose Ciotola of record in Deed Book 3017, Page 607, and the west line of a 0.505 acre parcel of land owned by Diana C. Coscarelli of record in OR 024860, Page 110 a distance of, 542.78 feet to the southeast corner of said 0.50 acre Ciotola parcel;

Thence, North 83° 17' 23" West with the south line of said 0.50 acre Ciotola parcel, the south line a 2.0 acre parcel of land owned by Rose Ciotola of record in Deed Book 3017, Page 607, the south line of a 2.0 acre parcel of land owned by Byers Investments, Inc. of record in Instrument No. 20004180075134 a distance of 457.08 feet to the southwest corner of said Byers parcel and the southeast corner of said 5.714 acre Savko parcel;

Thence, North 83° 02' 48" West with the south line of said 5.714 acre Savko parcel a distance of, 76.33 feet to Iron Pin on the north line of a 0.836 acre parcel of land owned by Alisa M. Savko of record in OR 8878, Page A01;

Thence, North 76° 05' 22" West with the north line of said Alisa M. Savko parcel a distance of, 108.21 feet to an Iron Pin found at the northwest corner of a 0.016 acre parcel of land owned by Alisa M. Savko of record in OR 8878, Page A01 and the east line of a 0.5241 acre parcel of land owned by Nickolas M. Savko of record in OR 16001, Page D07;

Thence, North 06° 29' 15" East with the east line of said Nickolas Savko parcel a distance of, 18.58 feet to a Railroad Spike found in the centerline of Francisco Road and at the northeast corner of said Nickolas Savko parcel;

Thence, North 75° 59' 11" West with the centerline of Francisco road and the north line of said Nickolas Savko parcel a distance of, 200.14 feet to Mag Nail at the northwest corner of a 0.43 acre parcel of land owned by Dawn E. Mendoza of record in Instrument No. 2004 08110187487 and the northeast corner of Knolls West of record in Plat Book 40, Page 120;

Thence, North 75° 54' 01" West with the centerline of Francisco Road and the north line of said Knolls West a distance of, 74.63 feet to the true point of beginning. Containing 11.123 acres of land. Subject to all legal right-of-ways, easements and agreements of record.

For the purpose of this description a bearing of South 83° 27' 00" East was held on the south line of Sheffield of record in Plat Book 39, Page 1.

To Rezone From: R-1, Residential District,

To: L-R-2, Limited Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-R-2, 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-2, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**ZONING SITE PLAN FOR FRANCISCO ROAD**," and said text being titled, "**DEVELOPMENT TEXT**," both signed by David B. Perry, Agent for the Applicant, and Donald T. Plank, Attorney for the Applicant, dated June 10, 2005, and the text reading as follows:

DEVELOPMENT TEXT

L-R-2, LIMITED RESIDENTIAL DISTRICT

11.12+/- ACRES

EXISTING DISTRICT:

R-1, Residential District

PROPOSED DISTRICT:

L-R-2, Limited Residential District

PROPERTY ADDRESS:

1400 Francisco Road, Columbus, OH 43220

OWNER:

Savko Bros. Properties III LLC, Byers Circle Investments, Inc. and Rose Ciotola
c/o Dave Perry, The David Perry Co., 145 East Rich Street, Columbus, OH
43215 and Donald Plank, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

APPLICANT:

Savko Bros. Properties III LLC, Byers Circle Investments, Inc. and Rose Ciotola
c/o Dave Perry, The David Perry Co., 145 East Rich Street, Columbus, OH
43215 and Donald Plank, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

DATE OF TEXT:

June 10, 2005

APPLICATION NUMBER:

Z05-030

INTRODUCTION:

The site is 11.12 +/- acres located on the north side of Francisco Road between the eastern and western termini of Denbigh Drive. The site is presently zoned R-1, Residential from annexation. Applicant proposes to rezone the site to the L-R-2 district to construct a 50 lot single-family subdivision with public streets, including the completion of the street connections of Denbigh Drive. There are single family dwellings in all directions from the site. The proposed development is consistent with surrounding uses and recommendations of The Northwest Plan. A plan titled "Francisco Road", hereinafter, The Plan, dated June 10, 2005, signed June 10, 2005 by David B. Perry, Agent for Applicant and Donald Plank, Attorney for Applicant, is submitted with this application and incorporated by reference in this Limitation Text as the preliminary development plan for the site, subject to adjustment with final

engineering and platting.

1. **PERMITTED USES:** The following uses shall be permitted:

Detached Single family dwellings on platted lots as permitted in Section 3332.04, R-2, Residential District Use, along with customary accessory uses and structures incidental to a single family dwelling, as permitted in Chapter 3332, Residential Districts.

2. **DEVELOPMENT STANDARDS:** Except as specified herein and as indicated on "The Plan", the applicable development standards of Chapter 3332, Residential Districts, of the Columbus City Code shall apply.

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

1. Density: A maximum of fifty (50) detached single-family dwellings on separate platted lots shall be permitted.

2. Height: Height District shall be H-35.

3. Lot: Lot location and size shall generally be as depicted on the Plan, subject to adjustment with final engineering and platting and conformance with R-2 District standards.

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

1. All lots shall front upon and be accessed from new internal public streets on the site, as streets are depicted on The Plan.

2. Thirty (30) feet of right of way shall be dedicated along Francisco Road, as depicted on the Plan, in conjunction with the subdivision plat.

3. Sidewalks shall be provided along all public streets, including Francisco Road.

4. The intersection of Francisco Road and the new subdivision street shall be designed with a raised intersection for traffic calming. The specific design shall be determined with the Division of Transportation in conjunction with the subdivision plat and street plans. Subject to approval by the Division of Transportation, the pavement for the raised intersection shall be stamped or scored and be colored to have the appearance of brick.

5. The location of the driveways for Lots 15 and 16 shall be platted on the subdivision plat. The lot numbers may change on the final plat from the Plan for the rezoning. If the lot numbers change, the lots that correspond to Lots 15 and 16 on the Plan shall have platted driveway locations.

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

1. Street trees shall be provided along the new internal public street at the rate of not less than one (1) street tree per lot. Two (2) street trees shall be provided on corner lots, with one (1) street tree on each street frontage of the corner lot. Street trees shall be selected from tree species approved by the City Forester.

2. Additional tree planting shall be placed on Lots 1 and 50 in the building setback or, if permitted, in the right of way, adjacent to the existing terminus of Denbigh Drive for visual traffic calming on Denbigh. Specific tree planting shall be determined with the Division of Transportation in conjunction with the review of the subdivision plat.

3. A fifteen (15) foot wide Tree Preservation Zone (TPZ), as depicted on the plan, shall be platted along the west property line. Within the TPZ, trees of 6" caliper or greater shall be preserved, subject to developer and individual lot owners being permitted to prune or remove dead or diseased trees. The purpose of the TPZ is to preserve existing trees of 6" caliper or greater. There shall be no obligation of the developer or future lot owners to replace trees that die or are removed due to disease or damage, i.e. wind, ice storms, etc., in the future.

4. The minimum size of plant material at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper, Ornamental - 1 ½ inch caliper, Evergreen - 5 - 6 feet tall, for any planting required by C.1 or C.2.

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

1. Building materials shall be traditional and natural in appearance. Primary exterior building materials shall be stone, stucco, cultured stone, brick, hardi-plank and/or wood siding. Vinyl siding is permitted in combination with primary materials and shall be 0.044 mil or higher, but the use of vinyl siding shall not exceed 10% of the surface area of the walls of a house. Fascia boards and/or the underside of soffit(s) may be finished in vinyl or aluminum and shall not be calculated in determining 10% of the area of the walls for the use of vinyl siding.

2. Minimum Dwelling Unit Size: The Minimum Net Floor Area for Living Quarters, as defined in Section 3303.13, Letter M, of the Columbus Zoning Code, shall be 1,600 square feet per dwelling unit.

3. Garages: Every dwelling shall have not less than a two car garage.

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

1. All new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the R-2, Residential District. Any variance to the applicable sign requirements of the R-2 District shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous.

1. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.

2. Reserves A and B, as depicted on the Plan, are for open space/storm water detention and to provide a sidewalk from Denbigh Drive to the terminus of the Fox Drive right of way, respectively. The Developer shall own and maintain Reserves A and B until 65% of the lots are sold and the homeowner's association has been formed, at which time Reserves A and B shall be owned and maintained by the subdivision homeowner's association. Reserve B may be dedicated to the City of Columbus.

3. The plan titled "Francisco Road", dated June 10, 2005, and signed June 10, 2005 by David B. Perry, Agent for Applicant and Donald Plank, Attorney for Applicant, is submitted with this application and incorporated by reference in this Limitation Text as the preliminary development plan for the site, subject to adjustment with final engineering and platting. Any modification or adjustment is subject to review and approval by the Development Director or designee, upon submission of appropriate data regarding the proposed adjustment.

4. The Board of Zoning Adjustment (BZA) shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance or as depicted on the plan referenced in G.(3).

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