

AMENDED ORDINANCE NO. 25 - 01

By: Mr. McClelland

An Ordinance to amend the Official Zoning Map adopted as a part of Ordinance No. 8-72 (now Chapters 1240 to 1268, inclusive, of the Codified Ordinances of the City of Bexley), by transferring the following described property:

Parcel #1: Parcel Number 020-001305 Bexley Drive 2 S1/2Lot 8

Parcel #2: Parcel Number 020-000010 R Astor Avenue N1/2Lot 8 All 9 Bexley Dr 2

From the R-12 Low Density Multifamily Residential District to the Planned Unit Residential District; and to give preliminary and final approval of the development plan for said tract of land.

WHEREAS, a detailed development plan, labeled Exhibit A, pages 1-4, and exhibits identified and labeled as B through E, which is in accordance with Section 1264.21 of the Codified Ordinances of the City of Bexley, has been submitted as a part of the application for the PUR District Amendment to the official zoning map; and

WHEREAS, Council has received written recommendations for approval of the detailed development plan from the Planning Commission and the Board of Zoning Appeals subject to certain conditions; and

WHEREAS, the detailed development plan demonstrates that, subject to the conditions set forth in Section 1 below, the proposed development will fit the intent of facilitating and encouraging sound and orderly new development as specified by the Zoning Ordinance; and

WHEREAS, the detailed development plan demonstrates that the design and features of the proposed plan meet housing criteria shown by the Recommendation report of the Apartment Location and Neighborhood Improvement study and the Bexley Neighborhood Stabilization Plan; and

WHEREAS, the detailed development plan demonstrates that the subject land is unique in that it's location is immediately contiguous to Bexley Heritage Village, a planned unit development, and is within close proximity to Village Creek Apartments, a planned unit development, and other multifamily developments in the R-12 Zoning District; and

WHEREAS, the detailed development plan demonstrates that it has, through the design and planning process, mitigated the proposed developments' effects upon adjacent properties; and

WHEREAS, the detailed development plan demonstrates that, subject to the conditions set forth in Section 1 below, the proposed development will not be detrimental to public facilities and services in the City; and

WHEREAS, the detailed development plan demonstrates that the location of the proposed development is consistent with the Recommendations Report of the Apartment Location and Neighborhood Improvement Study's findings which note this site for redevelopment; and

WHEREAS, there are facts as set forth in the detailed development plan which make the subject land unique and materially different from other lands in the City of Bexley and which make it desirable that said land be developed with the controls afforded by the Planned Unit Residential District even though said land has a width of less than 300 feet and a size of less than 90,000 square feet, as the 1969 Recommendations Report Apartment Location and Neighborhood Improvement Study which is cited in the PUR Zoning District requirements only required a width and depth of 200 feet and a total area of 60,000 square feet and the Neighborhood Stabilization Plan, also cited in the PUR Zoning District requirements specifically recommends modification of the PUR District regulations to enhance their utility and applicability; and

WHEREAS, nothing contained within the textual description of the detailed development plan and the exhibits identified and labeled A through E shall be in conflict with Chapter 1264.21 of Bexley Zoning Codes; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Official Zoning Map adopted as a part of Ordinance No. 8-72 (now Chapters 1240 – 1268, inclusive of the Codified Ordinances of the City of Bexley) is hereby amended by transferring the following described property:

Parcel #1: Parcel Number 020-001305 Bexley Drive 2 S1/2Lot 8

Parcel #2: Parcel Number 020-000010 R Astor Avenue N1/2Lot 8 All 9 Bexley Dr 2

From the R-12 Low Density Multifamily Residential Planned Unit Residential District in order to permit development of said tract of land in accordance with the detailed development plan submitted and made a part of this Ordinance subject to the following conditions:

- 1) That no more than four (4) occupants per unit be permitted, of whom not more than two (2) occupants may be unrelated persons over the age of 18;
- 2) That no more than two (2) motor vehicles per unit be permitted;
- 3) That Conditions #1 and #2 be included in all leases and the owner make appropriate disclosures of the conditions in rental literature and policies and that the owner provide verification of compliance upon request by the City;

- 4) That Conditions #1-3 be included in deed restrictions with evidence of recordation furnished to the City prior to the issue of any zoning certificate, demolition, or other permit by the City;
- 5) That the concrete foundation and retaining walls be covered with brick, stone, or siding to be approved by the BZA;
- 6) That all of the building materials and colors be detailed and approved;
- 7) That full size shutters be used to maintain architectural integrity;
- 8) That the height of the dumpster enclosure extend at least one-foot above the dumpster;
- 9) That the sign materials and colors be detailed and approved;
- 10) That the developer construct standard sidewalks along the length of the property's southern boundary, within the city right-of-way, to connect with the park, subject to staff approval;
- 11) That the landscape plan be modified to incorporate staff's recommended changes;
- 12) That the lighting plan be revised to reflect the new site plan;
- 13) That the location of the edge of 100-year floodplain and the exact location of the 15-inch sanitary sewer be determined;
- 14) That all necessary floodplain approvals be secured; and
- 15) That the utility plan, including storm water management, be approved by the City staff.

Section 2. That, subject to the conditions set forth in Section 1 above, preliminary and final approval is hereby given to the detailed development plan based upon the findings set forth above.

Section 3. For the reasons stated in the preamble hereof and in order to avoid a hardship, the requirements of the Planned Unit Residential District to the extent that they require an area greater than that of the subject property are waived and varied to permit development of the subject land in accordance with Sections 1 and 2 hereof.

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

Passed: 4-23, 2002

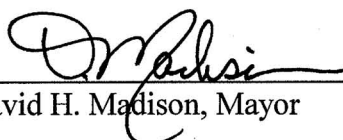


 President of Council

Attest: 

 Clerk of Council

Approved: 4/23, 2002



 David H. Madison, Mayor

*2/12/02. Ord 25-01 removed from table. Amended ordinance 25-01 substituted. Tabled.
 4-23-02 Removed from table
 Passed*