

AMENDED ORDINANCE NO. 95-03

By: Jeffrey McClelland

An Ordinance to give approval of the preliminary development plan for the tract of land described in Section 1 hereof in connection with the application submitted by one of the owners of such land 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 property described in Section 1 hereof from the R-6 High Density and R-3 Medium Density Single-family Residential Districts to the Planned Unit Residential District.

WHEREAS, a preliminary development plan, labeled Exhibit A, 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 preliminary development plan from the Planning Commission and the Board of Zoning Appeals; and

WHEREAS, the preliminary development plan demonstrates that 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 preliminary development plan is consistent with certain short-term goals and long-range objectives of the Recommendation Report of the Apartment Location and Neighborhood Improvement Study and the Bexley Neighborhood Stabilization Plan in providing additional incentive for neighborhood residential improvement, by removing the blighting influence of poorly maintained vacant land and deteriorating houses, and acknowledging that in a fully developed, landlocked community the needs for alternate housing types are not to be met without redevelopment; and

WHEREAS, the preliminary development plan demonstrates that the subject land is unique in that it is a reasonably large site immediately contiguous to the B & O Railway, to Alum Creek and single-family homes, and is within close proximity to nearby commerce, or recreation space, and the thoroughfare system; and

WHEREAS, the preliminary development plan demonstrates that it has taken special care, through the design and planning process, to ensure compatibility with existing single family homes nearby, to mitigate the proposed development's effects upon adjacent properties, and to preserve and improve Bexley's high quality residential environment; and

WHEREAS, the preliminary development plan demonstrates that the proposed development is appropriate for the site, will preserve and enhance values of residential property in the area, act as a buffer between single-family homes and the B & O Railway,

improve the physical relationship between residential uses, provide a pleasant and attractive environment for urban living, and will not be detrimental to public facilities and services in the City and the surrounding area; and

WHEREAS, there are facts as set forth in the preliminary 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; and

WHEREAS, the developer of the site shall be required, under the provisions of Chapter 1264 of the Bexley Zoning Codes to seek approval of the final development plan from the Planning Commission and the Board of Zoning Appeals, with such matter being returned to Council for consideration of the final development plan and the transfer of the site from the R-6 High Density and R-3 Medium Density Single-family Residential Districts to the Planned Unit Residential District; and

WHEREAS, nothing contained within the textual description of the preliminary development plan 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 approval is hereby given to the preliminary development plan set forth on Exhibit A, attached to and made a part of this Ordinance, for the property described on Exhibit B, attached to and made a part of this Ordinance, based upon the findings set forth above, subject to and conditioned upon the approval of the final development plan by Council, with review and written advice from the Planning Commission and the Board of Zoning Appeals, which the developer shall be responsible to seek. Nothing contained in this approval shall in any way be deemed to be an approval of the final development plan or the transfer of the subject property to the Planned Unit Residential District.


Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 5-11, 2004

Attest: 
Clerk of Council

President of Council

Approved: 5/12/04, 2004



David H. Madison, Mayor

1-13-04 Amended Ordinance substituted @ 2nd reading
1-27-04 Third Reading tabled
5-11-04 Removed from table. Passed

EXHIBIT A

Preliminary Development Plan

[To be attached to final execution copy].

EXHIBIT B

Description of Subject Property

- Parcel #1: PID 020-001797 505 N Parkview Ave Anton Ruhl Pt Lot 5
Parcel #2: PID 020-004459 2364 Caroline Ave Pt Lots 12-13 Bexley Hts
Parcel #3: PID 020-001668 Parkview Blvd 70.51 Ft N/S Bexley Hts 12
Parcel #4: PID 020-001667 Parkview Blvd 70 Ft S/S Bexley Hts 11
Parcel #5: PID 020-001666 Parkview Blvd All 10-11 Ex 70 Ft S/S Bexley Hts 10-11
Parcel #6: PID 020-003588 2376 Caroline Ave Pt Lots 12-13 Bexley Hts
Parcel #7: Bexley's Tree Farm described as the undeveloped extension of Parkview Ave.

Situated in the State of Ohio, County of Franklin, and in the City of Bexley:

Being all the lands shown as Park View Boulevard (100 feet wide) and adjoining parks, containing 2.444 acres more or less, as shown on the recorded plat of Bexley Heights Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 11, Page 15, of the Franklin County Recorder's Office and more particularly described as follows:

Beginning at an iron pipe set at the intersection of the centerline of Caroline Avenue (60 feet wide) produced westerly with the west Right of Way of North Parkview Avenue (nom specific width), in the south line of said Bexley Heights Addition and in the north line of Lot 5 of the Plat of Subdivision of the Estate of Anton Ruhl (Plat Book 8, Page 7-A); thence along part of the south line of said Bexley Heights Addition, the south line of said Park View Boulevard and part of the north line of said Lot 5, West, 321.62 feet to a point in the centerline of Alum Creek (passing an iron pipe found at 234.71 feet), the west line of said Bexley Heights Addition, the west Corporation Line of the City of Bexley and an easterly Corporation Line of the City of Columbus; thence along the centerline of said Alum Creek, part of said Corporation Line and the west line of said Bexley Heights Addition, the following two (2) course: 1) North $36^{\circ} 34' 43''$ East, 307.93 feet to a point; 2) North $23^{\circ} 18' 28''$ East, 160.62 feet to a point in the south line of the CSX Transportation Inc. tract (Baltimore & Ohio Railway, deed not found); thence along part of the north line of said Bexley Heights Addition, part of the south line of said CSX tract, part of the north line of said City of Bexley Corporation Line, part of a southerly line of said City of Columbus Corporation Line and along the north line of said Park View Boulevard, North $81^{\circ} 21' 52''$ East, 231.70 feet to an iron pipe set at the northwest corner of Lot 10 of said Bexley Heights Addition (passing an iron pipe set at 121.70 feet); thence along the west line of said Lot 10 and the east line of said Park View Boulevard, South $29^{\circ} 19' 30''$ West, 82.87 feet to an iron pipe set at a point of curvature; thence along the west line of said Lot 10, the west line of Lots 11, 12 and part of Lot 13 of said Bexley Heights Addition, along the arc of a curve to the left, having a radius of 431.21 feet and delta angle of $39^{\circ} 19' 00''$, with a chord bearing and distance of South $09^{\circ} 40' 00''$ West, 290.13 feet to an iron pipe found; thence continuing along the west line of said Lot 13, along an arc of a curve to the left, having a radius of 50.00 feet and delta angle of $80^{\circ} 00' 30''$, with a chord bearing and distance of South $49^{\circ} 59' 45''$ East, 64.28 feet to an iron pipe found; thence across North Parkview Avenue (80 feet wide), South

75° 18' 42" West, 118.31 feet to the place of beginning, containing 2.444 acres more or less.

Subject to all legal highways, leases, agreements, easements, restrictions of record and of records in the respective utility offices, if any.