ORDINANCE NO. 00-116

AN ORDINANCE AMENDING SECTION 1131.02 (ZONING MAP) OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, BY REZONING 34.423± ACRES LOCATED ON THE SW CORNER OF W. WILLIAM STREET/US 36W AND CARSON FARMS BOULEVARD (PROPOSED) FROM A-1 AND PUD TO R-6 AND BY REZONING 8.144± ACRES LOCATED ADJACENT TO, AND IMMEDIATELY SOUTH OF, THE PROPOSED MULTI-FAMILY REZONING FROM A-1 AND PUD TO R-3.

WHEREAS, the City Planning Commission, at its meeting of September 27, 2000, recommended the approval of a Rezoning from A-1 and PUD to R-6 for the 34.423± acres located on the SW corner of W. William Street/US 36W and Carson Farms Boulevard (Proposed) plus for approval of a Rezoning from A-1 and PUD to R-3 for the 8.144± acres located adjacent to, and immediately south of, the proposed multi-family rezoning, submitted by 3 M and M's Ventures, Incorporated (PC00-66), and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the zoning district boundaries be changed to reflect the adjusted boundaries of the attached legal description and map (Exhibits A and B), rezoning 34.423± acres located on the SW corner of W. William Street/US 36W and Carson Farms Boulevard (Proposed) from A-1 and PUD to R-6 and rezoning 8.144± acres located adjacent to, and immediately south of, the proposed multi-family rezoning from A-1 and PUD to R-3. The Applicant and the City have jointly agreed to the following text limitations for the R-3, Single Family Residential area as follows:

1. All lots shall have at least a 67' minimum frontage on the lot,
2. At least 80% of the homes are to have a minimum of 1800 square feet (excluding basements and garages),
3. All 2-story homes will have a minimum of 1800 square feet (excluding basement),
4. All ranch style homes will have a minimum of 1500 square feet (excluding basements and garages), and
5. At least 2/3 of the homes shall have partial natural fronts.

SECTION 2. That the clerk is hereby instructed to endorse upon said plat the approval of this council and to certify copies of this ordinance to the County Recorder, County Auditor, and the Director of Regional Planning.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this

Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

Vote on Rules Suspension: YEAS 5 NAYS 0

PASSED: November 13, 2000 YEAS 4 NAYS 1

ATTEST: Lori Vance
CITY CLERK

Winfield Wheeler
MAYOR

EXHIBIT "A"

DESCRIPTION OF A 8.144 ACRE TRACT, SOUTH OF U.S. ROUTE 36, EAST OF ACME DRIVE, IN THE CITY OF DELAWARE, OHIO, FOR ZONING PURPOSES

Situated in the State of Ohio, County of Delaware, City of Delaware, lying in Farm Lots 22 and 23, Section 3, Township 5 North, Range 19 West, United States Military Lands, and being a 8.144 acre tract comprised of 5.657 acres out of a 22.156 acre tract conveyed to Sandra J. Law by a Certificate of Transfer in Official Record Volume 5, Page 2669, and 2.487 acres out of an original 138.122 acre tract conveyed to 3MM&M, by a deed of record in Official Record 40, Page 2229, all records herein at the Delaware County Recorder's Office, and said 8.144 acre tract being bounded and more particularly described as follows:

Begin, for reference, at a point in the west line of said 22.156 acre marking the common corner of Lot 657 in DEL-MARY No. 2 Subdivision, of record in Plat Book 7, Page 373 and a 9.473 acre tract conveyed to Helen Law by a deed of record in Deed Book 609, Page 653;

Thence South 04° 42' 00" West, a distance of 213.29 feet, along the line common to said 22.156 and 9.473 acre tracts, to a point marking **The Point of True Beginning** of the 8.144 acre tract described herein;

Thence the following five (5) courses and distances along new lines over and across the remainder of said original 138.122 acre tract and 22.156 acre tract:

1. South 73° 21' 13" East, a distance of 251.80 feet, to an iron pin set
2. South 39° 46' 56" East, a distance of 292.17 feet, to an iron pin set;
3. North 82° 39' 43" East, a distance of 105.14 feet, to an iron pin set;
4. North 88° 35' 45" East, a distance of 147.71 feet, to an iron pin set;
5. South 77° 17' 11" East, a distance of 186.32 feet, to an iron pin set in the arc of a curve common to said 22.156 acre tract and a 25.318 acre tract conveyed to Dominion Homes, Inc. by a deed of record in Official Record 41, Page 457;

Thence along the arc of a curve to the left having a central angle of 21° 42' 32", a radius of 780.00 feet, an arc length of 295.53 feet, and a chord that bears South 12° 34' 22"

West, a chord distance of 293.77 feet, to an iron pin found marking a common corner of the remainder of said original 138.122 acre tract and 25.138 acre tract;

Thence South 87° 25' 52" West, a distance of 244.18 feet, along a new line over and across the remainder of said original 138.122 acre tract, to an iron pin set, passing an iron pin found at 85.18 feet marking a common corner of the remainder of said original 138.122 acre tract and 25.138 acre tract;

Thence North 89° 47' 59" West, a distance of 79.73 feet, along a new line over and across the remainder of said original 138.122 acre tract, to an iron pin found marking a common corner of the remainder of said original 138.122 acre tract and 22.156 acre tract;

Thence North 85° 42' 56" West, a distance of 523.34, along the line common to the remainder of said original 138.122 acre tract and 22.156 acre tracts, to an iron pin found marking a common corner of the remainder of said original 138.122 acre tract, said 22.156 acre tract, and said 9.473 acre tract;

Thence North 04° 42' 00" East, a distance of 580.86 feet, along the line common to said 22.156 and 9.473 acre tracts, to the **Point of True Beginning**, containing 8.144 acres of land, more or less.

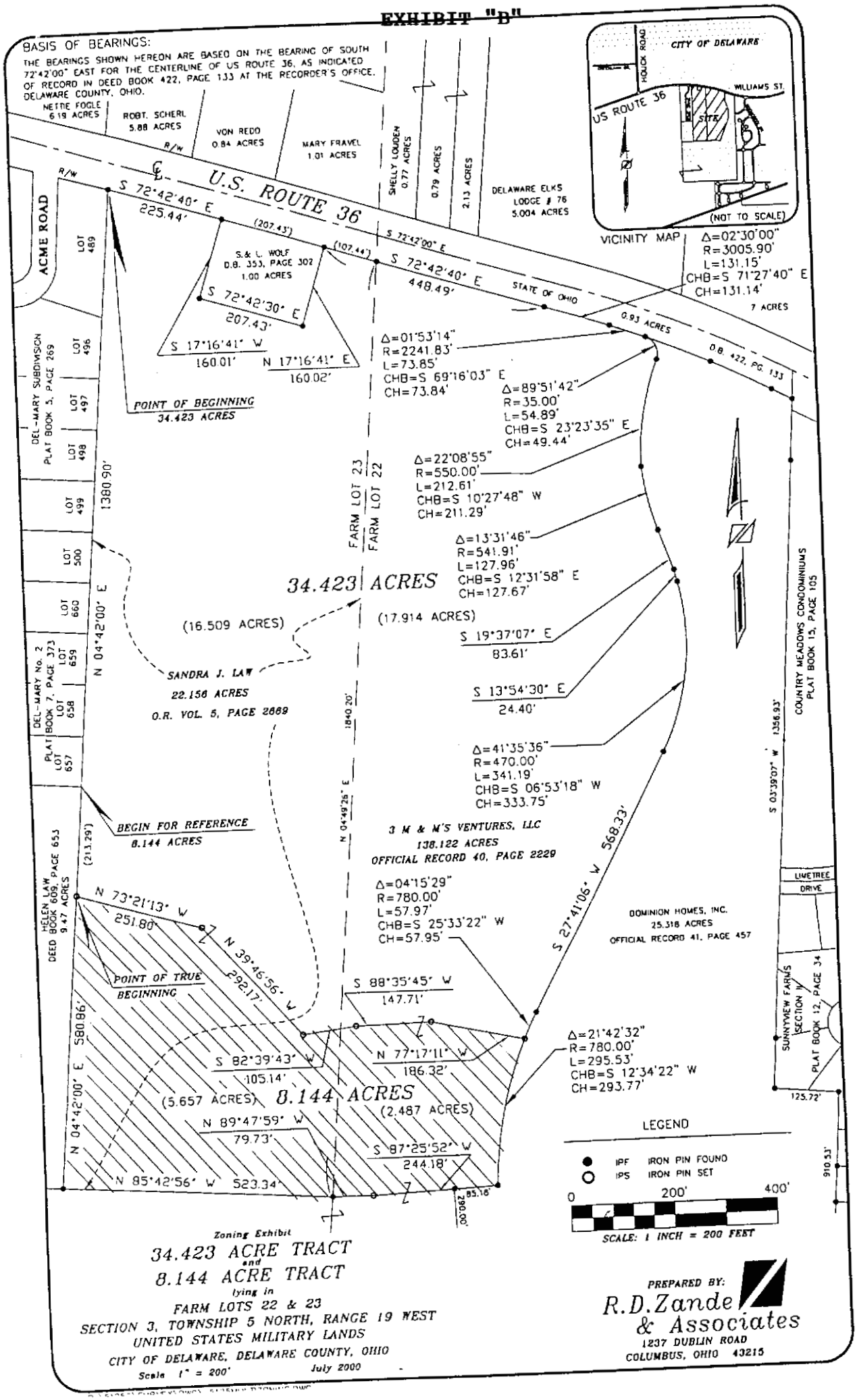
Bearings used in the above description are based on the bearing of S 72° 42' 00" E for the centerline of U.S. Route 36 as delineated in Deed Book 422, Page 133, records of the Recorder's Office, Delaware County, Ohio.

All iron pins set are ¾" iron pins with a yellow cap bearing the name " R.D. ZANDE".

R. D. ZANDE & ASSOCIATES, INC.

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EXHIBIT "B"



Zoning Exhibit

34.423 ACRE TRACT and 8.144 ACRE TRACT

lying in

FARM LOTS 22 & 23

SECTION 3, TOWNSHIP 5 NORTH, RANGE 19 WEST

UNITED STATES MILITARY LANDS

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

Scale 1" = 200' July 2000

PREPARED BY:

R.D.Zande & Associates

1237 DUBLIN ROAD

COLUMBUS, OHIO 43215

of the property, Developer giving date of completion for left-hand turn lane from US 23 South, Staff concerns listed in the Report and Final Engineering. (4 in favor, 0 opposed, 1 abstained – Long) MOTION PASSED.

DRAFT

Application PC 00-66 – A request by the Robert Weiler Company, representing the Law family, for approval of a Rezoning from A-1 (Agriculture) and PUD (Planned Unit Development) to R-6 (Multi-Family Residential) for the 34.423± acres located on the SW corner of W. William Street/US 36W and Carson Farms Boulevard (Proposed) plus for approval of a Rezoning from A-1 (Agriculture) and PUD (Planned Unit Development) to R-3 (One-Family Residential) for the 8.144± acres located adjacent to, and immediately south of, the proposed multi-family rezoning.

Application PC 00-67 – A request by the Robert Weiler Company, representing the Law family, for approval of a Preliminary Development Plan and Conditional Use Permit for the proposed Carson Farms Apartments to be located on the 34.423± acres situated at the SW corner of W. William Street/US 36W and Carson Farms Boulevard (Proposed) plus for approval of a Preliminary Plat for the proposed addition to the Carson Farms Subdivision to be located on the 8.144± acres located adjacent to, and immediately south of, the proposed multi-family project.

Application PC 00-71 - A request by the Robert Weiler Company, representing the Law family, for approval of a Preliminary Plat for the proposed addition to the Carson Farms Subdivision to be located on the 8.144± acres located adjacent to, and immediately south of, the proposed multi-family project.

Gunderman presented the review (printed italic text is from written staff report, which Gunderman summarized):

REQUEST: This report covers two applications. One to rezone the property from its current Multi-Family designation, as part of the Carson Farms PUD, and from its potential designation upon annexation of A-1, Agricultural District to the R-6, Multi-Family Residential District, in part, and into the R-3, Single Family Residential District, in part. The Applicant has then also applied for a Planned Multi-Family Development in the R-6 District by application for a Conditional Use Permit and has submitted the required Preliminary Development Plan.

The current PUD zoning is just over 20 acres of which 17.914 would be converted to the Multi-Family Residential Development District and 2.487 acres would be converted to straight R-3 zoning. The new annexation area is a total of 22.156 acres of which 16.509 would be included as part

DRAFT

of the Multi-Family and 5.657 acres would be included in the Single-Family. In total, the Multi-Family area would be 34.423 acres and the Single-Family area in total would be 8.144 acres.

Since last months meeting the petitions have been amended to remove two 8-plex building and to remove 40 parking spaces. All other aspects of the project remain the same. Staff is unclear what the exact change is in the various types of units. The balance of this report is unchanged from last months although some of unit and density counts have changed accordingly.

Skip Weiler, The Robert Weiler Company, said he dropped one building (16 units) and there were some concerns about changing the PUD, but they could not have the buffer without changing the plan. He said they are proposing all one and two bedroom units.

Morrison asked and Weiler responded that Limetree Drive still connects just not the same way as in the original plan. Weiler said that Staff favored Limetree to align the way it is now than how it was previously. Gunderman said the point at which Limetree would end is essentially the same and the Planning Commission needs to determine which mix of single and multi-family would be best.

Morrison asked and Gunderman responded that the land (Law property) this Developer was going to buy for development was approved for annexation at the last City Council meeting.

Tim Flahive, Representative of Jim and Sandy Law, said that the neighbors to the west were very supportive of the project. He said the neighborhood prefers this plan because it is inevitable that something is going to go on the Law property and this plan is better than what it could be. He said the setbacks for the plan on the property are tremendous and a 90' setback is the lowest.

Jeri Schaefer, 519 Acme Road, said the sewage on the east side leaches into field currently and Gunderman said that the layout of the field should be such that it should not rely on this project. He said long-term plans for Acme Road would take up what is practical for this project and the Planning Commission could deny the extension if a sewer to Acme is not part of the project.

Godsil asked and Schaefer responded that City water, but not City sewers service this area. Weiler said that in the meetings with the neighbors, it was agreed that if the City gave approval of the design, they would bring the sewer easement over to the east side of Acme Road and if residents wished to tap into it, it was available.

Dan Horne, Medco Group, said that the Willowbrook Farms project could provide sewer for the west side of Acme Road.

Motion: Godsil/Morrison moved to approve Application PC00-66 for the Rezoning. (4 in favor, 1 opposed-VanGundy, 1 abstained-Long) MOTION PASSED.

Motion: Godsil/Hall moved to approve Application PC00-67 for the Conditional Use Permit as amended. (4 in favor, 1 opposed-VanGundy, 1 abstained-Long) MOTION PASSED.

Motion: Godsil/Hall moved to approve Application PC00-71 for the Preliminary Plat as amended subject to the walkway areas at the southwesterly property line in the single-family area. (4 in favor, 1 opposed-VanGundy, 1 abstained-Long) MOTION PASSED.

Application PC 00-73 – A request by R.D. Zande & Associates, representing Tom Lawson Development, for approval of a Preliminary Development Plan for a Planned Residential Development for the proposed 38 attached

DELAWARE PLANNING COMMISSION
REZONING, CONDITIONAL USE PERMIT AND PRELIMINARY DEVELOPMENT PLAN REVIEW

Rezoning for Robert Weiler and Law Family

CUP and Preliminary Development Plan for multi-family and single-family

CASE NUMBER: PC00-66 & 67
PC00-71 (Recent Submission)

MEETING DATE: September 27, 2000

APPLICANT/OWNER: 3 M and M's Venture, Inc.
41 South High Street, Suite 2200
Columbus, OH 43215

ENGINEER: Joseph Looby
R.D. Zande and Associates
1237 Dublin Road
Columbus, OH 43215

REQUEST: This report covers two applications. One to rezone the property from its current Multi-Family designation, as part of the Carson Farms PUD, and from its potential designation upon annexation of A-1, Agricultural District to the R-6, Multi-Family Residential District, in part, and into the R-3, Single Family Residential District, in part. The Applicant has then also applied for a Planned Multi-Family Development in the R-6 District by application for a Conditional Use Permit and has submitted the required Preliminary Development Plan.

The current PUD zoning is just over 20 acres of which 17.914 would be converted to the Multi-Family Residential Development District and 2.487 acres would be converted to straight R-3 zoning. The new annexation area is a total of 22.156 acres of which 16.509 would be included as part of the Multi-Family and 5.657 acres would be included in the Single-Family. In total, the Multi-Family area would be 34.423 acres and the Single-Family area in total would be 8.144 acres.

Since last months meeting the petitions have been amended to remove two 8-plex building and to remove 40 parking spaces. All other aspects of the project remain the same. Staff is unclear what the exact change is in the various types of units. The balance of this report is unchanged from last months although some of unit and density counts have changed accordingly.

BACKGROUND: The Applicants are essentially the current owners of the Multi-Family portion of the Carson Farms tract and would simply like to purchase the 22.156 acres adjacent to it, which recently petitioned for annexation to the City and is still under consideration. The Planning Commission has already recommended this item.

As part of their proposed expansion, they would like to move from the current area of Multi-Family, which is a site of just over 20 acres and currently is approved for 184 multi-family dwelling units and expand the Multi-Family site to 34.423 acres with 296 dwelling units, thus occupying the northern 4/5 of the total site. The Applicants also propose using the southern 8.144 acres for a single-family project that would be an expansion of the Carson Farms

development immediately to the south. The proposal for the Single-family area for this is for 24 lots.

STREETS: Currently, the proposed multi-family tract of just over 20 acres has it divided by a proposed street location in roughly the middle of the tract in alignment with Limetree Drive. Some of the currently approved multi-family buildings were on the north side of the extension of Limetree some were on the south side. The rearranged configuration does away with the extension of Limetree Drive.

This division of the multi-family property is probably one of the principal goals of this reconfiguration from the developer's point of view. This arrangement permits the entire tract to be in one contiguous parcel. In consideration of Staff's desire to have an east west connection as far north as possible, the Applicant has included the single-family street immediately south of the multi-family area and made that a connecting street in place of Limetree Drive. This street is of course somewhat further south than Limetree Drive and, for that reason, is not as preferred as was the original Limetree arrangement. The total distance between Limetree and the new alignment is comparatively small and it can well be argued that this is a relatively minor adjustment.

MULTI-FAMILY: The major issue concerning this entire project is the overall increase in the number of dwelling units and the overall increase in multi-family units. Because of this project, the City would be picking up approximately 110 additional multi-family apartments. This issue has been the most reoccurring issue in Staff's discussion with the developer.

Given the number of multi-family previously approved in this project, the number of multi-family of one type or another approved in the adjacent Willowbrook project and adjacent Lehner projects, Staff has not been enthusiastic about additional apartments in this vicinity. Staff did request that the Applicant consider some additional condominium type areas as an alternative to the total expansion of multi-family rental units in this location. The developer has considered this particular option, but has not found the site to be suitable enough for the units to make it a worthwhile proposal in their view.

SINGLE FAMILY: Staff is happy to see that a portion of this project is an expansion of a single-family area. The Applicants have to propose text limitation language on these particular units so that they would be similar in size to the units immediately to the south in Carson Farms, which are the larger homes that had been approved as part of the Carson Farm area thereby expanding the large home portion of the overall Carson Farms project.

ACME ROAD: Staff is also aware that the Applicant has done a good job of trying to communicate with the residents on Acme Road which as the only existing properties on the south side of US 36 are the most directly impacted by this project. The developer has indicated to Staff that because of his meetings with the Acme Road residents, he has a relatively enthusiastic support by them for his project owing largely to the substantial landscaping treatment that is proposed along their common property line.

OVERALL DENSITY: By comparison, the previously approved multi-family in the Carson Farms PUD would have resulted in a density of approximately 9.1 dwelling units for the entire site. The proposed density of the entire area on both multi-family and single-family in this project would result an overall density of approximately 7.4 dwelling units for the entire expanded site. While this certainly can be seen to represent a substantial improvement in overall densities, Staff would point out that under other circumstances, the entirety of the newly annexed

property might well have been considered for entirely single-family development and the overall net density would have been substantially lower yet.

STAFF REVIEW: Staff's most critical concern in this project is the overall addition of multi-family dwelling units to the site. On the one hand, Staff has resisted the idea of needing any additional multi-family complex units in this vicinity feeling that the previous approval was more than adequate. However, this view must be balanced against the expectations for development of the Law tract that would have come to the City in any event were it not part of this particular proposal. The Law tract, at least at its northern end, would have been a relatively narrow strip of property between the Carson Farms Multi-family that had already been approved and the Acme Court development. Given its proximity to US 36 and the Carson Farms multi-family, a total build out of this area as single-family would probably not have been the most practical arrangement on that tract. As such, some density increase above single-family should be considered appropriate.

Staff had strongly recommended to the developer that he approach the project utilizing the northern end of this multi-family site for the type of multi-family project that had previously been approved in approximately the same numbers. Staff then hoped that the Applicant might utilize the southern end of this site with some other type of project potentially a condominium type of arrangement at a lesser density and thereby still complete a useful project to the community and providing a better balance in housing stock.

The Applicant reviewed this type of concept and found they could not make such an arrangement work, but did feel that they could make some additional Single-family at the southern end of the tract work into the project. Staff had noted to the developer that there had been a considerable discussion in the Carson Farms development about the relatively small percentage of the Carson Farms area that had been allocated to larger single-family homes, those of at least 1800 square feet or larger.

These Single-family homes are not proposed for inclusion into either a Planned Residential District, Planned Multi-Family District or part of the Carson PUD, but the utilization of a text limitation by the Applicant as part of the Zoning Code that might eventually adopt this area could satisfy most of the critical points that were agreed upon in the comparable area in the Carson Farms PUD.

Staff would recommend that the text limitation would include the same general language as the Carson Farms PUD on house sizes. The Applicant has proposed a set of text limitations which is directly from the language from Carson Farms as follows:

"The following restrictions will apply to the proposed single family lots in the R-3 District:

- 67' minimum frontage
- At least 80% of the homes are to have a minimum of 1800 square feet (excluding basements)
- All 2-story homes will have a minimum of 1800 square feet (excluding basement)
- All ranch style homes will have a minimum of 1500 square feet (excluding basements)
- 2/3 of the homes shall have partial natural fronts
- All homes in this category shall have an increased landscape package"

Staff would suggest that this language be detailed slightly more by an indication that all of the homes will be a minimum of 1500 square feet.

This single-family component of the project is therefore the basic trade-off that must be balanced against the multi-family expansion. 24 lots of single-family homes of 1800 square feet

or larger would probably not have been likely if the original Law tract had been developed separately apart from the proposed project. If the separate Law property had been considered, it is potentially the case that some of it might have been single-family, but other portions of it would probably have been duplex or multi-family.

In the final analysis, the Planning Commission and City Council must decide whether they feel this mixture of 296 multi-family balances off against the previous proposal when the proposed single-family and landscape buffer adjacent to Acme Road is considered.

OTHER CONSIDERATIONS FOR THE PRELIMINARY DEVELOPMENT PLAN

In general, this Preliminary Development Plan appears to continue most of the beneficial aspects of the previous multi-family project developed in Carson Farms. The ponding areas close to the corner of Carson Farm Boulevard and US 36 are still in place and if anything has been somewhat expanded in this proposal; this will help to keep residential units away from the actual corner intersection of this property. The proposal has essentially two connecting driveways onto Carson Farms Boulevard. One at approximately the same location as in the previous project and the other where the previous street alignment would have taken place.

The project also has a substantial amount of open space at the southern end of the multi-family area, which will buffer it from the Single-family homes that are proposed. This is also similar in many respects to the previous project the City had. This project appears to continue the bike path arrangement along Carson Farms Boulevard. This would bring it along the road and across the street right-of-way, extend back to the single-family, and bring it down to the same cross street in the Carson Farm project that was previously the case. This project has a substantial landscape area adjacent to the Acme Road project. This appears to be a well thought out design and so long as it is judged suitable by the Acme Road residents, Staff feels it can be incorporated and approved as part of this Preliminary Development Plan.

MULTI-FAMILY UNITS: Architecturally, the proposal for these particular units is similar to the proposal that was made in the previous submission. This includes the same type of general building design, as had been the case in the previous multi-family component of Carson Farms. Staff is not enthused in having 100 additional units of this particular arrangement.

The dwelling units are proposed to be in the following pattern:

7 buildings with 16 2-bedroom units
11 buildings with 8 2-bedroom units
8 1-bedroom units
1 building with 4 2-bedroom units
4 1-bedroom units

This essentially brings 90 apartments with 1-bedroom units onto the site. The balance all being 2-bedroom units. The parking arrangements for this proposed site include 90 garage spaces for 296 apartment structures. All of the remaining parking is surface parking spaces. Grand total is 735. At 735 parking spaces total, this is considerably in excess of the two per unit required by Code.

OPEN SPACE: Total open space listed for this project is shown at 19.5 acres, which no doubt includes every inch of practical area, and the Applicant is suggesting that one acre be dedicated for park space. Staff is generally satisfied with the suggested park dedication area and believes that by the time of final platting of the single-family area, this area may potentially be cut down and reduced. If possible, Staff would like to reduce this area in exchange for the loss of one lot

at the entryway to the park as dedicated in the Carson Farms Plat thus providing a broader entryway into that area. In any event, Staff is pleased to have some additional park space adjacent to the already approved Carson Farms park site. The open space generally south of the Multi-family buildings and north of the single-family structures is a substantial open area and will serve the overall area well by providing a suitable buffer between the single-family and multi-family uses.

Staff would recommend that the bike path extension be shown to go clear across the Route 36 frontage of this property including the vacant parcel not included in these applications since it should be able to be accommodated within the City's right-of-way as it currently exists.

Staff would also like to see a pathway connection along what is the south westerly property line in the single-family area providing a pedestrian access way from the multi-family project down to the proposed single-family street and continuing on along this westerly property line into the park area as it may eventually be approved.

Staff would suggest a 30' right-of-way for this pathway assuming an 8' bike path down the center and 12' grassed area on either side. The pedestrian access between the apartment complex and the right-of-way should become part of the multi-family tract and their responsibility to maintain. The right-of-way between the street right-of-way and the park site on the southerly site of the City street should be part of the park site and maintained by the City's Parks Department.

Staff would assume the same right-of-way dedication as had been previously assumed in the previous PUD project along SR 36, but continuing that dedication along the entirety of the proposed project.

TRAFFIC: Staff believes that the total traffic impact of the additional units in this particular site would not substantially change from the rather substantial traffic study that was completed for the balance of the Carson Farms tract. In other areas, Staff believes the Applicant has done a suitable job in complying with the procedural requirements of the Code for projects such as this. Staff notes that some of the detail notes provided on the development plan include the setback distances along the Acme Road property which are substantial mostly because of the large landscape area and the provision for sanitary sewer easement in this area, which Staff believes would be necessary to suitably serve the properties further to the south and west.

LAYOUT: While the general layout of the buildings and driveways appears appropriate, certain locations on the site appear to have tight turning radiuses. This occurs at several locations around the site particularly where garage structures are located in island locations near several buildings. Staff would request a blow up in detail on these areas generally showing the radiuses of these turns so that they can be suitably reviewed by the City Fire Department for access for City emergency equipment vehicles.

The Applicants need to show detail in the single-family of this project as though it were a Preliminary Plat for this area as prescribed in the Subdivision Regulations. Staff assumes that it will comply with the R-3 zoning sizes at minimum.

The Applicants should also indicate not only the phasing of the multi-family project, but the timeline for the development of the single-family area particularly as it might be compared to the adjacent Carson Farms similar tract. Staff would like to see an additional architectural rendering for each of the building types that are proposed in this addition and a notated explanation of the building materials in each case. It would appear from the color version of the building that has been submitted that a good percentage of the structure is a brick surface.

The Applicants appear to have completed a suitable Community Impact Assessment for this project.

STAFF RECOMMENDATION: Staff has been torn as to how to react to this project since discussions first began with the developer. Staff does not like the additional 100+ multi-family units being added to this portion of the City.

Staff is also pleased to complete a unified project that includes both the previous multi-family site and the adjacent Law tract. Staff is also aware that most of the policy discussions that took place during the Willowbrook and Lehner reviews focused on a desire to encourage as much as possible, larger single-family homes development as could be obtained. With this in mind, Staff clearly feels that there are some pluses and some minuses to the project as proposed.

Staff also understands, from the developer, and will wait to see at the public hearings whether they have the enthusiastic support of the Acme Road residents. As the existing residential project in the vicinity and as a group of property owners immediately adjacent to the site, their views on the advisability of this project should be taken into strong consideration. If the Acme Road residents are enthusiastic about this project and in support, Staff would generally feel that they would recommend approval of this project as proposed with the Staff comments as heretofore noted.

CITY OF DELAWARE, OHIO
PLANNING AND COMMUNITY DEVELOPMENT
(740) 368-1650

APPLICATION FOR ZONING CHANGE

PC 00-66

I/WE 3 M and M's Ventures, Inc. BEING OWNERS/LESSEES OF

41 South High Street, Suite 2200, Columbus, Ohio 43215
(No.) (Street) (City) (State)

WISH TO PETITION THE COUNCIL OF THE CITY OF DELAWARE, FOR THE CHANGE OF

LOT NUMBER(S) _____ FOR 8.144 ACRES

LOCATED AT Approximately 1800' south of U.S. 36 on Carson Farms Blvd.

FROM R3 w/PRD and PUD TO R-3 CLASSIFICATION.
(Present Zoning) (Proposed Zoning)

NOTE: Please attach a legal description for each proposed zoning district and please detail if multiple zoning districts.

IN THE SPACE PROVIDED BELOW, GIVE A DETAILED ACCOUNT OF THE INTENDED US OF LOT/LOTS, LISTING ALL PERTINENT FACTORS SUCH AS NUMBER OF EMPLOYEES, PRODUCT AND METHOD OF PRODUCTION, AUTOMOBILE OR TRUCK FACILITIES REQUIRED, OPERATING HOURS, WASTES AND REASONS WHY YOU WISH THIS CHANGE CONSIDERED (You may use a separate sheet if necessary):

The intended use of the 8.144 acre tract is for single family residential.

Applicant Name: 3 M and M's Ventures, Inc.

Applicant Address: 41 South High Street, Suite 2200, Columbus, Ohio 43215

Contact Person: Skip Weiler Phone: 221-4286

Owner Name: Same

Owner Address: _____

Contact Person: _____ Phone: _____

On the lines provided, please list all property owners that are within 150 feet of EACH property line for the property in question. Also, list the TAX MAILING ADDRESSES for each of these property owners so that they may be notified of this request. You may use a separate sheet if necessary.

PROPERTY OWNER	TAX MAILING ADDRESS
See attached list	

Each filing of an application, except those initiated by the Planning Commission, shall be accompanied by a check payable to the City of Delaware or a cash payment sufficient in the amount to cover the costs of reviewing the application by City staff, publishing, posting and/or mailing notices of hearings and shall be payable in the following manner:

Planned Unit Development, Major Subdivisions and Rezonings:

FIRST ACRE	$250.00
NEXT 4 ACRES	$100.00/ACRE
NEXT 5 ACRES	$50.00/ACRE
EACH ADDITIONAL ACRE	$25.00/ACRE

I/WE 3 M and M's Ventures, Inc. BEING OWNERS/LESSEES

OF 41 South High Street, Suite 2200, Columbus, Ohio 43215
(No.) (Street) (City) (State)

DO HEREBY VERIFY THE TRUTH AND CORRECTNESS OF ALL FACTS AND INFORMATION PRESENTED WITH THIS APPLICATION.

Joseph E. Looby
Witness

Witness

Owners/Lessee Signature
41 South High Street, Suite 2200
Mailing Address
Columbus, Ohio 43215
614-221-4286
Phone

Sworn to before me and subscribed in my presence this _____ day of _____, 20_____.

Notary Public

FEE: $_____ RECEIVED BY: _____ DATE: _____