



## Legislation Details (With Text)

**File #:** 1815-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/17/2022      **In control:** Zoning Committee

**On agenda:** 7/11/2022      **Final action:** 7/14/2022

**Title:** To rezone 3301 MORSE RD. (43231), being 1.14± acres located at the southeast corner of Morse Road and Dunbridge Street, From: AR-12, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning #Z22-015).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1815-2022\_Attachments, 2. ORD1815-2022\_Labels

Date	Ver.	Action By	Action	Result
7/14/2022	1	CITY CLERK	Attest	
7/13/2022	1	MAYOR	Signed	
7/11/2022	1	COUNCIL PRESIDENT	Signed	
7/11/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
7/11/2022	1	Zoning Committee	Approved	Pass

### Rezoning Application Z22-015

**APPLICANT:** Sarangpur Holding, LLC; c/o Dave Perry, Agent; 411 East Town Street, 1st Floor; Columbus, OH 43201; and Donald Plank, Atty.; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on June 9, 2022.

**NORTHEAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of two parcels, each developed with a single-unit dwelling in the AR-12, Apartment Residential District and is within the Morse Road Regional Commercial Overlay (RCO). The requested CPD, Commercial Planned Development District will permit redevelopment of the site with a 4,300 square foot commercial building containing 1,700 square feet of retail space and 2,600 square feet of eating and drinking establishment space. The CPD text proposes C-3, Commercial District uses and includes supplemental development standards addressing setbacks, access, landscaping, and building materials. The site is within boundaries of the *Northeast Area Plan* (2007), which recommends "High Density Residential" land uses for this location. While the proposed use is not consistent with this recommendation, the requested CPD district is consistent with the zoning pattern and commercial context of Morse Road. Additionally, the site plan demonstrates a site layout with parking and circulation to the rear of the building, and increased landscaping and street trees along Morse Road, consistent with the Plan's guidelines and RCO requirements, along with adequate buffering and screening from surrounding residential uses.

To rezone **3301 MORSE RD. (43231)**, being 1.14± acres located at the southeast corner of Morse Road and Dunbridge Street, **From:** AR-12, Apartment Residential District, **To:** CPD, Commercial Planned Development District (Rezoning #Z22-015).

**WHEREAS**, application #Z22-015 is on file with the Department of Building and Zoning Services requesting rezoning of 1.14± acres from AR-12, Apartment Residential District, to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the Northeast Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District is consistent with the zoning pattern and commercial context of Morse Road, and includes a site plan that shows parking and circulation to the rear of the building, additional screening and street trees along Morse Road, and adequate buffering and screening from surrounding residential 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:

**3301 MORSE RD. (43231)**, being 1.14± acres located at the southeast corner of Morse Road and Dunbridge Street, and being more particularly described as follows:

Being a part of Township 1, Quarter Township 2, Range 17, United States Military Lands, in the City of Columbus, County of Franklin, State of Ohio, Bounded and described as follows:

COMMENCING at the intersection of the centerline of Morse Road with the centerline of Dunbridge Street;

Thence South 86°12'39" East a distance of 31.00 feet, along the centerline of Morse Road to a point;

Thence South 03°08'34" West a distance of 45.00 feet, to the TRUE POINT OF BEGINNING at the intersection of the south right-of-way line of Morse Road with the east right-of-way line of Dunbridge Street;

Thence South 86°12'39" East a distance of 76.61 feet, along said south right-of-way line of Morse Road to a point;

Thence South 03°08'34" West a distance of 15.00 feet, continuing along said right-of-way line to a point;

Thence South 86°12'39" East a distance of 177.12 feet, continuing along said right-of-way line to the northwest corner of Franklin County Auditor PPN 010-104520;

Thence South 02°52'11" West a distance of 224.65 feet, along the west line of said Auditor's parcel to a point on the north line of the plat of Parkleigh Section No. 2;

Thence North 87°00'10" West a distance of 177.12 feet, along the north line of said Plat of Parkleigh Section No. 2, as recorded in Plat Book 42, Page 110, to the southeast corner of Lot 132 of said Plat;

Thence North 03°10'02" East a distance of 117.09 feet, along the east line of said Lot 132 to the northeast corner of said Lot;

Thence North 86°12'39" West a distance of 78.72 feet, along the north line of said Lot 132 to the northwest corner of said lot on the east right-of-way line of Dunbridge Street;

Thence North 03°08'34" East a distance of 100.25 feet, along said east right-of-way line of Dunbridge Street to a point;

Thence South 86°51'26" East a distance of 1.00 feet, continuing along said east right-of-way line to a point;

Thence North 03°08'34" East a distance of 24.74 feet, continuing along said east right-of-way line to the POINT OF BEGINNING, containing 1.1404 acres more or less and being Auditor's Parcels 010-104566 and 010-104573.

Property Address: 3301 Morse Rd., Columbus, OH 43231

Parcel Number: 010-104566 & 010-104573

**To Rezone From:** AR-12, Apartment Residential District,

**To:** CPD, Commercial Planned Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said site plan being titled, "**CPD SITE PLAN**," and text titled, "**DEVELOPMENT TEXT**," both dated May 26, 2022, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

#### **DEVELOPMENT TEXT**

**EXISTING ZONING:** AR-12, Apartment Residential District

**PROPOSED ZONING:** CPD, Commercial Planned Development District (Morse Road Regional Commercial Overlay)

**PROPERTY ADDRESS:** 3301 Morse Road, Columbus, OH 43231

**APPLICANT:** Sarangpur Holding, LLC c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

**OWNER:** Sarangpur Holding, LLC c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

**DATE OF TEXT:** May 26, 2022

**APPLICATION NUMBER:** Z22-015

#### **1. INTRODUCTION:**

The site is 1.14 +/- acres located at the southeast corner of Morse Road and Dunbridge Street. Applicant proposes to redevelop the site with a 4,300 SF commercial building, as depicted on the Site Plan, with the proposed CPD rezoning. The site is located in the Morse Road Regional Commercial Overlay (RCO). The site plan titled "CPD Site Plan" dated May 26, 2022, hereafter "Site Plan", is submitted with this application as the site development plan.

**2. PERMITTED USE:** Permitted uses shall be all uses of Section 3355.03, C-3, Permitted Uses.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3355, C-3, Commercial District, of the Columbus City Code.

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

1. Height District shall be H-35.
2. The Morse Road building setback line shall be 52' +/- net of right of way conveyance to City of Columbus totaling 110' from centerline. The Dunbridge Street building setback line shall be a minimum of 130'.
3. The Morse Road parking setback line shall be 4' (min.) net of right of way conveyance to City of Columbus totaling 110' from centerline. The Dunbridge Street parking setback shall exceed 10', as depicted on the Site Plan.

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

1. Direct vehicular access from Morse Road and Dunbridge Street shall be from a right-in / right-out curbcut on both streets.
2. Morse Road right of way totaling 110' from centerline shall be deeded to the City of Columbus prior to approval of the final Site Compliance Plan.

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

1. Five (5) street trees shall be provided along the Morse Road frontage, in the right of way, with permission of the City Forester.
2. Tall grass plant material shall be planted between the Morse Road street trees in the Morse Road right of way, as depicted on the Site Plan
3. Minimum perimeter buffering shall be provided as depicted on the Site Plan.

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

Primary building materials shall be fiber cement panels and horizontal fiber cement siding.

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

N/A

**F. Graphics and Signage Commitments.**

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-3, Commercial District, and the Regional Commercial Overlay. Any variance to applicable sign requirements shall be submitted to the Columbus Graphics Commission.

**G. Other CPD Requirements.**

1. Natural Environment: The site is located at the southeast corner of Morse Road and Dunbridge Street.
2. Existing Land Use: Two existing single family dwellings will be removed for redevelopment of the site. The site is located on a major east/west arterial street appropriate for commercial use.
3. Circulation: The site shall have right-in/right-out curbcuts on Morse Road and Dunbridge Street.
4. Visual Form of the Environment: The proposed commercial use is appropriate for site and area. The site is located on a major east/west arterial street designated in the Morse Road Regional Commercial Overlay. The site will be developed in

accordance with this text and the referenced Site Plan.

5. Visibility: The site is visible from Morse Road and Dunbridge Street.

6. Proposed Development: Commercial development as permitted by this text and as depicted on the referenced Site Plan.

7. Behavior Patterns: Vehicular access will be from Morse Road and Dunbridge Street. On-site circulation will be as depicted on the referenced Site Plan.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text. There will be no objectionable emissions.

#### **H. Modification of Code Standards.**

1. Section 3355.09, C-3 District Setback Lines, to reduce the Morse Road building setback line from 110' based on the Columbus Multi-modal Thoroughfare Plan designation of Morse Road as a 220' right of way, to 52' net of right of way dedication totaling 110' from centerline.

2. Section 3372.804(B), Setback Requirements, to reduce the Morse Road RCO parking setback from 10' to 4'.

#### **I. Miscellaneous Commitments.**

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

2. Development of the site shall be in accordance with the Site Plan titled "CPD Site Plan" dated May 26, 2022 and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

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