

DEVELOPMENT TEXT
CPD, Commercial Planned Development

PROPERTY ADDRESS: 2114 Ikea Way, Columbus, OH 43240

PID: 31844202025006, 31844202025011, 31844202025001 (part) (Delaware County)

AREA: 33.98 +/- ac

EXISTING ZONING: L-C-4, Limited Commercial District

PROPOSED ZONING: CPD, Commercial Planned Development

APPLICANT: NP-FG, LLC c/o Dave Perry, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 411 E. Town Street, FL 2, Columbus, Ohio 43215

PROPERTY OWNER: NP-FG, LLC and Polaris 91, LLC c/o Dave Perry, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 411 E. Town Street, FL 2, Columbus, Ohio 43215

DATE OF TEXT: February 26, 2020

APPLICATION NUMBER: Z19-064

1. INTRODUCTION:

The 33.98 +/- acres is zoned L-C-4, Limited Commercial by Ordinance 1413-01, passed July 30, 2001 (Z91-018C), Ordinance 1544-2014, passed July 14, 2014 (Z13-008), Ordinance 1508-2017, passed June 19, 2017 (Z16-088) and Ordinance 0266-2018, passed February 5, 2018 (Z17-046). The Z91-019C area includes parts of different subareas and reflects what was the anticipated location in 1991 of what is now Ikea Way. Applicant proposes to rezone the site to CPD, Commercial Planned Development to consolidate L-C-4 subareas, texts and height districts and to set a 30 foot Ikea Way building setback line for the property included in this application. The site is designated as “Regional Mixed Use” in the Far North Plan (2014). The “Regional Mixed Use” designation supports commercial land use and recognizes the Polaris Centers of Commerce and other commercial development as the appropriate land use, as permitted under the current and proposed zoning.

2. PERMITTED USES: The following uses shall be permitted:

All uses of Section 3356.03, C-4 Permitted Uses, except for the following:

A. Billboards

B. Off premise graphics except for (i) graphics which identify an overall development on the subject property (such as a large office park or shopping center) and the management of the development and (ii) graphics identifying uses within the Subarea in which the graphics are located or a Subarea contiguous to the Subarea in which the graphics are located or (iii) as approved by the Columbus Graphics Commission as part of a Graphics Plan. Off-premise graphics are subject to approval by the Columbus Graphics Commission.

C. Used car lots, except used car lots used in conjunction with the sale of new cars.

D. Outside storage of items with the exception of items offered for sale and accessory to a permitted use, such as hardware, lumber, or landscaping sales uses, etc.

E. Storage of hazardous wastes except for small quantities generated or used in connection with testing labs or other permitted use under controlled conditions in compliance with all laws regulating such materials.

F. Halfway House.

3. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.

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

1. Building Height: The height district shall be H-110, allowing for a 110-foot height limitation in accordance with Sections 3309.14 and 3309.142 of the Columbus Zoning Code, except as follows:

a) Building and Structure Height (permitted height measured from the north property line of the 21.452 +/- acres being rezoned), in and along the north property line, as depicted on the “Zoning Exhibit”:

1) No building or structure (or any portion thereof) shall be permitted less than fifty (50) feet from the north property line of the 21.452 +/- acres, in the location depicted on the “Zoning Exhibit”, and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG, LLC”) and for 80 +/- feet across the north corner of PID 45-31844202025006, as depicted on the “Zoning Exhibit”:

2) Any building or structure (or any portion thereof) located more than fifty (50) feet and up to seventy-five (75) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27-31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG, LLC”), shall not exceed thirty-five (35) feet in height.

3) Any building or structure (or any portion thereof) located more than seventy-five (75) feet and up to one-hundred fifty (150) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27-31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG, LLC”), shall not exceed sixty (60) feet in height.

4) A building or structure (or any portion thereof) located more than one-hundred fifty (150) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27-31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG, LLC”), may exceed sixty (60) feet in height, and permitted height shall be as permitted in the H-110 height district, including the application of Section 3309.142, Height District Exceptions.

2. Building Lines:

a) The building setback line shall be thirty (30) feet from any public street, fifteen (15) feet from any side property line, and ten (10) feet from any rear property line, except as otherwise set forth in Section A.1, and as follows in 2b):

b) No building setback shall be required from any private street or any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

3. Parking Setback:

a) There shall be a minimum thirty (30) foot parking setback from all public streets. No parking setback shall be required from or along a private street.

b) A minimum fifty (50) foot landscaped parking setback shall be provided along and parallel to the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27-31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“NP/FG, LLC”). The minimum fifty (50) foot landscaped parking setback shall consist of preservation of existing trees and supplemental planting and fencing (See Section 3.C.7).

c) No parking or maneuvering areas, except driveways, shall be constructed nearer than three (3) feet from any side or rear property line, except as required above (b) and as follows:

1) Internal aisles for vehicular circulation within parking lots to provide internal connection and circulation between adjacent parking lots are permitted.

2) No parking or maneuvering setback shall be required from any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

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

1. There shall be no vehicular access to East Powell Road.

2. Vehicular access will be from existing abutting public streets with specific locations of access subject to approval of the Division of Traffic Management and there may be new internal public and/or private street(s) or vehicular connections with abutting property.

3. Development of the site shall be subject to the requirements of Chapter 4309, Traffic Standards Code.

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

1. Screening with landscaping (or screening materials which may consist of any combination of earth mounding, landscaping, walls, and/or fences) shall be provided so as to hide trash collection areas and waste storage area from view, to a minimum opacity of not less than 100%. All such landscaping shall be properly trimmed and all screening shall be maintained in a neat and tidy manner. All service areas shall be separated from public circulation and parking areas.

2. Where freestanding walls are used for screening, they shall be integrated into the building design and/or landscaping plan so as to appear to be a natural element of the building and/or lot on which such building is located.
3. Provision for handling all truck service shall be totally within each parcel. No off-street loading areas or loading docks shall be located on or along the front wall of any building, within the front yard of any parcel or nearer than fifteen (15) feet from any side or rear property line. Off-street loading areas or loading docks located on or along the side wall of any building shall in no event be located nearer than twenty-five (25) feet from the front of the building and such facilities and all activities therein shall be screened from view from all public streets with buildings or view-obscuring treatment such as landscaped mounds, a wall or fence, dense planting, strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of 6 feet high and an opacity of not less than seventy five percent (75%). All such view-obscuring measures shall be maintained in good condition and appearance by the owner of the property containing such freight loading area at all times.
4. Any freight loading area located within fifty (50) feet of a residentially zoned property used for residential purposes shall be screened from such residential property by buildings or view-obscuring treatment such as landscaped mounds, a wall or fence, dense planting, strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of 6 foot high and an opacity of not less than seventy five percent (75%). All such view-obscuring measures shall be maintained in good condition and appearance by the owner of the property containing such freight loading area at all times.
5. Each parcel shall provide minimum three (3) foot wide landscape buffer areas within the parcel, if not in conflict with a more restrictive standard of this text, and adjacent and parallel to the side and rear property lines, except where abutting the fifty (50) foot north buffer setback, where no building setback is required, where aisles connect adjacent parking lots and where no parking setback is required. The surface of the side and rear buffer areas shall be expressly reserved for the planting of lawns, trees or shrubs and no structures (except approvable graphics), equipment of any nature (except utility equipment, which shall be either underground or fully screened) or paved areas (except driveways) shall be permitted within the side and rear buffer areas.
6. Each parcel shall provide in the front of the parcel, along any public street, a minimum thirty (30) foot wide landscape buffer area, unless otherwise permitted in this development text, outside of but adjacent and parallel to any public street. Except for graphics and driveways, the surface of the front buffer area shall be expressly reserved for the planting of lawns, trees or shrubs. Storm water detention or retention areas may occur in said buffer areas.
7. The minimum fifty foot (50) foot landscaped setback (Section A.3.b.) along and generally parallel to the north property line of the 21.452 +/- ac area being rezoned, and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27-31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG,LLC”) and for 80 +/- feet across the north corner of PID 45-31844202025006, as depicted on the “Zoning Exhibit”, is subject to the following:
 - a) The setback shall be left in its current natural state, including the existing earthen mound within the fifty (50) foot setback.
 - b) The existing eight (8) foot tall wood “board on board” style fence located approximately at the top of the mound shall be repaired and maintained, as needed, or the fence may be replaced, in whole or in part, with an eight (8) foot tall “board on board” wood fence.

- 1) If the fence is repaired, fence pickets shall be replaced as needed on the south side of the fence, and, additionally, as many fence pickets as possible shall be placed on the north side of the fence, consistent with wind load limitations of the existing fence and fence structure, to cover joints between fence pickets on the south side of the fence, to improve fence opacity.
- 2) If the fence is replaced, the fence shall be double-sided with fence pickets placed on opposite sides of the fence structure to cover joints between the fence pickets, fence pickets shall start no more than one (1) foot above grade, and the fence shall be designed to be approximately 85% opaque, exclusive of space from grade to bottom of the fence pickets.
- 3) Existing trees of one (1) inch caliper or greater within the fifty (50) foot setback shall be maintained, except if it is necessary to remove trees in conjunction with additional tree planting. Additional tree planting of appropriate types, quantities, and size(s) of deciduous and/or evergreen plant material, as determined by an arborist or landscape architect at the time contiguous site development is proposed, may be planted within the fifty (50) foot setback, and particularly south of the fence.
8. For all retaining walls, an area to be planted with shrubs and/or vines shall be provided between the wall and any paved area, except where adjacent to a retaining wall, if any, along the fifty (50) foot landscaped setback along the north property line.
9. All open areas on each developed parcel not occupied by buildings, structures, outside storage areas, parking areas, street right-of-way paved areas, driveways, walkways and off-street loading areas shall be suitably graded and drained and shall be landscaped with lawns, trees and shrubs.

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

Buildings shall be finished with the same level and quality of finish on all four (4) sides. There shall be no exposed smooth face concrete block.

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

1. There shall be no parking lot lighting within fifty feet (50) feet of the north property line of the area being rezoned, meaning, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27-31844202012000 (“NP/FG, LLC”), and for 80 +/- feet across the north corner of PID 45-31844202025006, as depicted on the “Zoning Exhibit”.
2. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.

F. Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4, Commercial District, shall be submitted to the Columbus Graphics Commission.

G). Other CPD Requirements.

1. Natural Environment: The site is located on the north and south sides of Ikea Way between Fermi Drive and Worthington Road.
2. Existing Land Use: The site is undeveloped. Extensive commercial zoning and development exists to the west and south. Residentially zoned property is located to the north, along the south side of E. Powell Road, and to the east on the east side of Worthington Road and E. Powell Road.
3. Circulation: The site fronts on the north and south sides of Ikea Way. The location of access shall be determined in conjunction with proposed development.
4. Visual Form of the Environment: The proposed uses are appropriate for location. The Polaris Centers of Commerce is extensively developed with commercial uses, the site is already zoned L-C-4, Limited Commercial and the Far North Plan recommends "Regional Mixed Use
5. Visibility: The site is visible from Ikea Way and Worthington Road.
6. Proposed Development: Commercial development as permitted by this text.
7. Behavior Patterns: Vehicular access will be from Ikea Way and/or other roads as permitted with specific development plans.
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.

Section 3356.11(A)(1), C-4, District Setback Lines, to reduce the Ikea Way building setback from 60 feet, based on the designation of Ikea Way as a 120 foot right of way by the Columbus Multimodal Thoroughfare Plan (2019) to 30 feet.

I. Miscellaneous.

1. The exhibit titled "Zoning Exhibit," dated February 26, 2020 and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, 1.) is referenced in this Development Text to illustrate the location of the 21.452 acre and 12.529 acre areas being rezoned, 2.) to depict required setbacks where indicated on the Zoning Exhibit (See also Development Text), and 3.) to show the case numbers of previous rezoning applications by which all of the site is presently zoned L-C-4, Limited Commercial. 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 Site 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.
2. Applicable Parkland Dedication Ordinance (PDO) fees shall be paid prior to approval of a final Site Compliance Plan. Limited Commercial zoning (L-C-4) was originally established on part of the 21.452 +/- acres north of Ikea Way and all of the 12.529 +/- acres south of Ikea Way by Ordinance 943-91, passed April 29, 1991, pre-dating the Parkland Dedication Ordinance (PDO).
3. Severability. If for any reason any one or more articles, sections, sentences, clauses or parts of this Text are held invalid by any court of law or duly authorized public body, such determination shall not affect, impair or invalidate the remaining provisions of this Text, but shall be confined in its operation to

the specific sections, sentences, clauses or parts of this Text held invalid and the invalidity of any section, sentence, clauses or parts of the Text in any one or more instances shall not prejudice in any way the validity of the Text in any other instance.