



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/25/2024 **In control:** Zoning Committee

On agenda: 5/13/2024 **Final action:** 5/15/2024

Title: To rezone 2995 MORSE ROAD (43229), being 0.69± acre located on the south side of Morse Road 435± feet west of Westerville Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z23-068).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1264-2024_Attachments, 2. ORD1264-2024_Labels

Date	Ver.	Action By	Action	Result
5/15/2024	1	ACTING CITY CLERK	Attest	
5/14/2024	1	MAYOR	Signed	
5/13/2024	1	Zoning Committee	Approved	Pass
5/13/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/6/2024	1	Columbus City Council	Read for the First Time	

Rezoning Application Z23-068

APPLICANT: Columbo Management, LLC c/o Jackson B. Reynolds, III, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on April 11, 2024.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two parcels developed with a retail building and billboard in the CPD, Commercial Planned Development District. The existing CPD district allows limited C-4 and C-5 uses, while the proposed CPD district will update the allowable uses to include automobile sales. The CPD text includes appropriate use restrictions, including supplemental development standards and a commitment to develop the site in accordance with the submitted site plan. The request is consistent with the *Northeast Area Plan's* (2007) land use recommendation for neighborhood commercial uses, includes a commitment for removal of the existing billboard, and will not add incompatible uses to the area. Staff notes that the site is located with the initial phase of the Zone-In Columbus zoning code update.

To rezone **2995 MORSE ROAD (43229)**, being 0.69± acre located on the south side of Morse Road 435± feet west of Westerville Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z23-068).

WHEREAS, application #Z23-068 is on file with the Department of Building and Zoning Services requesting rezoning of 0.69± acres from CPD, Commercial Planned Development 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 allows uses and site development standards that are consistent with the *Northeast Area Plan's* land use recommendation; 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:

2995 MORSE ROAD (43229), being 0.69± acre located on the south side of Morse Road 435± feet west of Westerville Road, and being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of the 0.894 Acre tract conveyed to S & T Investing, Inc. of record in Official Record Volume 2608 H-06, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point in the centerline line of Morse Road at the northwest corner of said 0.894 Acre tract, said point also being the northwest corner of the 0.172 Acre tract (Parcel 1), conveyed to the City of Columbus in Official Record Volume 11428 A-10;

Thence, along the west line of said 0.172 Acre tract and the west line of the 0.034 Acre tract (Parcel 2) conveyed to the City of Columbus (Official Record Volume 11428 A-10), South 0 degrees 20 minutes West, 60.00 feet to the southwest corner of said 0.034 Acre tract and the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

Thence, along the south line of said 0.34 Acre tract, South 89 degrees 27 minutes East, 150.00 feet to a point at the southeast corner of said 0.034 Acre tract and in the west line of the 0.298 Acre tract (Parcel 1), conveyed to Eric P. Rotondo, Trustee (Deed Book 3672, Page 188);

Thence, along part of the east line of said 0.894 Acre tract, (part of the west line of said 0.298 Acre tract), South 0 degrees 20 minutes West, 199.79 feet to a point at the southeast corner of said 0.894 Acre tract, southwest corner of said 0.298 Acre tract and in the north line of 2.71 Acre tract conveyed to Advisors Agency Inc. (Deed Book 3598, Page 451);

Thence, along the south line of said 0.894 Acre tract, (part of the north line of said 2.71 Acre tract), North 89 degrees 27 minutes West, 150.00 feet to a point at the southwest corner of said 0.894 Acre tract, northwest corner of said 2.71 Acre tract and in the east line of 2.855 Acre tract conveyed to Automotive Distributors Inc. (Deed Book 3627, Page 483);

Thence, along part of the west line of said 0.894 Acre tract, part of the east line of said 2.855 Acre tract and part of the east line of the 0.585 Acre tract conveyed to The Hartley Co. (Official Record Volume 5310 E-18), North 0 degrees 20 minutes East, 199.79 feet to the point of beginning CONTAINING 0.688 ACRES subject however, to all legal highways, easements, leases and restrictions of records in the respective utility offices. Basis of bearings is Official Record Volume 2608 H-06.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of sixty (60) 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, “**ZONING SITE PLAN,**” dated April 22, 2024, and text titled, “**CPD TEXT,**” dated April 23, 2024, all signed by Jackson B. Reynolds, III, Attorney for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD

PROPERTY ADDRESS: 2995 Morse Road

OWNER: Columbo Management LLC

APPLICANT: Columbo Management LLC

DATE OF TEXT: April 23, 2024

APPLICATION NUMBER: Z23-068

1. INTRODUCTION: The subject site is located on the south side of Morse Road north of the intersection with Westerville Road. It contains original buildings as shown on the site plan of record for CPD Case No. Z88-2003. The site is bounded by retail / restaurant / office uses to the north, east, south and west across Morse Road. The property is currently developed with a retail building and a carwash building and the applicant desires to add a use to the current uses of the property.

2. PERMITTED USES: Allowable uses shall be those permitted by Sections 3356 and 3357.01 (C-4 and C-5 districts) of the Columbus City Code. However, no building or premise shall be used, constructed, erected, arranged, designed or intended to be used as a cabaret, night club, dance hall, pub, bar, private club, poolroom or carry-out retail sales of any fuel; and there shall not be erected any off premise graphics or billboards or cellular towers

3. DEVELOPMENT STANDARDS: Except as otherwise noted herein, the applicable development standards of Chapters 3356 shall apply.

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

For the frontage along Morse Road, the building setback shall be thirty-five (35) feet, and the parking setback shall be ten (10) feet.

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

This site is currently developed. The access shall remain as depicted on the attached Site Plan. Access shall be provided in two locations along the east and west side of the site. The two (2) access points shall be right in and right out and shall be signed accordingly and shown on the site plan as such.

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

1. Lot coverage, including buildings, parking and service areas, shall not exceed 95% of the lot.

2. Dumpsters and/or propane tanks shall be screened to a height of six (6) feet.

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

The building and dumpster enclosure shall be constructed with wood or metal materials.

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

N/A

F. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

2. Ground signage shall not exceed six (6') feet in height. Ground signage shall be constructed on a base comprised of brick compatible with and complimentary to the building.

G. Miscellaneous Commitments.

1. SITE PLAN: The property shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time that 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 Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. BILLBOARD REMOVAL: The existing billboard will be removed from the site at the end of its current lease which is March 31, 2029.

4. CPD REQUIREMENTS:

A. Natural Environment.

The site is currently developed with a retail building and a carwash building use. To the west, north, and east are retail uses. To the south is a vacant parking lot use. To the north is a car dealership.

B. Existing Land Use.

This site is developed with a retail building and a carwash building.

C. Transportation and Circulation.

Vehicular access to the property is provided in two locations along the Morse Road right of way.

D. Visual form of the Environment.

The structures have a brick exterior. The landscaping along Morse Road, in conformance with the standards in this CPD Text and depicted on the Site Plan, are aesthetically pleasing and provide adequate visibility from Morse Road.

E. View and Visibility.

This is currently an aesthetically pleasing property, in conformance with existing standards of this and adjacent developments.

F. Proposed Development.

This property is currently developed with a retail building and a carwash building.

G. Behavior Patterns.

Primary access to the site shall occur from Morse Road. Given the proximity to major retail developments, consistent on-site parking and convenient, safe ingress and egress shall be provided.

H. Emissions.

Other than is provided above and is customary for comparable land uses, the site will not generate measurable levels of light, sound, smell or dust. Trash from the restaurant is contained within a dumpster, situated to the satisfaction of the Division of Refuse Collection.

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