



Legislation Details (With Text)

File #: 3118-2017 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 11/15/2017 **In control:** Zoning Committee
On agenda: 12/4/2017 **Final action:**
Title: To rezone 2508 MCCUTCHEON ROAD (43219), being 3.68± acres located on the north side of McCutcheon Road, 500± feet east of Oak Spring Street, From: R-1, Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z17-029), and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3118-2017Attachments, 2. ORD3118-2017Labels

Date	Ver.	Action By	Action	Result
12/7/2017	2	CITY CLERK	Attest	
12/6/2017	2	MAYOR	Signed	
12/4/2017	2	COUNCIL PRESIDENT	Signed	
12/4/2017	1	Zoning Committee	Amended to Emergency	Pass
12/4/2017	1	Zoning Committee	Approved as Amended	Pass

Rezoning Application: Z17-029

APPLICANT: Gloria E. Parker; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Parking lot.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on November 9, 2017.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the R-1, Residential District. The proposed CPD, Commercial Planned Development District will allow a parking lot for a future office development to the north of the site. The CPD text commits to a site plan and includes development standards addressing setback requirements, traffic access, landscaping, and graphics provisions, and commits to a site plan. The site is located within the boundaries of the *Northeast Area Plan (2007)*, which recommends “very low density residential” land uses for this location. Although the Plan recommends residential land uses, staff recognizes that the existing, adjoining CPD district will support new office development. Additional parking in this location is consistent with the established development pattern to the north. Furthermore, the CPD text includes carefully controlled development standards in consideration of adjacent residential uses.

Emergency Justification: To pass as emergency so property can be purchased by contract before the end of the year.

To rezone **2508 MCCUTCHEON ROAD (43219)**, being 3.68± acres located on the north side of McCutcheon Road, 500± feet east of Oak Spring Street, From: R-1, Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z17-029), **and to declare an emergency.**

WHEREAS, application # Z17-029 is on file with the Department of Building and Zoning Services requesting rezoning of 3.68± acres from R-1, 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 will allow a parking lot for a future office development to the north of the site, and the CPD text includes carefully controlled development standards in consideration of adjacent residential uses; and

WHEREAS, an emergency exists so that the property can be purchased by contract before the end of the year, thereby preserving the public health, peace, property, safety and welfare; 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:

2508 MCCUTCHEON ROAD (43219), being 3.68± acres located on the north side of McCutcheon Road, 500± feet east of Oak Spring Street, and being more particularly described as follows:

Parcel Number: 010-236415

Being situated in the State of Ohio, County of Franklin, in the City of Columbus, located in Quarter Township 2, Town 1 North, Range 17 West, United States Military Lands also being in part of Parcel 1 (3.170 acres) and Parcel 2 (3.179 acres) now owned by the East Linden Congregation of Jehovah's Witness, Inc. in Official Record 20832 H10 Recorder's Office Franklin County, Ohio and being more particularly described as follows:

Beginning at a PK nail set in the centerline of McCutcheon Road at the Southeast corner of said Parcel 2, and the southwest corner of a 3.179 acre tract now owned by James C and Delorise Hough in Official Record 8719 A05, being North 89 deg. 55' 00" East 524.21 feet from the centerline intersection of McCutcheon Road and Oak Spring Drive;

Thence South 89 deg. 55' 00" West 50.00 feet, in the centerline of said McCutcheon Road and the south line of said Parcel 2, to a PK nail set;

Thence North 00 deg. 04' 34" West, 440.09 feet, across and parallel with the east line of said Parcel 2, to an iron pin set (passing an iron pin set at 30.00 feet);

Thence South 89 deg. 54' 21" West 265.39 feet, across said Parcel 1 and Parcel 2, to an iron pin set in the west line of said Parcel 1 and the east line of the Willow Springs Subdivision as recorded and delineated in Plat Book 43, Page 121;

Thence North 00 deg. 04' 34" West 437.86 feet, in the west line of said Parcel 1 and the east line of said Willow Springs Subdivision to an iron pin found at the base of a wood fence post, marking the northwest corner of said Parcel 1, and the southwest corner of a 21.083 acre tract now owned by Abbott Labs in Official Record 22521 F15;

Thence North 89 deg. 27' 38" East 315.21 feet, in the north line of said Parcel 1 and Parcel 2 and the south line of said 21.083 acre tract, to an iron pin found at the northeast corner of said Parcel 2 and the northwest corner of said 3.179 acre

tract;

Thence South 00 deg. 04' 34" East 880.42 feet, in the east line of said Parcel 2 and the west line of said 3.179 acre tract, (passing an iron pin found at 850.41 feet), to the place of beginning containing 3.683 acres more or less, of which 1.589 acres are in Parcel 1 and 2.094 acres are in Parcel 2, subject to all easements, restrictions, and rights-of-way of record, if any.

Basis of bearings from Official Record 20832 H10, based on the centerline of McCutcheon Road (North 89 deg. 55' 00" West). All reference deeds on file at Franklin County Recorder's Office, Columbus, Ohio. A survey of the above described premises was done by R.T. Patridge and Associates in November 1995. All iron pins set are capped
PATRIDGE SURVEYING.

To Rezone From: R-1, 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 plan being titled, "**CPD EXHIBIT,**" and text titled, "**CPD TEXT,**" both dated November 14, 2017, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICTS: CPD, Commercial Planned Development

PROPERTY ADDRESS: 2508 McCutcheon

OWNER: Gloria E. Parker

APPLICANT: Gloria E. Parker

DATE OF TEXT: 11/14/17

APPLICATION: Z17-029

1. **INTRODUCTION:** In 2001 the property to the north was rezoned for office development. The plan is to incorporate the subject site with the development to the north to provide additional parking areas for office development.

2. **PERMITTED USES:** parking lot for office development

3. **DEVELOPMENT STANDARDS:** Except as otherwise noted above and herein, the applicable development standards of Chapter 3353, C-2, Commercial District shall apply.

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

1. Setback from McCutcheon Road, south, east, and west property lines shall be 50' for all parking, loading, and maneuvering areas.

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

There shall be no driveway connection to McCutcheon Road.

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

The landscaping as shown on the site plan shall consist of a minimum 6 foot high earthen mound along with 10 evergreen and 2 deciduous trees planted for every 100 feet of the perimeter property lines.

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

N/A

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

N/A

F. Graphics

All graphics and signage shall comply to article 15 of the Columbus City Code as it applies to the C-2, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

Site Plan. The subject site shall be developed in accordance with the site plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are complete. Any slight adjustments of the Site Plan shall be subject to review and approval by the Director of the Department of Building and Zoning services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

1. CPD Criteria.

- a) Natural Environment, The site is currently undeveloped.
- b) Existing Land Uses. Annexed in 1966 - R-1, Residential; undeveloped.
- c) Activities. The proposed development will provide additional parking areas for the development to the north.
- d) Behavior Patterns. Existing development in the area have established vehicular and pedestrian patterns for the area.
- e) Transportation and Circulation. The site will have access to Easton Square Place.
- f) Visual Form of the Environment. The layout will be appropriate for the area.
- g) View and Visibility. The site will have access to Easton Square Place. The zoning requires mounding and landscaping which will buffer the view of the site from the residential property.
- h) Proposed Development. Parking lot for office development
- i) Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

~~SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.