



## Legislation Details (With Text)

**File #:** 1557-2016      **Version:** 1

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

**File created:** 6/6/2016      **In control:** Zoning Committee

**On agenda:** 7/11/2016      **Final action:** 7/15/2016

**Title:** To rezone 6183 LINWORTH ROAD (43085), being 0.46± acres located on the west side of Linworth Road, 220± north of West Dublin-Granville Road, From: RRR, Restricted Rural Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z15-053).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1557-2016Attachments, 2. ORD1557\_2016Labels

Date	Ver.	Action By	Action	Result
7/15/2016	1	CITY CLERK	Attest	
7/14/2016	1	MAYOR	Signed	
7/11/2016	1	COUNCIL PRESIDENT	Signed	
7/11/2016	1	Zoning Committee	Approved	Pass

### Rezoning Application Z15-053

**APPLICANT:** Linworth Baptist Church; c/o Dave Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

**PROPOSED USE:** Parking lot.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on March 10, 2016.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of two parcels zoned in the RRR, Restricted Rural Residential District, one of which is developed with a single-unit dwelling and detached garage. The requested CPD, Commercial Planned Development District would allow for the development of a commercial parking lot to provide overflow parking for a church located directly across Linworth Road. The CPD text permits only a commercial parking lot, while allowing an option for the existing dwelling and garage to remain as reflected on the attached site plans. Commitments for vehicular access, a pedestrian crosswalk, and development standards addressing screening and landscaping are also included in the request. The site is located within the planning area of *The Northwest Plan (2009)*, which does not recommend a specific land use for this particular location, but encourages infill development sites to develop in a manner that is consistent and compatible with the land use and density of the surrounding area. The requested CPD, Commercial Planned Development is compatible and compliments the adjacent commercial development pattern to the south and southeast of the site along Linworth and West Dublin-Granville roads.

To rezone **6183 LINWORTH ROAD (43085)**, being 0.46± acres located on the west side of Linworth Road, 220± north of West Dublin-Granville Road, From: RRR, Restricted Rural Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z15-053).

**WHEREAS**, application No. Z15-053 is on file with the Department of Building and Zoning Services requesting rezoning of 0.46± acres from RRR, Restricted Rural Residential District, to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development 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, which will allow a parking lot, is compatible with the established commercial uses at the intersection of Linworth and West Dublin-Granville roads, and will provide additional parking for the church and adjacent commercial 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:

**6183 LINWORTH ROAD (43085)**, being 0.46± acres located on the west side of Linworth Road, 220± north of West Dublin-Granville Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio and is described as follows:

Being Lots Number Twenty-Five (25) and Twenty-Six (26) of MCCLELLAND'S SUBDIVISION KNOW AS 'ELMWOOD', as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 93, Recorder's Office, Franklin County, Ohio.

**To Rezone From:** RRR, Restricted Rural 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 plans being titled, "**LINWORTH BAPTIST CHURCH, 6183 LINWORTH ROAD, SITE PLAN**" consisting of Sheets 1 of 2 and 2 of 2, and text titled, "**CPD, COMMERCIAL PLANNED DEVELOPMENT**," all dated June 8, 2016, and signed by Dave Perry, Agent for the Applicant, and Donald Plank, AttChaorney for the Applicant, and the text reading as follows:

**CPD, COMMERCIAL PLANNED DEVELOPMENT**

**0.459 +/- ACRES**

EXISTING ZONING: RRR, Restricted Rural Residential

PROPOSED ZONING: CPD, Commercial Planned Development

PROPERTY ADDRESS: 6183 Linworth Road, Columbus, OH 43085

APPLICANT: Linworth Baptist Church c/o Dave Perry, Agent, David Perry Company, Inc., 145 East Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215.

PROPERTY OWNER: Linworth Baptist Church c/o Dave Perry, Agent, David Perry Company, Inc.,

145 East Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215.

DATE OF TEXT: June 8, 2016

APPLICATION NUMBER: Z15-053

**1.INTRODUCTION:** The 0.459 +/- acre site is located on the west side of Linworth Road, 220' +/- feet north of West Dublin Granville Road. The site is two (2) lots, one of which is developed with a single family dwelling and detached garage. The south side of the site abuts Mason Alley (20'). The property on the south side of Mason Alley is zoned for and developed with commercial uses, including a retail gas station, restaurant and retail uses. Applicant proposes to develop the site as a commercial parking lot to provide additional parking for the Linworth Road Baptist Church (6200 Linworth Road) and also commercial parking. The existing dwelling is presently rented and may or may not be razed. Two (2) development plans are submitted with this application as follows: "Linworth Baptist Church, 6183 Linworth Road, Site Plan", hereafter "Site Plan", dated June 8, 2016, consisting of Sheets 1 of 2 and 2 of 2, to depict development of the site as a parking lot with and without removal of the dwelling and garage.

**2. PERMITTED USES:** A commercial parking lot, as permitted in Section 3355.03, C-3 Permitted Uses. The existing dwelling and garage presently on the property will become non-conforming uses with this rezoning. The dwelling and garage shall be permitted as non-conforming uses. At property owner's discretion, the existing house and garage may be removed or retained. Two (2) development plans are submitted, with one showing use of the site for a commercial parking lot without the existing house/garage and one showing use of the site as a commercial parking lot with the house/garage remaining.

**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.**

Use of the site as a commercial parking lot shall be as depicted on the submitted Site Plan (Sheet 1 of 2 or Sheet 2 of 2).

**B.) Access, Loading, Parking and/or other Traffic related commitments.**

1. Development of the site shall be as depicted on the Site Plan (Sheet 1 of 2 or Sheet 2 of 2).
2. Right of way totaling 30 feet from centerline of Linworth Road shall be deeded to the City of Columbus prior to approval of the final Site Compliance Plan.
3. Vehicular access to the site shall be from Mason Alley.
4. In conjunction with development of the parking lot, a crosswalk, which shall include Rectangular Rapid Flash Beacons (RRFB) or comparable, shall be installed to provide a marked pedestrian crossing to cross to the east side to Linworth Road. The crosswalk is depicted on the Site Plans (Sheets 1 of 2 and 2 of 2). The final location and design of the cross walk shall be subject to the approval of the City of Columbus, City of Worthington and Franklin County Engineer, as applicable.

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

Required landscaping and screening for the parking lot shall be as depicted on the Site Plan.

**D.) Building design and/or Interior-Exterior treatment commitments.**

N/A

**E.) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.**

N/A

**F.) Graphics and Signage commitments.**

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-3, Commercial District. A ground sign, if any, shall be monument-style and shall not exceed six (6) feet in total height. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

**G.) Other CPD Requirements.**

1. Natural Environment: The site is located on the west side of Linworth Road, 220' +/- north of West Dublin-Granville Road. The site is flat. The site abuts commercial uses to the south. Linworth Road is a collector. The site is close to West Dublin Granville Road, a major arterial.
2. Existing Land Use: There is a single family dwelling and accessory building presently on the property. The dwelling and accessory building may or may not be razed.
3. Circulation: Vehicular access will be via a Mason Alley, located along the south side of the property.
4. Visual Form of the Environment: Linworth Road is a collector street connecting West Dublin-Granville Road and Hard Road. Commercial uses, fronting West Dublin Granville Road, are located to the south of the property.
5. Visibility: The site is visible from Linworth Road and commercially zoned and developed property to the south.
6. Proposed Development: Commercial parking lot, with or without the existing dwelling and accessory building, as provided for with Site Plan options Sheet 1 of 2 and Sheet 2 of 2.
7. Behavior Patterns: Vehicular access will be from Mason Alley. On-site circulation shall be as depicted on the 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.**

N/A

**I.) Miscellaneous commitments.**

1. Development of the site for a commercial parking lot shall be in accordance with the Site Plan titled "Linworth Baptist Church, 6183 Linworth Road, Site Plan", dated June 8, 2016, consisting of Sheets 1 of 2 and 2 of 2. These plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. All dimensions noted on the plan reflect applicant's best information at this time, but are subject to change with final surveying and/or final engineering. Any slight adjustment to the 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.

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