



Legislation Details (With Text)

File #: 2579-2013 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 10/29/2013 **In control:** Zoning Committee

On agenda: 12/9/2013 **Final action:** 12/11/2013

Title: To rezone 753 CHAMBERS ROAD (43212), being 0.6± acres located on the south side of Chambers Road, 170± feet west of Olentangy River Road, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z12-044).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2579-2013AttachmentsAmended, 2. ORD2579-2013Attachments, 3. Notice Of Public Hearing - Council Mtg20131118

Date	Ver.	Action By	Action	Result
12/11/2013	2	CITY CLERK	Attest	
12/11/2013	2	ACTING MAYOR	Signed	
12/9/2013	2	COUNCIL PRESIDENT	Signed	
12/9/2013	1	Zoning Committee	Taken from the Table	Pass
12/9/2013	1	Zoning Committee	Amended as submitted to the Clerk	Pass
12/9/2013	1	Zoning Committee	Approved as Amended	Pass
11/18/2013	1	Zoning Committee	Tabled to Certain Date	Pass
11/11/2013	1	Columbus City Council	Read for the First Time	

Rezoning Application Z12-044

APPLICANT: Lennox Town Plaza LLC; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Mixed commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on October 10, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is comprised of two separate parcels developed with a camping supply store and a second-hand store currently zoned in the R, Rural District as a result of a September 2012 annexation from Clinton Township. The requested CPD, Commercial Planned Development District will allow mixed-commercial development. The CPD text commits to a site plan, and includes use restrictions and variances for reduced setbacks, a decreased width for headlight screening planting area, and a reduction of thirty-five required parking spaces. Since the site abuts property that is within the Olentangy River Road Community Commercial Overlay (CCO) which allows parking reductions for certain commercial uses, Staff is supportive of the proposed parking variance. The requested CPD, Commercial Planned Development District will allow commercial redevelopment that is consistent with the zoning and development pattern of the area.

To rezone **753 CHAMBERS ROAD (43212)**, being 0.6± acres located on the south side of Chambers Road, 170± feet west of Olentangy River Road, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z12-044).

WHEREAS, application #Z12-044 is on file with the Department of Building and Zoning Services requesting rezoning of 0.6± acres from R, Rural 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 requested CPD, Commercial Planned Development District will allow commercial redevelopment that is consistent with the zoning and development pattern of the area; 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:

753 CHAMBERS ROAD (43212), being 0.6± acres located on the south side of Chambers Road, 170± feet west of Olentangy River Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and the City of Columbus:

Being Lot numbers Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27) and Twenty-Eight (28) of JOSEPH BERGER'S SUBDIVISION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 220, Recorder's Office, Franklin County, Ohio.

Property Address: 747 and 755 Chambers Road, Columbus, Ohio 43212
Parcel Numbers: 420-291760 & 420-291759 (formerly 130-003304 & 130-000810)

To Rezone From: R, Rural 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, "**SITE PLAN**," signed by **Jeffrey L. Brown, Attorney for the Applicant, dated November 21, 2013**, and text titled, "**CPD TEXT**," both signed by Jeffrey L. Brown, Attorney for the Applicant, dated October 29, 2013, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICTS: CPD, Commercial Planned Development
PROPERTY ADDRESS: 753 Chambers Road
OWNER: Lennox Town Plaza LLC
APPLICANT: Lennox Town Plaza LLC

DATE OF TEXT: 10/29/13

APPLICATION: Z12-044

1. **INTRODUCTION:** The property has been recently annexed the property to the City of Columbus. The proposed commercial zoning would match the development pattern in the area.

2. **PERMITTED USES:** The permitted uses for the subject site shall be those uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code. The maximum size of any one restaurant shall not exceed 3,000 sq. ft. Any patio area shall not be included in determining this square footage maximum.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

Building and parking setbacks along Chambers Road shall be zero, the parking setback along the alley to the east shall be a minimum of 3 feet and the parking setback along the alley to the south shall be a minimum of 2 feet.

B. Building Design and/or Interior-Exterior Treatment Commitments N/A

C. Graphics

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-4 District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

D. Miscellaneous

1. Variances.

a) Section 3312.27 Parking Setback Line: to reduce the parking setback along Chambers Road (10 to 0 ft); along the alley to the east (10 to 3 feet) and along the alley to the south (10 to 2 feet).

b) Sections 3312.21(B)(3) and 3312.2(D)(1) Landscaping and Screening: to reduce the width of the landscape screening from 4 feet to zero along Chambers Road, from 4 to 2 feet along the alley to the south from 4 to 3 feet along the alley to the east and from 4 to zero along the west property line.

c) Section 3312.49 Minimum number of parking spaces required; to reduce the number of parking spaces from 81 to 46. If you apply the commercial overlay parking ratio which seems appropriate due to the site's location, the reduction in parking would be from 55 to 46 parking spaces.

d) Section 3356.11 C-4 district setback lines: to reduce the building setback along Chambers Road from 25 feet to zero.

2. Site Plan

The subject shall be 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 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 a designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Based on applying the overlay parking reduction calculation, the parking variance is from 55 to 46 parking spaces, a difference of 9 spaces for the proposed development. The allocation of square footages and the mixture of uses as shown on the site plan for the proposed development may change so long as there is no increase in the parking variance. For

example, if you wanted to increase the restaurant total square footage from 3,850 sq. ft. to 4,000 sq. ft., you would have a smaller retail square footage from 2,500 sq. ft. to 2,350 sq. ft., and the patio would have to be reduced from 500 sq. ft. to 300 sq. ft. to keep the minimum parking at 55 parking spaces before the variance reduction to 46 parking spaces.

4. CPD Criteria.

a) Natural Environment, The site is currently developed with two retail buildings.

b) Activities. The proposed development will provide commercial options for the surrounding commercial and residential neighborhoods.

c) Behavior Patterns. Existing development in the area (ie Lennox Center) have established vehicular and pedestrian patterns for the area.

d) Circulation. The site will have access to Chambers Road and to the alley east of the site.

e) Form of the Environment. The proposed development will be compatible to the existing commercial development in the area.

f) 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.