



Legislation Details (With Text)

File #: 1530-2005 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/12/2005 **In control:** Zoning Committee
On agenda: 10/24/2005 **Final action:** 10/26/2005
Title: To rezone 2674 FEDERATED BOULEVARD (43235), being 1.86± acres located on the north side of Federated Boulevard, 1,320± feet east of Sawmill Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z05-038)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Z05-038 StaffReportandAttachments.pdf, 2. LABEL SET Z05-038.pdf, 3. Z05-038 Data Form.pdf

Date	Ver.	Action By	Action	Result
10/26/2005	1	ACTING CITY CLERK	Attest	
10/25/2005	1	MAYOR	Signed	
10/24/2005	1	Zoning Committee	Approved	Pass
10/24/2005	1	COUNCIL PRESIDENT	Signed	
10/17/2005	1	Columbus City Council	Read for the First Time	
10/5/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
10/5/2005	1	Dev Drafter	Sent for Approval	
10/5/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/5/2005	1	Dev Drafter	Sent to Clerk's Office for Council	
9/13/2005	1	Dev Drafter	Sent for Approval	

Rezoning Application Z05-038

APPLICANT: Delta Energy Holdings; c/o Juan Jose Perez and Angela Alexander Savino; 8000 Ravines's Edge Court, Suite 300; Columbus, OH 43235.

PROPOSED USE: Parking lot expansion and patio.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-2) on August 11, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The proposed CPD, Commercial Planned Development District, would allow the addition of a patio and the expansion of the parking lot by ten (10) spaces. *The Northwest Plan* recommends that this wooded site be preserved. The previous zoning allowed limited development on the site for an office building and 24 parking spaces. The proposed parking lot expansion would further encroach on the limited forest preservation area and is inconsistent with the Plan recommendation. The Department of Recreation and Parks staff has expressed that maintaining and improving Columbus as a Green Community means protecting and reversing the loss of tree cover. The city's naturalist suspects the presence of forested wetlands on the site, possibly Category 2 wetlands. On-street parking is permitted, providing a parking option other than increasing the size of the parking lot. The Department of Recreation and Parks has noted that the loss of any more of the tree cover will negatively impact the remaining trees as the site narrows away from the existing parking lot.

To rezone **2674 FEDERATED BOULEVARD (43235)**, being 1.86± acres located on the north side of Federated Boulevard, 1,320± feet east of Sawmill Road, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z05-038)

WHEREAS, application #Z05-038 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.86± acres from the 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 City Departments recommend disapproval of the proposed CPD, Commercial Planned Development District, which would allow the addition of a patio and the expansion of the parking lot by ten (10) spaces. *The Northwest Plan* recommends that this wooded site be preserved. The previous zoning allowed limited development on the site for an office building and 24 parking spaces. The proposed parking lot expansion would further encroach on the limited forest preservation area and is inconsistent with the Plan recommendation. The Department of Recreation and Parks staff has expressed that maintaining and improving Columbus as a Green Community means protecting and reversing the loss of tree cover. The city's naturalist suspects the presence of forested wetlands on the site, possibly Category 2 wetlands. On-street parking is permitted, providing a parking option other than increasing the size of the parking lot. The Department of Recreation and Parks has noted that the loss of any more of the tree cover will negatively impact the remaining trees as the site narrows away from the existing parking lot; 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:

2674 FEDERATED BOULEVARD (43235), being 1.86± acres located on the north side of Federated Boulevard, 1,320± feet east of Sawmill Road, and being more particularly described as follows:

DESCRIPTION

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2 NORTH, RANGE 19 WEST, UNITED STATES MILITARY LANDS AND BEING ALL OF A 1.858 ACRE TRACT OF LAND CONVEYED TO MAHLON MAXTON CHEVROLET, INC., BY DEED OF RECORD IN INSTRUMENT 200012150253385, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE SOUTHEAST CORNER OF AN 11.188 ACRE TRACT OF LAND CONVEYED TO THE POLICE AND FIREMAN'S DISABILITY AND PENSION FUND OF OHIO BY DEED OF RECORD IN OFFICIAL RECORD 33162, PAGE A01, AT THE SOUTHWEST CORNER OF "SKYLINE ADDITION NO. 4", OF RECORD IN PLAT BOOK 25, PAGE 59 AND IN THE NORTHERLY RIGHT-OF-WAY LINE OF FEDERATED BOULEVARD AS SHOWN UPON THE PLAT OF "DEDICATION OF FEDERATED BOULEVARD" OF RECORD IN PLAT BOOK 64, PAGES 19 & 20;

THENCE S 86° 47' 08" E ALONG THE SOUTH LINE OF SAID "SKYLINE ADDITION NO. 4," AND ALONG THE NORTH LINE OF SAID 1.858 ACRE TRACT A DISTANCE OF 963.85 FEET TO A 3/4-INCH I.D. IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID 1.858 ACRE TRACT AND AT THE NORTHWEST CORNER OF "TIMBERS EDGE CONDOMINIUM SECOND AMENDMENT", OF RECORD IN CONDO PLAT BOOK 65, PAGE 1 AND IN OFFICIAL RECORD 29266, PAGE F19;

THENCE S 3° 12' 52" W ALONG THE EAST LINE OF SAID 1.858 ACRE TRACT AND ALONG THE WEST LINE OF SAID "TIMBERS EDGE CONDOMINIUM SECOND AMENDMENT", A DISTANCE OF 167.31 FEET TO A 3/4-INCH I.D. IRON PIPE FOUND AT THE SOUTHEAST CORNER OF SAID 1.858 ACRE TRACT, AT THE SOUTHWEST CORNER OF SAID "TIMBERS EDGE CONDOMINIUM SECOND AMENDMENT" AND IN THE NORTHERLY RIGHT-OF-WAY LINE OF FEDERATED BOULEVARD;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINES OF FEDERATED BOULEVARD AND ALONG THE SOUTHERLY LINES OF SAID 1.858 ACRE TRACT THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1. THENCE WITH A CURVE TO THE LEFT, DATA OF WHICH IS: LENGTH = 315.71 FEET, RADIUS = 840.00 FEET AND SUB-DELTA = 21° 32' 03", A SUB-CHORD DISTANCE OF 313.85 FEET BEARING N 76° 01' 06" W TO 3/4-INCH I.D. IRON PIPE FOUND AT A POINT OF TANGENCY;
2. THENCE N 86° 47' 08" W A DISTANCE OF 100.30 FEET TO 3/4-INCH I.D. IRON PIPE FOUND AT A POINT OF CURVATURE;
3. THENCE TO WITH A CURVE TO THE RIGHT, DATA OF WHICH IS: LENGTH = 268.31 FEET, RADIUS = 760.00 FEET AND DELTA = 20° 13' 40", A CHORD DISTANCE OF 266.92 FEET BEARING N 76° 40' 18" W TO 3/4-INCH I.D. IRON PIPE FOUND AT A POINT OF TANGENCY;
4. THENCE N 66° 33' 28" W, A DISTANCE OF 55.68 FEET TO A 1/2-INCH SOLID IRON PIN FOUND AT POINT OF CURVATURE;
5. THENCE WITH A CURVE TO THE LEFT, DATA OF WHICH IS: LENGTH = 245.24 FEET, RADIUS = 690.00 FEET AND DELTA = 20° 21' 51", A CHORD DISTANCE OF 243.95 FEET BEARING N 76° 44' 24" W TO THE PLACE OF BEGINNING;

CONTAINING 1.858 ACRES, MORE OR LESS AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIPTION WAS PREPARED BY JAY R. MILLER, OHIO SURVEYOR NO. 8061, OF C.F. BIRD & R.J. BULL, INC., CONSULTING ENGINEERS & SURVEYORS, COLUMBUS, OHIO, FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER HIS SUPERVISION IN FEBRUARY 2005. BASIS OF BEARINGS IS A NORTH LINE OF FEDERATED BOULEVARD, BEING N 86° 47' 08" E, AS SHOWN UPON THE RECORDED PLAT OF "DEDICATION OF FEDERATED BOULEVARD" OF RECORD IN PLAT BOOK 64, PAGES 19 & 20.

To Rezone From: CPD, Commercial Planned Development 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 Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**PROPOSED SITE PLAN FOR PARKING LOT EXPANSION TEN (10) SPACES AT 2674 FEDERATED BOULEVARD,**" signed by David M. Bray, Engineer, and dated August 17, 2005; and text titled, "**CPD TEXT,**" signed by Sherri Tackett, President of Delta Energy Holdings, LLC, Applicant, and dated August 23, 2005, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 2674 Federated Boulevard, Columbus, Ohio 43235

OWNER: Delta Energy Holdings, LLC, 5200 Blazer Parkway (DA-3), Dublin, Ohio 43017

APPLICANT: Delta Energy Holdings, LLC, 5200 Blazer Parkway (DA-3), Dublin, Ohio 43017

DATE OF TEXT: August 23, 2005

APPLICATION NUMBER: Z05-038

1. INTRODUCTION: The Application involves 1.858 acres of an irregular sized parcel, annexed into the City of Columbus, and developed for office use. Currently, 24 parking spaces exist on the site, and the Applicant desires to add additional parking and a patio. No other use change is currently requested. The site is bordered to the north with residential lots, condominiums to the east, and commercial lots are adjacent to the west.

2. PERMITTED USES: Rezone as CPD, for 10 additional parking spaces and patio. Office shall be the only permitted used for this site.

3. DEVELOPMENT STANDARDS:

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

The building and parking setbacks along Federated Boulevard and the north property line shall be thirty (30) feet; building and parking setbacks along the east and west sides of the tract shall be twenty-five (25) feet.

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

Access to the site is from Federated Boulevard. The site currently has 24 parking spaces and we propose increasing this amount by 10 spaces (for a total of 34 parking spaces, two of which are designated for handicapped parking).

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

1. An 8 foot tall wood privacy fence shall be maintained along the north property line as shown on the submitted site plan, and established trees border the property to the north, shielding the building, parking lot and proposed expanded parking lot from adjacent residential uses to the north. Likewise to the east, a thick layer of established trees shield residents to the east, and commercial uses to the west.

2. Large fully established trees border the property to the west and along Federated Boulevard, and to the extent possible, these trees will be undisturbed, except for the trees that must be removed in order to enlarge the parking lot and to relocate the trash enclosure.

3. All other existing trees on the site shall remain to the extent possible, except for the installation or maintenance of utilities or removal of dead or diseased trees or shrubbery subject to sound forestry management practices. The Owner shall maintain at least 15 evergreen trees located within the setback area along Federated Blvd. and shall replant a tree for every tree that is removed to expand the parking lot.

4. There shall be at least a total of one shade tree for every 10 parking spaces.

5. The landscaping required in this section may be used to offset the parking lot landscaping requirements contained in Chapter 3342 of the Columbus Zoning Code.

6. The area shall be kept free of trash and debris.

7. A temporary construction fence shall be erected prior to the commencement of construction to ensure the preservation of those trees located within this preservation area.

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

1. *Building:* The maximum square footage for the proposed building shall not exceed 6,000 square feet.

2. *Building Materials:* The building exterior façade materials are wood siding, brick and glass.

3. *Pitched Roof:* The building is one story of a maximum vertical height of 26 feet from grade, with a hipped or gabled roof.

4. *Mechanicals Screening:* Ground mounted mechanical or utility equipment shall be screened from view by landscaping or any fence or wall using comparable and compatible materials as the building materials.

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

1. Lighting:

- a. All external outdoor lighting shall be cut-off fixtures (down lighting).
- b. All light poles and standards shall be brown, black or bronze in color and shall either be constructed of wood or brown, dark brown, black or bronze color metal.
- c. Parking lot lighting shall be no higher than fourteen (14) feet.

2. Outdoor Display Areas:

Not applicable.

F. Graphics and/or Signage.

1. No roof-mounted graphics shall be allowed.
2. The primary entrance sign shall be a ground mounted sign, shall not exceed five (5) feet in height, shall not exceed twenty-four (24) square feet of sign area, and be similar in style and compatible with the sign for Timber Edge condominium project located immediately to the east; said sign shall be illuminated by spot lights so long as the spot lights do not interfere with the motorist' vision on Federated Boulevard.
3. No billboards or off-premise graphics shall be permitted.
4. All other signage requirements shall be otherwise indicated in the City Graphics Code, Article 15, Title 33, Columbus City Code.

G. Miscellaneous Commitments.

Not applicable

4. CPD REQUIRMENTS:

- A. Natural Environment:
The site has already been developed, and existing healthy trees located in the setbacks will be maintained.
- B. Existing Land Use:
The existing and proposed use is CPD for office use.
- C. Transportation and Circulation:
The site is located along Federated Boulevard.
- D. Visual form of Environment:
Expansion of the parking lot and removal and/or replacement of diseased and overgrown landscaping will enhance the visual environment while still leaving a wooded appearance.
- E. View and Visibility:
The proposed plan will enhance the surrounding neighborhood, and the visibility and safety of the motorist and pedestrians.
- F. Proposed Development:
The only significant changes to the former site will involve the additional parking, moving the trash enclosure and adding a patio to the back of the building.
- G. Behavior Patterns:
The CPD plan should not generate more vehicular and pedestrian traffic. The site is a transitional between commercial developments south and west of Federated Boulevard and of residential properties to the north and east. Circulation patterns have been established by existing development and road systems.
- H. Emissions:
No adverse effect from emissions shall result from the proposed development.

The property shall be further developed in accordance with the submitted site plan. This plan may be slightly adjusted to reflect updated engineering, topographical, or other site data develop completed. Adjustments to the plan shall be reviewed and may be approved by the Director of the Department of Development 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.