



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1142-2005, **Version:** 1

Rezoning Application Z05-016

APPLICANT: Ohio Bell Telephone Company; c/o Michael Heintz, Atty.; 41 South High Street; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on May 12, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The subject property is developed with an office structure and accessory storage uses, and has recently been annexed from Perry Township. The applicant requests the L-C-4, Limited Commercial District for commercial development which will allow the existing office use. The storage uses that are associated with the property will become nonconforming. The limitation text includes use restrictions and development standards that are consistent with the surrounding commercial districts, including commitments for a 50-foot building setback along Billingsley Road, street trees, and lighting controls. The requested L-C-4, Limited Commercial District is consistent with the zoning and development patterns of the area.

To rezone **2635 BILLINGSLEY ROAD (43235)**, being 5.0± acres located on the south side of Billingsley Road, 620± feet east of Sawmill Road, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District (Rezoning # Z05-016).

WHEREAS, application #Z05-016 is on file with the Building Services Division of the Department of Development requesting rezoning of 5.0± acres From: R, Rural District, To: L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District would permit commercial development and allow the existing office use that is established on the property. The limitation text includes use restrictions and development standards that are consistent with the surrounding commercial districts, and is consistent with the zoning and land use patterns 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:

2635 BILLINGSLEY ROAD (43235), being 5.0± acres located on the south side of Billingsley Road, 620± feet east of Sawmill Road, and being more particularly described as follows:

Situated in Quarter Township 1, Township 2, Range 19, United State Military Lands, Township of Perry, County of Franklin, State of Ohio, and being a part of Lot 9 of Tuller's Survey and being a 5 acre tract of land conveyed to The Ohio Bell Telephone Company by deed of record in Deed Book 3556, Page 408, all references being to those of record in the Recorder's Office, Franklin County, Ohio and described as follows:

Commencing for reference at a monument box found at the centerline intersection of Sawmill Road and Billingsley Road;

Thence, South 87°11'16" East, a distance of 1322.56 feet along the centerline of Billingsley Road to northeast corner of a 5 acre tract (Parcel I) conveyed to Storage Equities/PS Partners III, Mid-Ohio by deed of record in Instrument Number 198505310094776 to the TRUE POINT OF BEGINNING;

Thence, South 87°11'16" East, a distance of 223.40 feet along the centerline of Billingsley Road to the northwest corner of a 0.528 acre tract

conveyed to Sumar Investment Company, Ltd. by deed of record in Instrument Number 200111290277245;

Thence, South 02°46'43" West, a distance of 974.88 feet, along the westerly line of said 0.528 acre tract and the westerly line of a 4.4727 acre tract of land conveyed to Sumar Investment Company, Ltd. by deed of record in Deed Book 3609, Page 785 to the southwest corner of said 4.4727 acre tract;

Thence, North 87°13'44" West, a distance of 223.40 feet along the northerly line of a 2.100 acre tract (Parcel II) of land conveyed to Storage Equities/PS Partners III, Mid-Ohio by deed of record in Instrument Number 198505310094776 to the southeast corner of said 5 acre tract (Parcel I);

Thence, North 02°46'43" East, a distance of 975.04 feet along the easterly line of said 5 acre tract (Parcel 1) to the TRUE POINT OF BEGINNING and containing 5.000 acres of land more or less.

Subject to all easements, restrictions and right-of-ways of record.

The above description was prepared by CW Design Group, LLC in June 2005. The above description is not valid for the transfer of real property and is not to be utilized in place of a boundary survey as defined by the Ohio Administrative Code in Chapter 4733-37.

CW Design Group, LLC

To Rezone From: R, Rural District,

To: L-C-4, Limited Commercial District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION TEXT**," signed by Michael Heintz, Attorney for the Applicant, dated April 22, 2005, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT:	L-C-4, Limited Regional Scale Commercial District
PROPERTY ADDRESS:	2635 Billingsley Road, Columbus, Ohio 43235
OWNER:	Ohio Bell Telephone Company
APPLICANT:	Same as owner
DATE OF TEXT:	April 22, 2005
APPLICATION NUMBER:	Z05-016

1. INTRODUCTION: The subject property consists of approximately five acres on the south side of Billingsley Road, east of Sawmill Road. The current use of the site is administrative, equipment supply distribution, outdoor storage, telecommunications tower site, and carport facilities for Ohio Bell Telephone Company public utility purposes in the northern Columbus area. To the east is a landscaping operation, to the west is a public storage facility and veterinary clinic, to the north across the street are office uses, and to the south is Interstate 270.

This application is being submitted in conjunction with the annexation of the property into the City of Columbus. All current uses and development will be maintained and are permitted to continue as pre-existing uses to the extent they do not conform to the C-4 zoning category approved uses and development requirements. Upon a change in the use of the subject property, a variance shall be sought for the outdoor storage portion of the property if such use is to continue.

2. PERMITTED USES: Unless otherwise listed below, all uses listed in Chapter 3356, C-4 Regional Scale Commercial District, of the Columbus City Zoning Code, shall be permitted.

The following uses are prohibited: blood and organ banks, check cashing, warehouse club or supercenter, farm equipment and supplies, hospital, amusement arcade, halfway house, pawn brokers, and billboards.

3. DEVELOPMENT STANDARDS (divergent from Chapter 3356; C-4):

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

The parking setback line shall be 25 feet from the right-of-way for Billingsley Road, and the building setback shall be 50 feet from the right-of-way for Billingsley Road.

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

All new or changed circulation, curb cuts, and access points shall be subject to the approval of the Division of Transportation.

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

1. Upon approval of this limitation text, 5 additional street trees planted forty feet on center shall be planted along Billingsley Road.

2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

3. All trees meet the following minimum size at the time of planting: Shade trees 2 ½" caliper; Ornamental trees 1 ½" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

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

None.

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

1. The maximum height for any light poles shall be twenty-eight (28) feet.

2. The external lighting shall be cut-off type (down-lighting).

3. Upon a change in use of the subject property, all external lighting fixtures to be used shall be of the same type and style to ensure compatibility.

4. Buildings and landscaping may be up-lit or down-lit provided that the lighting does not spill over into the public right-of-way or onto neighboring properties. All light sources shall be concealed.

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.

G. Miscellaneous Commitments.

1. At the time of the first submission for Zoning Clearance following the approval of this limitation text, the developer shall pay a parkland dedication fee of \$400/acre to the City of Columbus.

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