



City of Columbus

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

Legislation Text

File #: 1800-2011, **Version:** 1

Rezoning Application Z11-015

APPLICANT: Most Reverend Frederick F. Campbell DD, PHD; Bishop of the Catholic Diocese of Columbus c/o Dave Perry, The David Perry Co.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Auxiliary Athletic Facility for a school.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on August 11, 2011.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This application is to rezone a former lumber yard at the northwest corner of East Long Street and Nelson Avenue and vacant land on the east side of Nelson Road from M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial and CPD, Commercial Planned Development District to the CPD, Commercial Planned Development District to develop an auxiliary athletic facility for St. Charles Preparatory School which is located on the other side of Alum Creek. The proposal is compatible with the development and zoning pattern in the area.

To rezone **83 & 88 NORTH NELSON ROAD (43219)**, being 6.9± acres located at the northwest corner of East Long Street and North Nelson Road and on the east side of North Nelson Road at the terminus of East Long Street, **From:** M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial and CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z11-015)

WHEREAS, application #Z11-015 is on file with the Department of Building and Zoning Services requesting rezoning of 6.9± acres from the M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial and CPD, Commercial Planned Development District to the CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Near East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the proposed Commercial Planned Development District will allow redevelopment of the site with an auxiliary athletic facility and parking facility located on the other side of Alum Creek. The proposal is compatible with the development and zoning pattern in 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:

83 & 88 NELSON ROAD (43219), being 6.9± acres located at the corner of East Long Street and Nelson Road and on the east side of Nelson Road at the terminus of East Long Street, and being more particularly described as follows:

ZONING DESCRIPTION, SUBAREA "A"
Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus
5.3 +/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 16, Section 11, Township 5, Range 22, Refugee Lands, being all of the remainder of a 4-1/3 acre tract, 0.136 acre tract, 0.147 acre tract, and two (2) additional parcels conveyed to Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus as described in Instrument Number 201012200172997, and all of a 0.20 acre tract and 0.48 acre tract conveyed to Norfolk and Western Railway Company as described in Deed Book 906, Page 337, Tract 5 and Tract 19, respectively, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the intersection of the northerly right-of-way line of Long Street (70') and the westerly right-of-way line of Nelson Road (60') (U.S. 62), being the southeast corner of said remainder of a 4-1/3 acre tract;

thence westerly, with the northerly right-of-way line of Long Street, the south line of said remainder of a 4-1/3 acre tract, the south line of said 0.136 acre tract, and the south line of said 0.20 acre tract, South 83° 11' 22" West, 422.0 feet to the southwest corner of said 0.20 acre tract;

thence northerly, with the west line of said 0.20 acre tract and said 0.48 acre tract, North 20° 35' 31" West, 499.1 feet to the northwest corner of said 0.48 acre tract, and being on the south line of Lot No. 8 of Eastgate Addition as described in Plat Book 12, Page 30;

thence easterly, with the north line of said 0.48 acre tract, the north line of said remainder of a 4-1/3 acre tract, the north line of an additional tract described in said Instrument Number 201012200172997, the south line of Lot Nos. 2 thru 8 of said Eastgate Addition, the south line of a tract of land conveyed to Moody Dubenion and Martha Dubenion as described in Deed Book 3449, Page 416, the south line of tract of land conveyed to Toya L. Powell as described in Instrument Number 200006060111968, and a tract of land conveyed to Ronald L. Jedlicka and Diane S. Jedlicka as described in Deed Book 3645, Page 143, South 85° 00' 28" East, 713.8 feet to the northeast corner of said additional tract, the southeast corner of said Jedlicka tract, being in the westerly right-of-way line of Nelson Road (U.S. 62);

thence southerly, with the east line of said two (2) additional tracts described in Instrument Number 201012200172997, the east line of said 0.147 acre tract, and the east line of said remainder of a 4-1/3 acre tract, being the westerly right-of-way line of Nelson Road (U.S. 62), South 18° 10' 00" West, 373.7 feet to the **TRUE POINT OF BEGINNING**, containing approximately 5.3 acres and encompasses parcel number: 010-039949-00, 010-013907-00, 010-023129-00, 010-010147-00, 010-010148, 010-185205-00, 010-066229-00.

To Rezone From: M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial Districts,

To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION
SUBAREA "B"
Marcia J. Horvath
1.0 +/- ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 16, Township 5, Range 22, Refugee Lands, and being part of a 1.641 acre tract conveyed to Marcia J. Horvath as described in Official Record Volume 16772 A17, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the southwest corner of said 1.641 acre tract and the northwest corner of a 1.1873 acre tract conveyed to OBN Development Corp., LLC as described in Instrument Number 200501060004214, being in the easterly right-of-way line of Nelson Road (60') (U.S. 62);

thence northerly, with the easterly right-of-way line of Nelson Road (U.S. 62) and the west line of said 1.641 acre tract , North 11° 20' 00" East, 61.9 feet to and angle point in said easterly right-of-way line and said west line;

thence northerly, continuing with the easterly right-of-way line of Nelson Road (U.S. 62) and the west line of said 1.641 acre tract, North 18° 10' 00" East, 224.3 feet;

thence easterly, crossing said 1.641 acre tract, South 72° 57' 11" East, 192.2 feet to the east line of said 1.641 acre tract, being the center of Alum Creek;

thence southerly, with east line of said 1.641 acre tract and the center of Alum Creek, South 16° 20' 00" West, 197.4 feet to the southeast corner of said 1.641 acre tract and the northeast corner of said 1.1873 acre;

thence westerly, with the south line of said 1.641 acre tract and the north line of said 1.1873 acre tract, South 82° 22' 54" West, 212.3 feet to the **TRUE POINT OF BEGINNING**, containing approximately 1.0 acre and a part of parcel number: 010-066607-00.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION
SUBAREA "C"
Marcia J. Horvath
0.6 +/- ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 16, Township 5, Range 22, Refugee Lands, and being part of a 1.641 acre tract conveyed to Marcia J. Horvath as described in Official Record Volume 16772 A17, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the northwest corner of said 1.641 acre tract and the southwest corner of a tract of land conveyed to Theodore G. Eshenour as described in Official Record Volume 06391 B03, being in the easterly right-of-way line of Nelson Road (60') (U.S. 62);

thence easterly, with the north line of said 1.641 acre tract and the south line of said Eshenour tract, South 86° 20' 00" East, 193.4 feet to the northeast corner of said 1.641 acre tract and the southeast corner of said Eshenour tract, being the center of Alum Creek;

thence southerly, with the east line of said 1.641 acre tract and the center of Alum Creek, South 16° 20' 00" West, 156.2 feet;

thence westerly, crossing said 1.641 acre tract, North 72° 57' 11" West, 192.2 feet to the west line of said 1.641 acre tract and the easterly right-of-way line of Nelson Road (U.S. 62);

thence northerly, with the easterly right-of-way line of Nelson Road and the west line of said 1.641 acre tract, North 18° 10' 00" East 111.4 feet to the **TRUE POINT OF BEGINNING**, containing approximately 0.6 acre and a part of parcel number: 010-066607-00.

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 Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services 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, "**83 & 88 NORTH NELSON ROAD CPD ZONING SITE PLAN**" and "**SIGHT DISTANCE EXHIBIT, Z11-015, SUBAREA B,**" all signed by David Perry, Agent for the Applicant and Joseph A. Ridgeway, PE, respectively, and text titled "**CPD, COMMERCIAL PLANNED DEVELOPMENT 83 AND 88 NORTH NELSON ROAD,**" all dated September 26, 2011, and the text reading as follows:

**CPD, Commercial Planned Development
83 and 88 North Nelson Road
Columbus, OH 43219**

PROPOSED DISTRICT:	CPD, Commercial Planned Development
EXISTING DISTRICT:	M, Manufacturing, C-4, Commercial, L-P-1, Limited Private Parking (Z91-058) and CPD, Commercial Planned Development (Z86-1058(A))
ACRES:	6.9 +/- acres
PROPERTY ADDRESS:	83 and 88 North Nelson Road, Columbus, OH 43219
PROPERTY OWNER(S):	Most Reverend Frederick F. Campbell, DD, Ph.D. Bishop of the Catholic Diocese of Columbus, 198 East Broad Street, Columbus, OH 43215-3766; Norfolk Southern Corporation, 8000 Ravines Edge Court, Suite 300-B, Columbus, OH 43235- 5428; Marcia J. Horvath, 90 North Nelson Road Columbus, OH 43219; all c/o Dave Perry, Agent, David Perry Co., Inc., 145 East Rich Street, 3 rd Flr., Columbus, OH 43215 and Donald Plank, Plank Law Firm, 145 East Rich Street, 3 rd Flr. Columbus, OH 43215 and Donald Plank, Plank Law Firm, 145 East Rich Street, 3 rd Flr., Columbus, OH 43215
APPLICANT:	Most Reverend Frederick F. Campbell, DD, Ph.D. Bishop of the Catholic Diocese of Columbus, 198 East Broad Street, Columbus, OH 43215-3766

c/o Dave Perry, David Perry Co., Inc., 145 East Rich Street,
3rd Flr., Columbus, OH 43215 and Donald Plank,
Plank Law Firm, 145 East Rich Street, 3rd Flr.,
Columbus, OH 43215

DATE OF TEXT: September 26, 2011
APPLICATION NUMBER: Z11-015

INTRODUCTION: The 6.9 +/- acre site consists of property on both the west and east sides of North Nelson Road. St. Charles Preparatory School and the Catholic Diocese of Columbus propose to redevelop the former lumber yard site at the northwest quadrant of North Nelson Road and East Long Street (Subarea A) for use as an auxiliary athletic facility (Subarea A) for St. Charles Preparatory School, located at 2210 East Broad Street, Bexley, OH and to develop property on the east side of Nelson Road (Subarea B) as a parking lot. Residual property (Subarea C) on the east side of Nelson Road will continue to be used for C-2, Commercial District office uses, as presently permitted (CPD, Z86-1058A). St. Charles Preparatory School is located to the east of North Nelson Road, on the east side of Alum Creek. Applicant proposes to connect the main St. Charles Preparatory School campus with the auxiliary athletic facility and parking by building a pedestrian bridge across Alum Creek to enhance connectivity and pedestrian movement between the main campus and auxiliary. The drawings titled “St. Charles Preparatory West Campus, CPD zoning Site Plan (Z11-015)” (Sheet 1 of 2) and “St. Charles Preparatory West Campus, Sight Distance Exhibit, Z11-015, Subarea B” (Sheet 2 of 2), both dated September 26, 2011, are incorporated by reference. .

SUBAREA A:

Subarea A is located at the northwest quadrant of North Nelson Road and East Long Street and consists of 5.3 +/- acres. The Subarea will be developed in concept as depicted on the plan titled “St Charles Preparatory West Campus, CPD zoning Site Plan (Z11-015)”, dated September 26, 2011. There are two (2) property owners of the property in Subarea A. As noted on the referenced site plan, Norfolk Southern Corporation owns approximately the west 0.70 +/- acres of Subarea A. While it is anticipated the property ownership will remain separate, from the balance of the site owned by the Catholic Diocese of Columbus, and, therefore, the tax parcels cannot be combined, the property line shall be disregarded for all compliance purposes with the Zoning Code and Site Compliance Plan and the site shall be reviewed as depicted as a single athletic facility and parking lot.

1. PERMITTED USES: The permitted use of Subarea A shall be an auxiliary athletic facility and all customary accessory uses for/of an athletic facility. One (1) ground level dwelling unit shall also be permitted in the Support Building, subject to approval of pending Council Variance application CV11-011.

2. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading, and Chapter 3321, General Site Development Standards.

A. Density, Lot and/or Setback Commitments.

1.The North Nelson Road and East Long Street building setbacks shall be five (5) feet and zero (0) feet, respectively. The on-grade track shall be permitted to extend to within two (2) feet of the North Nelson Road right of way.

2.The North Nelson Road and East Long Street parking setback shall be two (2) feet, for the track, as depicted, and four (4) feet, for the East Long Street parking lot and service drive.

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

1.Vehicular access shall be located as depicted on the referenced plan. The primary vehicular access for the parking lot

shall align with the commercial curbcut on the south side of East Long Street.

2.The sum of on-site (Subarea A) parking and off-site (Subarea B) parking shall meet all code required parking requirements of the accessory athletic facility.

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

1. Street trees shall be provided in the North Nelson Road and East Long Street right of way at the rate of one (1) tree per 40 lineal feet of street frontage with spacing adjusted as needed for clear vision requirements.

2. Other than along the south and east side of the building at the northwest corner of North Nelson Road and East Long Street, the entire Subarea shall be enclosed with six (6) foot tall chain link or aluminum fence.

D. Building Interior-Exterior Commitments. N/A

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments. N/A

F. Graphics and/or Signage Commitments.

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 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements.

1. Natural Environment: The natural environment of the site is flat. All buildings on the site shall be removed other than the existing building at the northwest corner of North Nelson Road and East Long Street, which is planned to be remodeled for the athletic facility support building. Existing pavement will be removed.

2. Existing Land Use: The site is a former lumber yard. Most of the existing buildings will be removed for redevelopment of the site for the athletic facility.

3.Circulation: Access to and from the site will be via one (1) full turning movement curbcut on East Long Street and one (1) emergency access curbcut, also on East Long Street, as depicted on the referenced plan.

4. Visual Form of the Environment: The site is located at the intersection of two collector (C) right of ways. The site was used for decades as a retail and whole sale lumber yard. Residential uses abut the site to the north. Property zoned CPD and used for an office is located on the east side of North Nelson Road. Commercially zoned and developed property is located to the southeast and south. Norfolk and Western railroad property and rail lines are located to the west.

5. Visibility: The site is located at the intersection of North Nelson Road and East Long Street. There is good visibility of the site from both streets.

6. Proposed Development: Rezoning to CPD for development of the site as an auxiliary athletic facility of St. Charles Preparatory School.

7. Behavior Patterns: Vehicular access will be from East Long Street.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and plan. There will be no objectionable emissions.

H. Modification of Code Standards.

1. Section 3356.11, C-4 District Setback Lines, which Section requires a thirty (30) foot building setback line on both East Long Street and North Nelson Road, based on both streets being Collectors (C) on the Columbus Thoroughfare Plan (CTP), while right of way for both streets presently complies with the CTP right of way designation and the existing building and proposed portico addition to the existing building at the northwest corner of East Long Street and North Nelson Road requires building setbacks of zero (0) feet and two (2) feet, respectively, the athletic facility track will be located approximately two (2) feet from the North Nelson Road right of way and the dumpster box and enclosure (box and enclosure optional if trash stored inside) may be four (4) feet from the East Long Street right of way. A flagpole shall be permitted in the North Nelson Road building setback.

2. Section 3312.25, Maneuvering, which Section requires every parking space to have sufficient access and maneuvering area and permits stacking of parking spaces in certain specified residential districts, while applicant proposes a single dwelling unit (CV11-011) for an on-premise facility caretaker with a one (1) car garage and one (1) stacked parking space in the driveway to the garage to provide the two (2) required parking spaces for the dwelling unit.

3. Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while applicant proposes a four (4) foot parking setback on East Long Street and the track will extend to within two (2) feet of the North Nelson Road right of way.

4. The 5.3 +/- acre Subarea A consists of property owned by two (2) different property owners. The proposed track and parking lot is, and will remain, divided by a property line. As long as there are two (2) separate property owners, the applicable parcels that are owned separately cannot be combined. The property line shall be disregarded for all purposes related to the Zoning Code and Site Compliance Plan process and the 5.3 +/- acre Subarea shall be treated as a single parcel for regulatory purposes. Due to the property line, the following code variances are provided:

a. 3312.09, Aisle, to permit a property line to divide a parking lot aisle(s), while the total width of the parking lot aisle shall comply with minimum aisle width.

b. 3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a property line and to maneuver across a property line, while total code required maneuvering area shall comply.

c. 3312.29, Parking Space, to permit a property line to divide parking spaces, while the total parking space shall comply with required dimensions.

I. Miscellaneous Commitments.

1. Development of Subarea A shall be in accordance with the site plan titled "St Charles Preparatory West Campus, 83 & 88 North Nelson Road, CPD Zoning Site Plan (Z11-015)" (Sheet 1 of 2), dated September 26, 2011 and signed by David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

SUBAREA B:

Subarea B, 1.0 +/- Ac., is located on the east side of North Nelson Road generally north of the intersection of North Nelson Road and East Long Street. The Subarea will be developed as a parking lot. The 1.0 +/- acre Subarea will be split from PID: 010-066607. The residual area of PID: 010-066607 is Subarea C.

1. PERMITTED USES: The permitted use of Subarea B shall be a parking lot for both accessory parking for the athletic facility (Subarea A) and non-accessory parking use not in conflict with use as accessory parking.

2. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

A. Density, Lot and/or Setback Commitments.

The North Nelson Road parking setback shall be a minimum of three (3) feet and in compliance with the parking setback depicted on the exhibit titled “St. Charles Preparatory West Campus, Sight Distance Exhibit, Z11-015 Subarea B” (Sheet 2 of 2), dated September 26, 2011 and signed September 26, 2011 by Joseph A. Ridgeway, P.E. See also, Section 2.I.3.

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

1. Vehicular access shall be located as depicted on the referenced plan. Vehicular access for the parking lot shall be a full-turning movement curbcut on North Nelson Road.

2. Landscaping in the public right-of-way in front of the property at 90 North Nelson Road (Subarea C, Parcel ID: 010-066607) shall be trimmed and maintained to provide adequate sight distance to the north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

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

1. Street trees shall be provided at the rate of one (1) tree per 40 lineal feet of street frontage with spacing adjusted as needed for clear vision requirements and for conformance, as applicable, with the Sight Distance Exhibit referenced in I.2.

2. No headlight screening shall be required or provided in the North Nelson Road parking setback.

D. Building Interior-Exterior Commitments. N/A

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments. N/A

F. Graphics and/or Signage Commitments.

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 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements.

1. Natural Environment: Part of the site is paved for parking. The balance of the Subarea site is unimproved.

2. Existing Land Use: Part of the site is paved for parking.

3. Circulation: Primary access to and from the site will be via one (1) full turning movement curbcut on North Nelson Road. The parking lot may be connected with the parking lot to the south (18 North Nelson Road, PID: 010-213570) and/or the property to the north (Subarea C, 90 North Nelson Road).

4. Visual Form of the Environment: The site is located east of Subarea A and is part of a parcel zoned CPD, in which most C-2 office uses are permitted. Property to the south is zoned commercial and is developed with a restaurant and accessory parking. Property to the north is part of the CPD and is developed with an office building. Alum Creek is to the east.

5. Visibility: The site is located on North Nelson Road and generally at and north of the T intersection of North Nelson Road and East Long Street. There is good visibility of the site from both streets.

6. Proposed Development: Rezoning to CPD for development of a parking lot.

7. Behavior Patterns: Vehicular access will be from North Nelson Road.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and plan. There will be no objectionable emissions.

H. Modification of Code Standards.

1. Section 3312.21(A), Landscaping and Screening, which Section requires interior landscaping islands for interior tree planting to be a minimum of 145 sq. ft., while certain interior islands shown with interior trees on the Subarea B plan are 132 sq. ft.

2. Section 3312.21(B.1, B.4), Landscaping and Screening, B. Parking Setback and Perimeter Landscaping, which Section requires landscaping for headlight screening in the parking setback adjacent to a public street, while applicant proposes no headlight screening, as requested by the Public Service Department, to maintain sight distance as depicted on the plan titled "St. Charles Preparatory West Campus, Sight Distance Exhibit, Z11-015 Subarea B" (Sheet 2 of 2), dated September 26, 2011 and signed September 26, 2011 by Joseph A. Ridgeway, P.E.

3. Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while applicant proposes a minimum three (3) foot parking setback on North Nelson Road, except where a greater parking setback is shown on the exhibit referenced in 2.I.2.

I. Miscellaneous Commitments.

1. Development of Subarea B shall be in accordance with the site plan titled "St Charles Preparatory West Campus, 83 & 88 North Nelson Road, CPD Zoning Site Plan (Z11-015)" (Sheet 1), dated September 26, 2011, and signed September 26, 2011 by David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner and the exhibit titled "St. Charles Preparatory West Campus - Sight Distance Exhibit, Z11-015 Subarea B" (Sheet 2 of 2), dated September 26, 2011 and signed September 26, 2011 by Joseph A. Ridgeway, P.E. The site plan (Sheet 1) may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Applicant has prepared, and City of Columbus has approved, the exhibit titled "St. Charles Preparatory West Campus - Sight Distance Exhibit, Z11-015 Subarea B" (Sheet 2 of 2), dated September 26, 2011 and signed September 26, 2011 by Joseph A. Ridgeway, P.E., to depict sight distance for the Nelson Road curbcut for Subarea B. Subarea B sight distance and parking setback shall be maintained as depicted on this exhibit.

3. The City of Columbus has approved a variance to Stream Corridor Protection Zone (SCPZ) requirements for the construction of the parking lot in Sub-Area B. See letter of approval dated July 19, 2011 from Dax J. Blake, P.E., Administrator, Division of Sewerage and Drainage, Department of Public Utilities.

4. Landscaping in the public right of way in front of the property at 90 North Nelson Road (PID: 010-066607, Sub-Area C) shall be trimmed to provide adequate sight distance looking north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

SUBAREA C:

Subarea C, 0.60 +/- Ac., is located on the east side of North Nelson Road approximately 200 feet north of the intersection of North Nelson Road and East Long Street. The Subarea is developed with an office building (2,200 +/- sq. ft.), a circular drive and parallel parking spaces, as permitted by Ordinance 1963-87, passed September 28, 1987 (Z86-1058A). Subarea C is included in this rezoning to establish Subarea B. Sub areas B and C are currently Franklin County Auditors PID 010-066607 and zoned CPD by Ordinance 1963-87. The 0.60 +/- acre Subarea C will be split from PID: 010-066607. The residual area of PID: 010-066607 is Subarea B. Subarea C is now and is anticipated to remain separately owned from Subareas A and B. Inclusion of Subarea C in this rezoning is solely for the purpose of creating Subareas B and C from the current parcel and applicable requirements of Ordinance 1963-87. Subarea C may be owned and transferred separately from Subarea B at all times in the future. The building, curbcuts, circular driveway and parallel parking are existing.

1. PERMITTED USES: The permitted use of Subarea C shall be all office uses of Section 3353.03, Permitted Uses, C-2 Office Commercial Uses, except dental or medical offices or clinics.

2.DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3353 of Columbus City Code (C-2, Office Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

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

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

1. Vehicular access shall be located as depicted on the referenced plan, as presently exists.

2.Landscaping in the public right-of-way in front of the property at 90 North Nelson Road (Subarea C, Parcel ID: 010-066607) shall be trimmed to provide adequate sight distance looking north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

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

All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

D. Building Interior-Exterior Commitments. N/A

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments. N/A

F. Graphics and/or Signage Commitments.

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-2 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements.

1. Natural Environment: The site is developed with an office building and accessory parking permitted by CPD/Z86-1058A. The site is at grade at North Nelson Road and slopes to the east to Alum Creek.

2. Existing Land Use: The site is developed with a 2,200 +/- sq. ft. office building and accessory parking.

3. Circulation: Primary access to and from the site will be via an existing circular drive with two (2) curbcuts on North Nelson Road. The circular drive may be connected with Subarea B to the south.
4. Visual Form of the Environment: The site is located east of Subarea A and is part of a parcel zoned CPD, in which most C-2 office uses are permitted. Property to the south is zoned commercial and is developed with a restaurant and accessory parking. Property to the north is zoned residential. Alum Creek is to the east.
5. Visibility: The site is located on the east side of North Nelson Road, north of the intersection of North Nelson Road and East Long Street. There is good visibility of the site from North Nelson Road.
6. Proposed Development: Rezoning to CPD in conjunction with Subareas A and B and to reflect change to site plan of CPD plan in Z86-1058A.
7. Behavior Patterns: Vehicular access will be from North Nelson Road.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and plan. There will be no objectionable emissions.

H. Modification of Code Standards.

1. Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while the existing circular driveway is located with a zero (0) foot parking setback.
2. Section 3312.49, Minimum Numbers of Parking Spaces Required, which Section requires a minimum of five (5) parking spaces for general office use at the rate of one (1) space per 450 gross square feet (2,200 sq. ft.), while there are four (4) existing parallel parking spaces on the existing on-site driveway. Additional parking may be developed with applicable permits.

I. Miscellaneous Commitments.

1. Development of Subarea C shall be in accordance with the site plan titled “St Charles Preparatory West Campus, 83 & 88 North Nelson Road, CPD Zoning Site Plan (Z11-015)”, dated September 26, 2011 and signed September 26, 2011 by David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment. All development (office building, circular drive, and parallel parking spaces) depicted in Subarea C are as permitted by Ordinance 1963-87, passed September 28, 1987 (Z86-1058(A)).
2. Landscaping in the public right of way in front of the property at 90 North Nelson Road (PID: 010-066607, Sub-Area C) shall be trimmed to provide adequate sight distance looking north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

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