



Legislation Details (With Text)

File #: 2139-2016 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/19/2016 **In control:** Zoning Committee

On agenda: 9/12/2016 **Final action:** 9/15/2016

Title: To rezone 4664 SAWMILL ROAD (43220), being 3.04± acres located on the east side of Sawmill Road, 307± feet south of Bethel Road, From: L-C-4, Limited Commercial District, To: L-C-4, Limited Commercial District (Rezoning # Z16-026).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2139-2016Attachments, 2. ORD2139-2016Labels

Date	Ver.	Action By	Action	Result
9/15/2016	1	CITY CLERK	Attest	
9/15/2016	1	MAYOR	Signed	
9/12/2016	1	COUNCIL PRESIDENT	Signed	
9/12/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
9/12/2016	1	Zoning Committee	Approved	Pass

Rezoning Application Z16-026

APPLICANT: Aldi Inc. Springfield Division; c/o Kailen Akers, Agent; 2221 Schrock Road; Columbus, OH 43229.

PROPOSED USE: Parking lot expansion.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on July 14, 2016.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with an existing grocery store and parking lot in accordance with a registered site plan of the underlying L-C-4, Limited Commercial District. The requested L-C-4, Limited Commercial District will allow the applicant to expand the existing parking lot from 69 to 89 parking spaces. The permitted uses, prohibited uses, and development standards and commitments from the existing limitation text will remain unchanged in the new limitation text. The applicant will modify the site in accordance with the provided site plan. The proposed L-C-4, Limited Commercial District is complimentary to the surrounding development pattern on Sawmill Road.

To rezone **4664 SAWMILL ROAD (43220)**, being 3.04± acres located on the east side of Sawmill Road, 307± feet south of Bethel Road, From: L-C-4, Limited Commercial District, To: L-C-4, Limited Commercial District (Rezoning # Z16-026).

WHEREAS, application No. Z16-026 is on file with the Department of Building and Zoning Services requesting

rezoning of 3.04± acres from L-C-4, Limited Commercial 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 is compatible with the existing commercial development pattern along Sawmill Road; 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:

4664 SAWMILL ROAD (43220), being 3.04± acres located on the east side of Sawmill Road, 307± feet south of Bethel Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Quarter Township 1, Township 1 North, Range 19 West, United State Military Lands, and containing 3.040 acres of land, more or less, being all of those tracts of land (Parcels 2 and 3) conveyed to The Bigler Company, Ltd. of record in Instrument Number 200103070046960, (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 3.040 acres being more particularly described as follows:

Beginning for reference at Franklin County Engineer's Survey Monument Number 0036, at an angle point in the centerline of Bethel Road, 20 feet west of the centerline intersection with Sawmill Road, also being the northwest corner of Quarter Township 1, Township 1 North, Range 19 West, the northeast corner of Quarter Township 2, Township 1 North, Range 19 West, the southeast corner of Quarter Township 3, Township 2 North, Range 19 West, and the southwest corner of Quarter Township 4, Township 2 North, Range 19 West, also being the northwest corner of that tract of land shown for record on the "Dedication Plat of Sawmill Road and Bethel Road" of record in Plat Book 58, Page 24;

Thence with the westerly line of said Quarter Township 1, the easterly line of said Quarter Township 2, the westerly line of that portion of Sawmill Road dedicated in said Plat Book 58, Page 24, South 2°01'48" West, a distance of 368.46 feet to a point;

Thence South 87°09'25" East, passing the centerline of said Sawmill Road at 22.76 feet, a total distance of 80.01 feet to an iron pipe set in the easterly right of way line of said Sawmill Road, also being the southwest corner of a 2.109 acre tract of land conveyed to Suburban Holdings, LP of record in Official Record 34661 F13, said iron pipe marking the true point of beginning of the herein described tract;

Thence with the southerly line of said 2.109 acre Suburban Holdings, LP tract, South 87°09'25" East, a distance of 441.49 feet to an iron pipe set in the westerly line of that 12.062 acre (total) tract of land conveyed to Greystone Limited Partnership of record in Official Record 12107 G01 and Official Record 12107 G06;

Thence with the westerly line of said Greystone Limited Partnership tract, South 2°01 '43" West, a distance of 300.00 feet to an iron pipe set at the northeast corner of that tract of land (Parcel 1) conveyed to The Bigler Company, Ltd. of record in Instrument Number 200103070046960;

Thence with the northerly line of said Bigler tract (Parcel 1), North 87°09'25" West, a distance of 441.49 feet to an iron pipe set at the northwest corner of said Bigler tract (Parcel 1), also being in the easterly line of Sawmill Road, said iron pipe being South 87°09'25" East, a distance of 55.00 feet from the centerline of Sawmill Road;

Thence with the easterly line of said Sawmill Road, North 2°01'43" East, a distance of 300.00 feet to the point of

beginning.

Containing 3.040 acres of land, more or less.

Subject to all restrictions, easements and rights of way of previous record or otherwise legally established.

Basis of Bearings: The centerline of Sawmill Road was assigned a bearing of South 1°35'57" West, as shown on the Centerline Survey Plat, Henderson /Sawmill Road, prepared by Resource International, Inc.

All iron pipes set are 3/4 inch inside diameter by 30 inches in length with an orange plastic cap marked "Geo Graphics".

To Rezone From: L-C-4, Limited Commercial 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 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 L-C-4, Limited Commercial 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 Ian Aultman, P.E. and text titled, "**LIMITATION TEXT**," signed by Kailen Akers, Agent for Applicant, both dated August 16, 2016, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICTS: L-C-4, Limited Commercial

PROPERTY ADDRESS: 4664 Sawmill Road

OWNER: Aldi Inc. Springfield Division

APPLICANT: Aldi Inc. Springfield Division

DATE OF TEXT: August 16, 2016

APPLICATION: Z16-026

1. **INTRODUCTION:** The subject property currently consists of one tax parcel, totaling 3.08 acres, located on the east side of Sawmill Road, South of Bethel Road. To the north are situated a BP gas station and an InTown Suites. To the east are multi-family residences. To the south are situated a commercial office center and High Point Evangelical Christian Church. To the west, across Sawmill Road, is situated a Giant Eagle grocery store and a medical building. The subject property currently has an Aldi grocery store.

2. **PERMITTED USES:** The permitted uses for the parcel shall be a supermarket and, subject to the prohibitions set forth below, for any other use permitted under the C-3 Commercial District Zoning designation. The following uses shall be prohibited on the property: no building of premises shall be used and no building shall be erected which is arranged, intended, or designed to be used as a billboard, commercial radio transmitting or television station and appurtenances thereto, electric substation, motor bus terminal, public parking for pay. There shall be no apartments (per Section 3355 of the Columbus City Zoning Code). There shall be no drive through uses.

3. DEVELOPMENT STANDARDS:

A. Lot Coverage and Setback Commitments. The development of the property will comply with C-4 commercial development standards. Lot coverage to include buildings, parking and service areas shall not exceed 85% of the designated lot.

B. Access, Loading, Open Space and/or Screening Commitments

1. All circulation, curb cuts, and access points have been approved by the Columbus Division of Traffic Management.
2. Upon development of parcel immediately south of the subject property, an access road shall be constructed across the subject property, parallel to Sawmill Road, to provide access between the south parcel and the traffic signal entrance on the subject property.
3. The alignment of the driveway entrance/exit is to be maintained so as to remain lined up with the existing traffic signal.
4. Owner/Applicant has entered into a traffic signal agreement with the City of Columbus, with terms and conditions mutually acceptable to both parties.

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

1. All trees and landscaping are to be maintained as shown on the site plan.
2. Thornless Honey Locust trees are planted evenly spaced along Sawmill Road at a ratio of one tree per 40 feet of frontage.
3. All trees include the following: 23 Thornless Honey Locust (or similar) -11 feet or more in height; 3 Maple- 11 feet or more in height; 36 Spruce- 6 feet or more in height. Tree caliper is measured 12 inches from the ground. Existing trees shall be maintained except where noted for replacement on site plan.
4. Replacement trees may be of a similar species of those mentioned above
5. Buffering between the site and all adjacent residential uses shall be maintained as shown on the landscape plan. A wood shadow box fence, 7 feet in height, shall be maintained along the east property line.
6. The site has a hedge, comprised of Regal Privet (or similar) (91 total), at least 36 inches high, with a minimum setback of 15 feet from the Sawmill Road right-of-way.

D. Building Design and/or Interior-Exterior Treatment Commitments: The building(s) on the property shall be constructed of any combination of the following: brick, stucco and glass.

E. Lighting and Dumpsters

1. Light poles in the parking lot shall not exceed 25 feet in height.
2. The dumpster is enclosed on four sides (including the gate) by a 7 foot high enclosure or building area and screened from all adjoining properties and rights-of-way. All refuse and trash are collected from their container systems only between the hours of 8:00 a.m. and 6:00p.m. Refuse enclosures are padlocked and keys thereto shall be held by building personnel.

F. Graphics and/or Signage Commitments. All graphics and signage shall comply with the requirements of the Columbus Code of Ordinances, Graphics Code, Title 33, Chapter 3375. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

The parcel shall be developed in accordance with the site plan submitted (Sheet C-1, "Site Plan" and dated 08/16/16 by MS Consultants, Inc.). The site plan may be slightly adjusted to reflect engineering, topographical or other site data discovered at the time that development and engineering plans are completed. 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 or her 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.