



## Legislation Details (With Text)

**File #:** 3004-2016      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/15/2016      **In control:** Zoning Committee

**On agenda:** 12/5/2016      **Final action:** 12/7/2016

**Title:** To rezone 8931 SOUTH OLD STATE ROAD (43235), being 4.54± acres located at the southeast corner of South Old State Road and Candlelite Lane, From: R, Rural District To: CPD, Commercial Planned Development District (Rezoning # Z16-047).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD3004-2016.Attachments, 2. ORD3004-2016.Labels

Date	Ver.	Action By	Action	Result
12/7/2016	1	CITY CLERK	Attest	
12/7/2016	1	MAYOR	Signed	
12/5/2016	1	COUNCIL PRESIDENT	Signed	
12/5/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
12/5/2016	1	Zoning Committee	Approved	Pass

### Rezoning Application Z16-047

**APPLICANT:** Brexton; c/o Melanie Wollenberg, Agent; 815 Grandview Avenue; Columbus, OH 43215.

**PROPOSED USE:** Commercial shopping center.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on October 13, 2016.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 4.54± acre site consists of a single parcel, developed with a shopping center, and zoned in the R, Rural District as a result of a recent annexation from Orange Township. The applicant is requesting the CPD, Commercial Planned Development District as a comparable request from the PC, Planned Commercial and Office District from said Township. The CPD text includes commitments to prohibit uses, and proposes development standards that conform the existing site design as per the submitted site plan, with signage provisions for a joint complex tenant panel. The site is located within the boundaries of the *Far North Area Plan* (2014) which recommends "Community Commercial" for this location. Staff has determined that the requested CPD, Commercial Planned Development District is comparable to the township zoning, is necessary to limit potential uses while conforming the existing shopping center, and is compatible with surrounding development patterns.

To rezone **8931 SOUTH OLD STATE ROAD (43235)**, being 4.54± acres located at the southeast corner of South Old State Road and Candlelite Lane, **From:** R, Rural District **To:** CPD, Commercial Planned Development District (Rezoning # Z16-047).

**WHEREAS**, application #Z16-047 is on file with the Department of Building and Zoning Services requesting rezoning of 4.54± acres from the R, Rural District to the CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval; and

**WHEREAS**, Staff recommends approval because the requested CPD text is comparable to the township zoning, and is necessary to limit potential uses while conforming the existing shopping center. The proposal is consistent with the established zoning and development patterns of the area as well as the *Far North Area Plan* recommendation for "Community Commercial" at this location, 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:

**8931 SOUTH OLD STATE ROAD (43235)**, being 4.54± acres located at the southeast corner of South Old State Road and Candlelite Lane, and being more particularly described as follows:

Situated in the State of Ohio, County of Delaware, Township of Orange, Farm Lot Number 3, Section 3, Township 3, Range 18, United States Military District, and being all of a 4.538 acre parcel conveyed to DDM-Polaris, LLC in a Deed of Record, in Deed Book 1090, Page 2189, and said 4.538 acre parcel being all of Lot Number 6607, as said Lot is numbered and delineated on the plat of Giltz Subdivision, of record in Plat Cabinet 3, slides 343-343A, with all record references cited herein being of the Delaware County Recorder's Office, City of Delaware, Ohio, and said Lot Number 6607 being further described as follows for annexation purposes:

Beginning at a point at the southwesterly corner of said Lot Number 6607, the southeasterly corner of a 0.560 acre outparcel for right-of-way purposes, as said Lot and Outparcel are delineated on the Record Plat of said Giltz Subdivision, and also being on the northerly line of a 36.115 acre (original area) parcel conveyed to NP Limited Partnership in Deed Book 268, Page 2248, said point also being on the northerly City of Columbus Corporation Line (Ord. No. 3310-90, Miscellaneous Volume 8, Page 383) and the true point of beginning of the parcel described herein;

Thence along the westerly line of said Lot Number 6607 and the easterly line of said 0.560 acre outparcel, the following two (2) courses;

N 17° 01'13" E, a distance of 179.42 feet to an angle point in said line; N 17° 50'39" E, a distance of 352.53 feet to an angle point;

Thence S 85° 59'50" E, along the northerly line of said Lot Number 6607 and a southerly line of said 0.560 acre outparcel, a distance of 313.43 feet to a point at the northeasterly corner of said Lot Number 6607 and the northwesterly corner of a 3.092 acre parcel conveyed to Two Polaris Company, LLC, in Record Volume 605, Page 931, said 3.092 acre parcel being all of Lot Number 6608, as said Lot is numbered and delineated on the record plat of said Giltz Subdivision;

Thence along the easterly line of said Lot Number 6607 and the westerly line of said Lot Number 6608, the following five (5) courses:

S 03° 40'49" W, a distance of 314.49 feet to an angle point in said line;

S 00° 36'16" E, a distance of 54.47 feet to an angle point in said line;

S 04° 00'14" W, a distance of 76.73 feet to an angle point in said line;

S 31° 14'15" E, a distance of 52.45 feet to an angle point in said line;

S 04° 00'11" W, a distance of 28.76 feet to a point at the southeasterly corner of said Lot Number 6607, the southwesterly corner of said Lot Number 6608, the northerly line of said 36.115 acre parcel and said northerly City of Columbus Corporation Line;

Thence N 85° 59'49" W, along the southerly line of said Lot Number 6607, the northerly line of said

36.115 acre parcel and said northerly City of Columbus Corporation Line, a distance of 474.60 feet to the true point of beginning, containing 4.538 acres of land more or less.

This description was prepared by P & L Systems, Inc., in June, 2016.

**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, “**DDM POLARIS - SITE PLAN,**” and text titled, “**CPD TEXT,**” both dated November 7, 2016, and signed by Harry Giltz, Sr., Property Owner, and the text reading as follows:

**CPD TEXT**

CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT

4.538 Acres

EXISTING DISTRICTS: R

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 8931 S. Old State Rd, Lewis Center OH 43035

PARCEL NUMBER: 31834103007000

OWNER: DDM Polaris LLC

APPLICANT: Brexton

DATE OF TEXT: November 7, 2016

APPLICATION NUMBER: Z16-047

**1. INTRODUCTION:** The subject property ("Site") is 4.538 acres located on the east side of South Old State Road, north of Polaris Parkway. The site is in the process of being annexed from Delaware County where it was zoned PC. The site has been developed with a commercial shopping center with retail, office and restaurant uses. The site plan titled "DDM Polaris Site Plan" is the site development plan for the property (Site Plan).

**2. PERMITTED USES:** All uses permitted in Columbus City Code Chapter 3356, C-4 Commercial District, except: Cabaret, private clubs and motor bus terminal.

**3. DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapter 3356, C-4, Commercial District, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standard, except as specifically set forth herein.

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

1. The minimum building setback shall be as depicted on the submitted site plan.

2. The minimum parking setback along S. Old State shall be as depicted on the submitted site plan.

3. The minimum building and pavement setback along the west property line shall be as depicted on the submitted site plan.

4. Lot Coverage shall be maintained as per submitted site plan.

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

Curb cuts shall be as on submitted Site Plan.

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

Per submitted Site Plan.

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

N/A

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

Per submitted Site Plan.

F. Graphics and/or Signage Commitments.

1. The existing monument signs on the northwest and southwest corners of the site may include a tenant panel for the adjacent self-storage facility located in the L-M district immediately east of the site so long as the owners of these contiguous parcels file individual notarized statements stating that for zoning purposes, the commercial complex will be treated jointly. The tenant panel must also adhere to Section 3377.11.

2. All other signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

#### **4. OTHER CPD REQUIREMENTS**

1. Natural Environment: The natural environment of the site is flat.

2. Existing Land Use: The property is developed with a 50,345sq. ft. multi-tenant commercial building and accessory parking.

3. Circulation: Access to and from the site is via S. Old State and Candlelight Lane

4. Visual Form of the Environment: The area surrounding the site is developed for commercial use to the west, the property immediately east is applying for re-zoning to an L-M zoning and the property to the north is Right of Way and single family residential. Property to the south is vacant.

5. Visibility: The site is visible from S. Old State and Candlelight Ln.

6. Proposed Development: Existing commercial development.

7. Behavior Patterns: Vehicular access from S. Old State and Candlelight Lane.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

#### **5. MISCELLANEOUS COMMITMENTS**

For the current development, the Subject Site shall be maintained in accordance with the site plan. Future development of the site is subject to the building lines and access points as depicted on the site plan, and compliance with applicable zoning code requirements as noted in Number 3 “Development Standards” above.

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