



## Legislation Details (With Text)

**File #:** 0016-2020      **Version:** 1

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

**File created:** 12/23/2019      **In control:** Zoning Committee

**On agenda:** 1/13/2020      **Final action:** 1/15/2020

**Title:** To rezone 6175 SAWMILL RD. (43017), being 1.50± acres located on the west side of Sawmill Road, 1,000± feet south of Martin Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z19-074).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0016-2020.Attachments, 2. ORD0016-2020.Labels

Date	Ver.	Action By	Action	Result
1/15/2020	1	CITY CLERK	Attest	
1/14/2020	1	MAYOR	Signed	
1/13/2020	1	COUNCIL PRESIDENT	Signed	
1/13/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
1/13/2020	1	Zoning Committee	Approved	Pass

**Rezoning Application: Z19-074**

**APPLICANT:** Meijer Realty Company; c/o Brian Smallwood; 1203 Walnut Street, 2nd Floor; Cincinnati, OH 45202.

**PROPOSED USE:** Fuel sales.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on December 12, 2019.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a parking lot for a grocery store in the CPD, Commercial Planned Development District. The applicant is requesting the CPD, Commercial Planned Development District to permit a fuel sales facility. The site is subject to the Sawmill Road Regional Commercial Overlay (RCO) and is located within the boundaries of *The Northwest Plan* (2016), which recommends "Mixed Use 2" land uses for this location. The Plan also recommends that larger shopping centers incorporate outlot development with adequate parkinglot screening, and that buildings should be parallel to the street, with entrance doors connected to the public sidewalk and a pedestrian area delineated through any parking lot. The development text commits to a site plan and elevations, and includes development standards addressing setbacks, landscaping, building design, outdoor display areas, and graphics provisions. The requested CPD, Commercial Planned Development District will allow a fuel sales facility that is consistent with the land use and design recommendations of *The Northwest Plan*, and compatible with adjacent commercial developments.

To rezone **6175 SAWMILL RD. (43017)**, being 1.50± acres located on the west side of Sawmill Road, 1,000± feet south of Martin Road, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District (Rezoning #Z19-074).

**WHEREAS**, application #Z19-074 is on file with the Department of Building and Zoning Services requesting rezoning of 1.50± acres from 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 approval of said zoning change because the requested CPD, Commercial Planned Development District will allow a fuel sales facility that is consistent with the land use and design recommendations of *The Northwest Plan*, and compatible with adjacent commercial developments; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**6175 SAWMILL RD. (43017)**, being 1.50± acres located on the west side of Sawmill Road, 1,000± feet south of Martin Road, and being more particularly described as follows:

Situated in Quarter Township 3, Township 2, Range 19, United States Military Lands, City of Columbus, Village of Dublin, County of Franklin, State of Ohio, and Being a Portion of the Land Conveyed by Quitclaim Deed to Meijer Realty Company, a Michigan Corporation, as Recorded in Official Record Volume 8035c03 (All References to Deeds, Microfiche, Plats, Surveys, Etc. Refer to the Records of the Franklin County Recorder's Office, Unless Otherwise Noted), and Being More Particularly Bounded and Described as Follows:

Commencing for Reference at a Railroad Spike Previously Found at the Intersection of the Centerline of Martin Road (60.00 Feet in Width) With the Easterly Line of Quarter Township 3, Said Railroad Spike Being Also Located North 86 Degrees 37 Minutes 04 Seconds West, a Distance 12.00 Feet From the Intersection of the Centerline of Said Martin Road and Sawmill Road (120.00 in Width);

Thence South 02 Degrees 27 Minutes 18 Seconds West, With the Easterly Line of Said Quarter Township 3, (Parallel to and 12.00 Feet Westerly, as Measured Perpendicularly to the Centerline of Said Sawmill Road), a Distance of 48.93 Feet to a Point;

Thence North 87 Degrees 30 Minutes 44 Seconds West, a Distance of 48.00 Feet to a Point in the Westerly Right-of-way Line as Shown on the Plat of Meijer Subdivision, of Record in Plat Book 64, Page 14, Being Also a Point in the Easterly Line of Aforesaid Meijer Realty Company Land;

Thence South 02 Degrees 27 Minutes 18 Seconds West, Along Said Westerly Right-of-way Line and Said Easterly Line of Meijer Realty Company Land, a Distance of 1239.10 Feet to the 3/4" Iron Pipe With Emht Inc Cap Found at the Northeast Corner of the Parcel Described in the General Warranty Deed Recorded in Official Record Volume 25417f09, Said Point Being on the Westerly Right-of-way Line of Sawmill Road;

Thence Along the East Line of Said Meijer Realty Company Land, Being Also the Westerly Right-of-way Line of Sawmill Road, North 02 Degrees 27 Minutes 18 Seconds East, a Distance of 54.85 Feet to the True Point of Beginning;

Thence North 87 Degrees 35 Minutes 06 Seconds West, a Distance of 196.23 Feet;

Thence Westerly, Northwesterly, and Northerly 300.87 Feet Along an Arc to the Right and Having a Radius of 197.50 Feet, Subtended by a Long Chord Having a Bearing of North 43 Degrees 56 Minutes 36 Seconds West and a Length of 272.61 Feet;

Thence South 87 Degrees 12 Minutes 32 Seconds East, a Distance of 393.64 Feet to a Point on the Aforesaid East Line of Said Meijer Realty Company Land, Being Also the Westerly Right-of-way Line of Sawmill Road;

Thence Along the East Line of Said Meijer Realty Company Land, Being Also the Westerly Right-of-way Line of Sawmill Road, South 02 Degrees 27 Minutes 18 Seconds West, a Distance of 185.55 Feet to the Point of Beginning;

Containing 1.497 Acres, More or Less.

**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 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 plans being titled, “**ZONING COMPLIANCE EXHIBIT**,” and “**C-STORE #058 COLUMBUS, OH**,” both dated December 18, 2019, and said text being titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT**,” dated November 25, 2019, all signed by Brian Smallwood, Applicant, and the text reading as follows:

#### **Commercial Planned Development Text**

**Application:** Z19-074

**Address:** 6155 Sawmill Road

**Owner:** Meijer Realty Company

**Applicant:** Meijer Realty Company

**Zoning Districts:** CPD

**Date:** November 25, 2019

**Introduction:** The subject property is +/- 1.50 acres located at 6155 Sawmill Road on the west side of Sawmill Road, south of its intersection with Martin Road. The property is currently zoned CPD, Commercial Planned Development District and is used as parking and greenspace for a Meijer retail store. The property is located within the boundary of the Northwest Civic Association and is subject to the Sawmill Road Regional Commercial Overlay requirements. The applicant seeks to rezone the property to CPD to allow retail sale of fuel and outside display area(s).

**1. Location:** The property consists of 1.50+/- acres and is located at 6155 Sawmill Road on the west of Sawmill Road, south of its intersection with Martin Road.

**2. Permitted Uses:** Uses permitted per Columbus City Code Section Chapter 3356.03, C-4 Permitted Uses, and retail sale of fuel, outside merchandise display area(s), air/vac dispensing equipment, and electric vehicle charging stations.

**3. Development Standards:** Unless otherwise indicated herein, the applicable development standards of Chapter 3356, (C-4) and Regional Commercial Overlay of the Columbus City Codes shall apply.

#### **A. Density, Height, Lot, and/or Setback Commitments.**

The minimum building and parking setback shall be 25 feet.

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

N/A

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

All buffering, landscaping and screening standards of Chapter 3372, Regional Commercial Overlay of the Columbus City Codes shall apply, and are reflected on the submitted plan titled, “Zoning Compliance Exhibit”.

**D. Building Design and/or Interior-Exterior Treatment Conditions.**

The primary building materials shall be predominately precast concrete panels with brick or smooth finish imprint, metal and glass, in various combinations thereof as depicted on the Elevation Plan, titled “C-Store #058 Columbus, OH”. All sides of the building shall be finished with the same materials.

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

1. The outdoor display and sale of propane tanks, ice and/or firewood shall be permitted. These products shall only be displayed on the sidewalk directly abutting the building and shall be placed to maintain a minimum four (4) foot wide clear walkway for pedestrians at all times.
2. One (1) outside merchandise display shall be permitted on each fuel pump island for the sale of oil and other automotive fluids and related supplies, subject to no display rack being taller than (5) feet in height and being completely located on the pump island(s).

**F. Graphics and/or Signage Commitments.**

All graphics and signage shall conform to Article 15 and Chapter 3372 of the Columbus City Code. Any variance to graphics and signage commitments shall be submitted to the Columbus Graphics Commission.

**G. Miscellaneous Commitments:**

1. The Property shall be developed in accordance with the submitted plans titled, “Zoning Compliance Exhibit” and “C-Store #058 Columbus, OH” dated 12/18/2019 and signed by Brian Smallwood, P.E., Agent for Applicant. These plans may be slightly adjusted to reflect engineering, topographical, or other site development data developed at the time the development and engineering plans are completed. Any slight adjustment to the Plans shall be subject to review and approval by the Director of Building and Zoning Services or a designee, upon submission of appropriate data regarding the proposed adjustment.
2. The site shall comply with Section 3357.18, Abandoned fuel sales establishments.

**H. CPD Requirements:**

1. Natural Environment: The Property is addressed 6155 Sawmill Road. The Property is +/- 1.50 acres located along the west side of Sawmill Road, south of its intersection with Martin Road. The site is bordered on all sides by property zoned CPD.
2. Existing Land Use: The site is developed and is used as parking and greenspace for a Meijer retail store. The property to the south is a restaurant, Red Lobster and retail store, DICK’S Sporting Goods, both part of the original CPD. To the west is the existing Meijer store and a multi-family residential neighborhood, Arbors Dublin Apartments. To the north is the existing Meijer parking lot and a commercial strip center. To the east of Sawmill Road is a mixture of commercial development.
3. Transpiration and Circulation: All access for the property will be approved by the City of Columbus Public Service Department. The property is accessed via private drive on the Meijer property between Sawmill Road and Krier Drive.

4. Visual Form of the Environment: The site is bordered on all sides by property zoned CPD. The property will be developed in accordance with the submitted plans and will be appropriate for the Sawmill Road commercial corridor.
5. View and Visibility: Consideration has been given to the visibility and safety of motorists and pedestrians both on and off the subject property in the development of the site. The property will be visible from Sawmill Road.
6. Proposed Development: The applicant proposes to develop the property for retail sale of fuel and liquor with outside display area(s).
7. Behavior Patterns: The proposed development is appropriate for the location on an arterial road along a regional commercial corridor. The proposed development will have no detrimental effects on the current behavior patterns in the area.
8. Emissions: No adverse effect from emissions will result from the proposed development.

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