



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/20/2021 **In control:** Zoning Committee

On agenda: 6/7/2021 **Final action:** 6/10/2021

Title: To rezone 6051 SAWMILL RD. (43017), being 1.39± acres located on the west side of Sawmill Road, 262± feet north of Krier Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z20-097) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1301-2021_Attachments, 2. ORD1301-2021_Labels

Date	Ver.	Action By	Action	Result
6/10/2021	2	CITY CLERK	Attest	
6/8/2021	2	MAYOR	Signed	
6/7/2021	2	COUNCIL PRESIDENT	Signed	
6/7/2021	1	Zoning Committee	Amended to Emergency	Pass
6/7/2021	1	Zoning Committee	Approved as Amended	Pass

Rezoning Application: Z20-097

APPLICANT: Chick-Fil-A, Inc.; c/o Allan Wiley, Agent; GBC Design Inc.; 3565 White Pond Drive; Akron, OH 44320.

PROPOSED USE: Building expansion for existing fast food establishment.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 11, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a fast food establishment in the CPD, Commercial Planned Development District as approved by Ordinance #1089-2010 (Z10-010). The requested CPD, Commercial Planned Development District will revise the CPD plan to permit a building expansion and the addition of a drive-thru canopy. The site is within the planning area of *The Northwest Plan* (2016), which recommends "Mixed Use 2" at this location, a commercial classification with residential uses supported. The site is also located within the Regional Commercial Overlay (RCO). The CPD text proposes C-4, Commercial District uses and includes development standards addressing setbacks, lot coverage, access, landscaping and screening, building materials, and lighting controls. The text also includes a commitment to a site plan, and proposes variances to reduce the number of required parking lot trees and RCO parking lot screening requirements to reflect existing conditions. The request remains consistent with the land use recommendation of *The Northwest Plan*, and the adjacent commercial development.

To rezone **6051 SAWMILL RD. (43017)**, being 1.39± acres located on the west side of Sawmill Road, 262± feet north of Krier Drive, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District (Rezoning #Z20-097) **and to declare an emergency.**

WHEREAS, application #Z20-097 is on file with the Department of Building and Zoning Services requesting rezoning of 1.39± 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 which will allow an expansion to an existing fast food establishment remains consistent with the “Mixed Use 2” recommendation of *The Northwest Plan*, and the adjacent commercial development;

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to help alleviate queueing backups at their 6051 Sawmill Road location for the immediate preservation of the public peace, property, health and safety; 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:

6051 SAWMILL RD. (43017), being 1.39± acres located on the west side of Sawmill Road, 262± feet north of Krier Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 19, United States Military District, being part of that 7.264 acre tract conveyed to Sawmill Ridge Plaza Limited Partnership by deed of record in Official Record 19646106, (all references refer to the records of the Recorder’s Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at a drill hole in curb found in the westerly right-of-way line of Sawmill Road, at the common corner of the dedication of record in Plat Book 58, Page 17 and Plat Book 58, Page 62, and at the common corner of said 7.264 acre tract and that 1.626 acre tract conveyed to 6091 Sawmill Road LLC by deed of record in Instrument Number 201106300081832;

Thence South 04° 14’ 45” West, with said westerly right-of-way line, the easterly line of said 7.264 acre tract, a distance of 280.91 feet to a 5/8 inch rebar capped “Site Engineering” found at the easterly common corner of said 7.264 acre tract and that 1.331 acre tract conveyed to Sawmill Ridge Outparcels, LLC by deed of record in Instrument Number 201911040146628;

Thence North 84° 43’ 23” West, with the line common to said 7.264 acre and 1.331 acre tracts an partially across said 7.264 acre tract, a distance of 220.75 feet to a magnetic nail set;

Thence across said 7.264 acre tract, the following courses and distances:

North 05° 13’ 18” East, a distance of 230.20 feet to a magnetic nail set at a point of curvature;

With the arc of a curve to the right, having a central angle of 82° 22’ 39”, a radius of 20.00 feet, an arc length of 28.76 feet, a chord bearing of North 46° 24’ 37” East and a chord distance of 26.34 feet to a magnetic nail set; and

North 05° 13’ 18” East, a distance of 30.54 feet to an iron pin set at the southerly common corner of said 1.626 acre tract and the remainder of that 6.400 acre tract conveyed to Quincy Sawmill LLC by deed of record in Instrument Number 200609220189301;

Thence South 84° 48’ 21” East, with the line common to said 7.264 acre and 1.626 acre tracts, a distance of

198.62 feet to the POINT OF BEGINNING, and containing 1.393 acre tract, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the bearing of North 04° 14' 45" West, for the centerline of Sawmill Road as delineated in the deed of record in Official Record 19646106, Recorder's Office, Franklin County, Ohio.

This description was prepared using documents of record, prior plats of survey and observed evidence located by an actual field survey.

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 plan being titled, "**SITE PLAN**," and said text being titled, "**CPD TEXT**," both dated May 7, 2021, and signed by Allan Wiley, Agent for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 6051 Sawmill Road

OWNER: Sawmill Ridge Plaza LP

APPLICANT: Chick-fil-A

DATE OF TEXT: 5/7/2021

APPLICATION NUMBER:

1. INTRODUCTION: The site is tax parcel 590-301909 within the CPD Z10-010 Zoning District. The applicant wants to update the current CPD Plan with the proposed Site Plan due to previous on-site improvements along with current proposed building addition and drive-thru canopy installations.

2. PERMITTED USES: Those uses permitted in Chapter 3356 (C-4, Commercial) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the submitted site plan or in the text, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code and the Regional Commercial Overlay.

A. Density, Lot and/or Setback Commitments.

1. Parking setback shall be a minimum of 30 feet from the existing right-of-way line of Sawmill Road and 10 feet from the proposed right-of-way line of Sawmill Road.

2. Building setback shall be a minimum of 30 feet from the existing and proposed right-of-way lines of Sawmill Road.

3. Lot coverage for structures and paved areas may not exceed 85% of net useable area (gross zoned acreage excluding publicly dedicated streets).

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

Access shall be through existing drives to Sawmill Road.

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

1. Tree plantings shall be required at a spacing of forty (40) feet on center at a minimum distance of five (5) feet minimum and a maximum distance of twenty-five (25) feet from and parallel to Sawmill Road.

2. All parking areas adjacent to Sawmill Road to have headlight screening of thirty (30) inches minimum height along and parallel to the Sawmill frontage as measured from the elevation of the nearest section of the adjacent parking area.

3. The landscaping required in this section may offset the landscaping required in Chapter 3312 of the Columbus City Code for parking lots.

4. Every parking aisle shall be terminated by a landscaped island.

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

Building exterior shall be brick.

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

1. All light poles and standards shall be black, brown, or bronze in color and shall either be constructed of black, brown, or bronze wood or black, brown, or bronze color metal.

2. Parking lot lighting shall be no higher than twenty (20) feet.

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 and the Regional Commercial Overlay and any variance to these requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

The site shall be developed in general conformance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

H. Variances.

1. Section 3372.807, A. of the Regional Commercial Overlay requires a 3 foot high continuous row of planted shrubs be planted to screen surface parking lots from a public street. We are requesting that a 3 foot high earthen mound be permitted in lieu of the 3 foot high plantings along Sawmill Road because it is a better screen and it exists today on this parcel as well as adjacent parcels.

2. Section 3312.21, A. of the Off-Street Parking and Loading requires a landscaped island shall be provided for every 10

parking spaces. We are requesting that a landscape island be required for every 16 parking spaces to match the existing parking within the parcel and adjacent parcel.

I. CPD Criteria.

Natural Environment:

The site is developed with a commercial building and parking areas.

Current Land Use:

The site contains a fast food restaurant with drive-thru.

Circulation:

The site has access to existing drives which have access to Sawmill Road.

Proposed Development:

Fast Food Restaurant

Behavior Patterns:

Existing development in the area has established the behavior pattern for pedestrian and motorists.

Emissions:

It is anticipated that this development would not adversely affect adjacent uses in this regard.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**