



Legislation Details (With Text)

File #: 2619-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/6/2021 **In control:** Zoning Committee

On agenda: 11/1/2021 **Final action:** 11/4/2021

Title: To rezone 3884 MORSE RD. (43219), being 1.34± acres located on the north side of Morse Road, 1,315± feet west of Stelzer Road, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District (Rezoning #Z21-057).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#2619-2021_Attachments, 2. ORD#2619-2021_Labels

Date	Ver.	Action By	Action	Result
11/4/2021	1	CITY CLERK	Attest	
11/3/2021	1	MAYOR	Signed	
11/1/2021	1	Zoning Committee	Approved	Pass
11/1/2021	1	COUNCIL PRESIDENT	Signed	
10/25/2021	1	Columbus City Council	Read for the First Time	

Rezoning Application Z21-057

APPLICANT: SkilkenGold Development LLC; c/o Alison Purdon, Agent; 4270 Morse Road; Columbus, OH 43230.

PROPOSED USE: Car wash facility.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on September 9, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a former eating and drinking establishment in the L-C-4, Limited Commercial District (Z92-058) which permits limited commercial uses. The requested CPD, Commercial Planned Development District would allow the site to be redeveloped with a car wash, which is a C-5, Commercial District use. The CPD text provides appropriate use restrictions and supplemental development standards, and includes a commitment to develop the site as demonstrated on the submitted site plan, landscaping plan, and building elevations. Modification of development standards for reduced building lines and to eliminate the by-pass lane requirement are included in this request. The site is within the planning area of the *Northland I Area Plan* (2014), which recommends "Regional Mixed Use" land uses, and states that new development be designed to address the street and enhance the pedestrian experience. While site constraints preclude moving the building closer to the lot line, the request is supported due to increased landscaping and screening incorporated along the Morse Road frontage that buffers the car wash circulation lane. The request is consistent with the recommendations of the Plan and is compatible with adjacent commercial development along the Morse Road corridor.

To rezone **3884 MORSE RD. (43219)**, being 1.34± acres located on the north side of Morse Road, 1,315± feet west of Stelzer Road, **From:** L-C-4, Limited Commercial District, **To:** CPD, Commercial Planned Development District

(Rezoning #Z21-057).

WHEREAS, application #Z21-057 is on file with the Department of Building and Zoning Services requesting rezoning of 1.34± acres from L-C-4, Limited Commercial 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 is consistent with the land use and site design recommendations of the *Northland I Area Plan*, and is compatible with adjacent commercial development along the Morse Road corridor; 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:

3884 MORSE RD. (43219), being 1.34± acres located on the north side of Morse Road, 1,315± feet west of Stelzer Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 2 North, Range 17 West, United States Military Lands, and being a portion of a 26.778 acre tract of land conveyed to Casna Limited Partnership by deed of record in Official Record 30536, page D 05, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning, for reference, at an angle point in the north right-of-way line of Morse Road, at the northwest corner of a 2.232 acre tract of land conveyed to The City of Columbus, Ohio, for Morse Road right-of-way purposes by deed of record in Official Record 21443, Page C 19, Recorder's Office, Franklin County, Ohio, at the southwest corner of said 26.778 acre tract and in the east line of a 1.794 acre tract of land conveyed to James Hassey, Robert Chapa and Richard L. Perry by deed of record in Official Record 11428, Page C 13, Recorder's Office, Franklin County, Ohio, said point being 100.00 feet northerly by perpendicular measurement from the centerline of Morse Road:

Thence S 86° 15' 18" E along the north right-of-way line of Morse Road, along a portion of north line of said 2.232 acre tract, along a portion of south line of said 26.778 acre tract, along the south line of a 0.897 acre tract of land conveyed to Casna Limited Partnership by deed of record in Official Record 29223, Page C 18, Recorder's Office, Franklin County, Ohio, and parallel with and a 100 feet northerly by perpendicular measurement from the centerline of Morse Road by a distance of 598.03 feet to a 3/4 -inch I.D. iron pipe set at the true place of beginning of the tract herein intended to be described (passing a point at a southwest corner of said 0.897 acre tract at 80.72 feet and passing a 3/4 inch I.D. iron pipe found at the southeast corner of said 0.897 acre tract at 251.03 feet);

Thence N 3° 44' 42" E perpendicular to the north right-of-way line of Morse Road, perpendicular to a north line of said 2.232 acre tract and perpendicular to a south line of said 26.778 acre tract a distance of 229.00 feet - a 3/4-inch I.D. iron pipe set;

Thence S 86° 15' 18" E parallel with the north right-of-way line of Morse Road, parallel with a north line of said 2.232 acre tract and parallel with a south line of said 26.778 acre tract a distance of 255.39 feet to a point:

Thence S 3° 44' 42" W perpendicular to the north right-of-way line of Morse Road, perpendicular to a north line of said 2.232 acre tract and perpendicular to a south line of said 26.778 acre tract a distance of 229.00 feet to a point in the north right-of-way line of Morse Road, in a north line of said 2.232 acre tract and in a south line of said 26.778 acre tract;

Thence N 86° 15' 18" W along the north right-of-way line of Morse Road, along a portion of a north line of said 2.232 acre tract and along a portion of a south line of said 26.778 acre tract a distance of 255.39 feet to the true place of

beginning;

Containing 58'484 square feet (=1.343 acres) of land more or less and being subject to all easements and restrictions of record.

To Rezone From: L-C-4, Limited Commercial 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, “**CPD SITE PLAN**,” “**CPD LANDSCAPE PLAN**,” and “**EXTERIOR ELEVATIONS**,” and text titled, “**DEVELOPMENT TEXT**,” all dated September 29, 2021 and signed by Frank Petruziello, President of Development with SkilkenGold Development, LLC, and the text reading as follows:

DEVELOPMENT TEXT
CPD---COMMERCIAL PLANNED DEVELOPMENT
3884 Morse Road, COLUMBUS
1.34+/- ACRES

CURRENT OWNER: CRI OUTPARCELS LLC

APPLICANT: SkilkenGold Development, LLC

EXISTING ZONING: CPD, Commercial Planned Development

PROPOSED ZONING: CPD, Commercial Planned Development

DATE OF TEXT: 09/29/2021

APPLICATION NUMBER:

1. **INTRODUCTION:** This 1.34 acre site is located on the north side of Morse Road, east of the Sunbury Road intersection and west of the Stelzer Road intersection (the “Site”). The Site consists of one parcel, PN 010-234159-00. The Site is currently zoned in the “L-C-4” Limited Commercial District. The applicant will demolish the existing structure and redevelop the property with an automatic carwash and self-service vacuum spaces. Additional site improvements include a retaining wall, landscaping, a dumpster enclosure, and an underground detention system. The applicant proposes to rezone the Site to a Commercial Planned Development (CPD) District to accommodate the new use.
2. **PERMITTED USES:**
 - a. 3356.03 C-4 permitted uses with the following exclusions:
 - i. Dance Hall
 - ii. Funeral parlor
 - iii. Night club/cabaret
 - iv. Trade School
 - v. Building materials and supplies dealer
 - vi. Halfway house
 - vii. Warehouse clubs and super centers
 - viii. Monopole telecommunication antennas
 - b. 3357.01 C-5 permitted uses with the following exclusions:

i. Monopole telecommunication antennas

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this Text or on the submitted development plan (“CPD Site Plan”), the applicable development standards are contained in Chapter 3356 C-4 Commercial District of the Columbus City Code.

A. **Height, Lot and/or Setback Requirements:**

1. The building shall not exceed thirty-five (35) feet in height.
2. Minimum setback for parking along Morse Road shall be twenty-eight (28) feet, per the submitted CPD Site Plan and in compliance with the parking line established in Plat Book 82, Pages 29 and 30.
3. Minimum setback for buildings along Morse Road shall be twenty-eight (28) feet, per the submitted CPD Site Plan. A modification to Section 3356.11.A is being requested, to allow this reduced setback.

- B. **Access, Loading, Parking and/or other Traffic related commitments:** Access to the site shall be provided by modifying the existing access points, located along the northern property line, as shown on the submitted CPD Site Plan. Access to the Site is by established rights of ingress and egress easements contained within the Development, Restrictions, Easements Covenants and Conditions Agreement of record in Official Record 28005, Page H06. Access to Morse Road is available by easement through the adjacent property to the north and east.

- C. **Buffering, Landscaping, Open Space and/or Screening commitments:** Buffering, landscaping, screening and open space shall be in accordance with the General Site Development Standards in Sections 3312.21 and 3321.07 of the Columbus City Code. Additional street trees are provided, along the Morse Road frontage, as shown on the submitted CPD Landscape Plan.

- D. **Building Design and/or Interior -Exterior treatment commitments:** All four exterior building elevations will have a consistent level of detailing and finish and shall primarily be comprised of stone veneer and metal panel siding, or other aesthetically comparable building materials. The pay station canopy columns and dumpster enclosure materials shall match those used on the building.

E. **Dumpsters, Lighting, Outdoor Display areas and/or other environmental commitments:**

1. Lighting on the Site shall be in accordance with the General Site Development Standards in Section 3321.03(A) of the Columbus City Code unless variances are granted from the Board of Zoning Adjustment.
2. Dumpster on Site shall be in accordance with the General Site Development Standards in Chapter 3321 of the Columbus City Code unless variances are granted from the Board of Zoning Adjustment.

- F. **Graphics and Signage commitments:** Graphics on the Site shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District for C-4 uses, C-5, Commercial District for C-5 uses, and the Regional Commercial Overlay. Variances to the sign requirements, if any, shall be submitted to the Columbus Graphics Commission for consideration.

G. **Additional CPD Requirements:**

1. Natural Environment: The natural environment of the Site is flat, as is surrounding property in the Morse Road corridor, which is developed for commercial use.
2. Existing Land Use: The Site is occupied by one vacant structure, formerly a restaurant.
3. Circulation: Circulation on the Site shall be in accordance with the CPD Site Plan.

4. Visual Form of the Environment: The surrounding properties are developed with commercial and residential uses.
5. Visibility: The Site can be viewed from Morse Road; however, existing mounding along the north side of Morse Road reduces site visibility, for drivers on Morse Road.
6. Proposed Development: Automatic car wash with self-service vacuum spaces.
7. Behavior Patterns: Commercial use, as developed on the surrounding properties. Existing development in the area has established behavior patterns for the motorists.
8. Emissions: No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

1. A modification to Section 3312.11 is requested, to not provide an exclusive by-pass lane for the automatic car wash.
2. A modification to Section 3356.11(A) is requested, to reduce the building setback along Morse Road to twenty-eight (28) feet.

I. Miscellaneous:

1. Development of the Site shall be in accordance with the submitted Site Plan titled, “CPD Site Plan” and Landscape Plan titled “CPD Landscape Plan.” The Plans may be adjusted to reflect engineering, topographical, or other site data established at the time development and engineering plans are completed. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.
2. The building shall be developed in accordance with the submitted Elevations, titled “Exterior Elevations.” The building elevations may be adjusted to reflect architectural, engineering, topographical, or other site data established at the time development and engineering plans are completed. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.

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