



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0160-2017, **Version:** 1

Rezoning Application: Z16-063

APPLICANT: Eastern Development LLC; c/o Scott Crow; 150 East Gay Street, Suite 2400; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on December 8, 2016.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the L-C-4, Limited Commercial District. The applicant requests the CPD, Commercial Planned Development District, to modify setback requirements and to provide a variance to dumpster maneuvering and a 10% reduction to the minimum number of required parking spaces for future development. The permitted uses and other development standards of the current L-C-4 district will remain in effect and are carried over into this proposal. The site lies within the boundaries of the *Northeast Area Plan* (2007) which recommends commercial land uses at this location. Staff supports this request noting that the proposal is consistent with the land use recommendation of the area plan and with the development pattern of the area.

To rezone **2845 AIRPORT DRIVE (43219)**, being 1.6± acres located at the northeast corner of Airport Drive and Demonye Drive, **From:** L-C-4, Limited Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning # Z16-063).

WHEREAS, application # Z16-063 is on file with the Department of Building and Zoning Services requesting rezoning of 1.6± acres from L-C-4, Limited Commercial District, to the CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Northeast Area 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 *Northeast Area Plan* recommendation for commercial land uses and with the development pattern of the area; 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:

2845 AIRPORT DRIVE (43219), 1.6± acres located at the northeast corner of Airport Drive and Demonye Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 17,

United States Military Lands, containing 1.605 acres of land, more or less, said 1.605 acres being out of residue of that 40.159 acre tract of land described in the deed to Port Columbus Enterprises of record in Official Record 08336A13, of record in the Recorder's Office, Franklin County, Ohio, said 1.605 acres being more particularly described as follows:

Beginning, for reference, at a P.K. nail found at the intersection of Cassady Avenue and Demonye Drive, as said intersection is shown and delineated upon the recorded plat of Airport Drive, Dedication and Easements, of record in Plat Book 71, page 17, Recorder's Office, Franklin County, Ohio; thence N-3 ° 11' 28" E, with the centerline of said Cassady Avenue, a distance of 40.00 feet to a point; thence N-86 ° 10' 50" W, with the eastwardly extension of the northerly right-of-way line of said Demonye Drive, with the northerly right-of-way line of Demonye Drive and with the southerly line of that 4.060 acre tract of land described in the deed to HMM Realty Company, Inc. of record in Official Record 29632F17, Recorder's Office, Franklin County, Ohio, crossing a 3/4-inch (I.D.) iron pipe found at the southeasterly corner of said 4.060 acre tract at a distance of 60.00 feet, also crossing another 3/4-inch (I.D.) iron pipe found at a distance of 456.02 feet at the southwesterly corner of said 4.060 acre tract and the southeasterly corner of the residue of said 40.159 acre tract, a total distance of 494.72 feet to a 3/4-inch (I.D.) iron pipe set; thence S 75 ° 40' 39" W, with the northerly right-of-way line of said Demonye Drive and with a southerly line of the residue of said 40.159 acre tract, a distance of 84.21 feet to a 3/4-inch (I.D.) iron pipe set at the true point of beginning;

Thence, from said true point of beginning, with the northerly right-of-way line of said Demonye Drive and with the boundary of the residue of said 40.159 acre tract, the following four (4) courses and distances:

- 1.) S-75° 40' 39" W, a distance of 44.27 feet to a 3/4-inch (I.D.) iron pipe set;
- 2.) S-51° 11' 28" W, a distance of 76.00 feet to a 3/4-inch (I.D.) iron pipe set at the beginning of a curve;
- 3.) westwardly, with the arc of a curve to the right having a radius of 105.00 feet, a central angle of 32 ° 43' 43" and a chord that bears S-76° 49' 36" W, a chord distance of 59.17 feet to a 3/4-inch (I.D.) iron pipe set at a point of compound curvature;
- 4.) northwestwardly, with the arc of a curve to the right having a radius of 20.00 feet, a central angle of 90 ° 00' 00" and chord that bears N-41° 48' 32" W, a chord distance of 28.28 feet to a 3/4-inch (I.D.) iron pipe set at the point of tangency in the easterly right-of-way line of Airport Drive;

Thence N-3° 11' 28" E, with the easterly right-of-way line of said Airport Drive, a distance of 206.05 feet to a 3/4-inch (I.D.) iron pipe set at a point of curvature;

Thence northeastwardly, with the arc of a curve to the right having a radius of 325.00 feet, a central angle of 62 ° 36' 21" and a chord that bears N-34° 29' 38" E, a chord distance of 337.72 feet to a 3/4-inch (I.D.) iron pipe set;

Thence S-3° 11' 28" W, crossing said residue tract, a distance of 433.76 feet to the true point of beginning and containing 1.61 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing description was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in October of 1995.

The bearings referred to in the foregoing description are based on the bearing of N-3 ° 11' 28" E for the centerline of Cassady Avenue as the same is shown on the recorded plat of Airport Drive Dedication and Easements, of record in Plat Book 71, Page 17, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-233789

To Rezone From: L-C-4, Commercial District

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of one hundred ten (110) 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, “**CPD EXHIBIT**,” dated January 12, 2017, and text titled, “**DEVELOPMENT TEXT**,” dated January 13, 2017, both signed by Jeffrey Brown, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

Address: 2845 Airport Drive

Owner: Colair II, LLC

Applicant: Eastern Development LLC

Zoning District: CPD

Date of Text: January 13, 2017

Application: Z16-063

1. Introduction: The applicant seeks to rezone the 1.6 +/- acres from L-C-4, Commercial to CPD, Commercial Planned Development.

2. Permitted Uses:

A. Primary Uses: Any building or buildings constructed on the Premises may be used for any one of the following uses (said uses defined and used in Columbus Zoning Code)

(1) Restaurant

(2) Hotel

(3) All uses permitted in a C-2, commercial district, except an armory, art studio, church, clinic, photography studio, cellular, radio and/or telephone station

B. Ancillary Uses: In any building used for the Primary Uses: Hotel, C-2 uses, all uses permitted in a C-4, Commercial District shall be permitted as an ancillary use or uses provided said ancillary use or use, combined, do not exceed 40% of the total usable square footage of the building.

3. Development Standards: Except as otherwise noted herein or on the submitted drawing, the applicable development standards of Chapter 3356 C-4 of the Columbus City Code shall apply to this site.

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

1. The building setback along Airport Drive, Demyne Road and the east property shall be 30, 25 and 25 feet respectively. The dumpster and its enclosure shall have a ten foot setback from the east property line.

2. The parking setback along Airport Drive, Demyne Road and east property line shall be 10 feet.

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

The exact location of access points shall be subject to the review and approval of the City's Department of Public Service.

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

N/A

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

N/A

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

N/A

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 District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

The proposed development shall be developed in general conformance with the submitted Site Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any adjustment to the Site Plan shall be reviewed and may be approved by the City's Director of the Department of Building & Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

H. Other CPD Requirements.

1. Natural Environment: The property is located along Airport Drive, west of Cassady Avenue.
2. Existing Land Use: Undeveloped.
3. Circulation: All access for the Site will be approved by the City of Columbus, Public Service Department.
4. Visibility: Consideration has been given to the visibility and safety of the motorists and pedestrians as both on and off the subject property in the development of this site.
5. Proposed Development: Commercial development.
6. Behavior Patterns: Existing commercial development in the area has established vehicular patterns for the area.
7. Emissions: No adverse effect from emissions should result from the proposed development.

I. Variances Requested:

The following variances are requested:

1. Variance from C.C.C. § 3312.49 Minimum number of parking spaces required: to reduce the parking ratio for any non-retail use by 10%.

2. Variance from § 3312.29 Parking Space: to permit parking in front of a dumpster.

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