



Legislation Text

File #: 2641-2022, **Version:** 1

Rezoning Application Z22-047

APPLICANT: Continental Tennis LLC; c/o Jason Hockstok, Agent; 150 East Broad Street; Columbus, OH 43215; and Jeffrey L. Brown, Atty.; 37 West Broad Street, STE 460; Columbus, OH 43215.

PROPOSED USE: Recreation and sporting facility.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on September 8, 2022.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with an indoor tennis facility and a portion of a commercial building zoned in the CPD, Commercial Planned Development District (Z21-066). The requested CPD, Commercial Planned Development District will permit greater flexibility in redeveloping the site, including the demolition and construction of buildings as proposed with the development standards. The CPD text permits limited commercial uses and establishes supplemental development standards that address building and parking setbacks, building height, access, and landscaping, and includes a commitment to develop the site in accordance with the submitted site plan. Modifications of code standards include lighting, interior and perimeter parking lot landscaping, drive aisle, building setbacks, and zero parking spaces for spectator sports subject to a minimum of 91 total parking spaces being provided on the site. The site is located within the planning area of *The Northwest Plan* (2016), which recommends "Community Commercial" land uses for this location. The request is consistent with the land use and site design recommendations of the Plan and does not represent an introduction of an incompatible use to the surrounding neighborhood.

To rezone **4559 KNIGHTSBRIDGE BLVD. (43214)**, being 5.21± acres located on the north side of West Henderson Road, 300± west of Knightsbridge Boulevard, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District (Rezoning #Z22-047).

WHEREAS, application #Z22-047 is on file with the Department of Building and Zoning Services requesting rezoning of 5.21± 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 is consistent with the land use and site design recommendations of *The Northwest Plan*, and does not represent an introduction of an incompatible use to the surrounding neighborhood; 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:

4559 KNIGHTSBRIDGE BLVD. (43214), being 5.21± acres located on the north side of West Henderson Road, 300±

west of Knightsbridge Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 18, Quarter Township 2, Township 1, Range 18, United States Military District and being 5.21+/- acres of land, said 5.21+/- acres being all of that 3.501 acre tract of land described as Parcel 1 and all of the remainder of that Original 2.529 acre tract of land described as Parcel 2, both as conveyed to Continental Tennis, LLC of record in Instrument No. 200705040078807, said 5.21+/- acres of land more particularly described as follows:

Beginning, at a northeasterly corner of said Parcel 2, said corner also being a southeasterly corner of that 0.826 acre tract of land also conveyed to Continental Tennis, LLC of record in Instrument No. 202005290074763, the southwesterly corner of that 0.474 acre tract of land as conveyed to the City of Columbus, Ohio of record in Deed Volume 3401, Page 125, the northwesterly corner of that 0.592 acre tract of land as conveyed to the City of Columbus, Ohio of record in Deed Volume 3401, Page 582 and in the westerly right-of-way line of Knightsbridge Boulevard;

Thence **S 54° 16' 06" E**, with the easterly line of said Parcel 2, the westerly line of said 0.592 acre tract and along said westerly right-of-way line, **94.28+/- feet** to a southeasterly corner of said Parcel 2 and the northeasterly corner of that 3.912 acre tract of land as conveyed to SNH FM Financing LLC of record in Instrument No. 200908060115429;

Thence **N 86° 17' 43" W**, with a southerly line of said Parcel 2 and a northerly line of said 3.912 acre tract, **360.82+/- feet** to a northwesterly corner of said 3.912 acre tract and a northeasterly corner of said Parcel 1;

Thence **S 09° 06' 24" E**, with an easterly line of said Parcel 1 and a westerly line of said 3.912 acre tract, **483.42+/- feet** to a common corner thereof, said corner also being a northwesterly corner of that 0.605 acre tract of land described as Parcel 43-WD and conveyed to the City of Columbus, Ohio of record in Deed Book 3697, Page 91 and a northerly corner of that 0.058 acre tract of land described as Parcel 41-WD and conveyed to the City of Columbus, Ohio of record in Deed Book 3362, Page 315;

Thence **S 35° 55' 41" W**, with a southeasterly line of said Parcel 1 and a northwesterly line of said Parcel 41-WD, **84.59 +/- feet** to a common corner thereof, said corner also being in a northerly line of that 1.269 acre tract of land described as Parcel 41-WL and conveyed to the City of Columbus, Ohio of record in Deed Book 3362, Page 315 and in the northerly right-of-way line of Henderson Road;

Thence **N 76° 09' 39" W**, with a southerly line of said Parcel 1 and a northerly line of said Parcel 41-WL, **246.51+/- feet** to a common corner thereof, said corner also being in an easterly line of a CSX Transportation Railroad parcel;

Thence **N 09° 06' 24" W**, with a westerly line of said Parcel 1, a westerly line of said Parcel 2 and along the easterly line of said Railroad parcel, **717.80+/- feet** to a northwesterly corner of said Parcel 2, said corner also being the southwesterly corner of that 17.925 acre tract of land described as Parcel C and conveyed to Olentangy Commons Owner LLC of record in Instrument No. 201806010072781;

Thence **S 86° 14' 08" E**, with a northerly line of said Parcel 2 and a southerly line of said Parcel C, **305.22+/- feet** to a northeasterly corner of said Parcel 2 and a northwesterly corner of said 0.826 acre tract;

Thence with common lines of said Parcel 2 and said 0.826 acre tract, the following two (2) courses and distances:

S 03° 45' 52" W, 150.04+/- feet to a common corner thereof;

S 86° 17' 43" E, 315.56+/- feet to the **True Point of Beginning**, and containing **5.21+/- acres**, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on July 26, 2021 and is based on existing records from the Franklin County Auditor's and Recorder's Office and a field survey completed by Advanced Civil Design in March, 2020. A drawing of the above description is

attached hereto and made a part thereof.

This description is to be used for zoning purposes only and not to be used in the transfer of land.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of sixty (60) 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 site plan being titled, "**SITE PLAN FOR KNIGHTSBRIDGE BOULEVARD PROPERTY 2022,**" dated September 16, 2022, and signed by Tom Warner, Managing Partner for Advanced Civil Design, and text titled, "**TEXT,**" dated September 8, 2022, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 4559 Knightsbridge Boulevard, Columbus, OH 43214

OWNER: Continental Tennis LLC

APPLICANT: Continental Tennis LLC

DATE OF TEXT: 9/8/22

APPLICATION: Z22-047

1. INTRODUCTION: The site was rezoned in 2021 (Z21-066) to permit indoor and outdoor recreational uses and committed to a detailed site plan. The applicant wants to create greater flexibility in the redeveloping of the site by removing the detailed site plan and modifying the setbacks so applicant can use the site for the Permitted Uses, including demolition and construction of buildings, so long as it complies with the development standards. The property subject to rezoning is located at 4559 Knightsbridge Boulevard (the "Knightsbridge Property") and 880 West Henderson Road (the "Henderson Property"). The Knightsbridge Property and Henderson Property are currently zoned CPD, Commercial Planned Development District.

2. PERMITTED USES: The following uses as provided in Chapter 3356 C-4, Commercial District: spectator sports and related industries; general recreational uses and other uses incidental thereto; eating and drinking establishments; and offices. Outdoor courts may be covered by seasonal domes, canopies or other protective coverings.

The existing variance is CV92-051 to permit a cellular mobile telephone exchange building and a 115-foot monopole antenna in the CPD, Commercial Planned Development District. The setbacks from cell tower are as shown on the Site Plan.

3. DEVELOPMENT STANDARDS: Except as listed on the zoning text or on the submitted Site Plan, the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

1. Building Setbacks:

West side of the site minimum 30 feet
South side of Parcel 010-017822 minimum 25 feet
West side of Parcel 010-018234 minimum 0 feet
South side of Parcel 010-018234 minimum 0 feet
Knightsbridge Blvd. minimum 30 feet
North side of Parcel 010-017007 minimum 0 feet
West side of Parcel 010-017007 minimum 0 feet
Southeast corner of site minimum 30 feet
Henderson Road minimum 10 feet

2. Parking Setbacks

West side of the site minimum 30 feet
South side of Parcel 010-017822 minimum 25 feet
West side of Parcel 010-018234 minimum 0 feet
South side of Parcel 010-018234 minimum 0 feet
Knightsbridge Blvd. minimum 10 feet
North side of Parcel 010-017007 minimum 0 feet
West side of Parcel 010-017007 minimum 0 feet
Southeast corner of site minimum 10 feet
Henderson Road minimum 10 feet

3. Buildings shall be subject to the thirty-five foot height district but a dome/covering over any outside courts will have a maximum height of 50 feet.

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

Access is limited to the existing access points shown on the submitted Site Plan.

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

The applicant shall install three deciduous trees along the perimeter of the parking lot.

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

N/A

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

The existing lighting shall remain, and any new lighting will comply with Section 3321.03, unless a variance is granted by the Columbus Board of Zoning Adjustment (BZA).

F. Graphics and Signage Commitments

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-4, Commercial District. Any variances to applicable sign standards shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous

1. Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan; however, the site plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the site plan upon submission of the appropriate data regarding

the proposed adjustment.

2. Modifications of Code Standards:

- a. A modification from the requirements under Section 3312.21(A)(1) requiring one interior parking lot tree for every ten parking spaces, where the applicant requests a modification to one (1) interior parking lot tree for the parking area (existing condition) and Section 3312.21B(3) requiring perimeter landscaping for a parking lot, where the applicant requests a modification to eliminate the perimeter screening along the east property line (existing condition).
- b. A modification from the requirements under Section 3321.03(A)(1) requiring light fixtures to not exceed twenty-eight (28) feet in height, where applicant requests a modification for existing flood lights on City of Columbus utility poles to remain at its existing height of thirty (30) feet.
- c. A modification from the requirements under Section 3321.03(A)(3) requiring lights to have fully shielded, recessed lamps directed away from abutting properties and directed downward to prevent glare and shine above the horizontal plane, where applicant requests a modification for the existing building-mounted lighting fixtures to be retained which are flood lights and are not fully shielded, recessed lamps, directed away from abutting properties or directed downward to prevent glare and shine above the horizontal plane.
- d. A modification from the requirements under Section 3321.03(C)(2) requiring light fixtures in parking lots to be of the same or similar type and color, where applicant requests a modification for existing flood lights on City of Columbus utility poles and existing parking lot lighting which are different types and colors.
- e. A modification from the requirements under Section 3312.09 requiring a minimum of twenty (20) feet of aisle width for two-way travel, where applicant requests a modification of a minimum of eighteen (18) feet of minimum aisle width for two-way travel for the existing ten (10) parking spaces east of the existing Henderson Building located at 880 West Henderson Road.
- f. A modification from the requirements under Section 3356.11(A)(2) requiring of building setback of thirty (30) feet from Henderson Road where applicant is proposing a building setback of ten (10) feet.
- g. A modification from the requirements of Section 3312.49(C), Table 3, minimum number of parking spaces for spectator sports to zero (0) subject to a minimum of 91 total parking spaces being provided on the site.

4. CPD REQUIREMENTS:

- A. Natural Environment: The Knightsbridge Property is located on Knightsbridge Boulevard. The Henderson Property is located on West Henderson Road.
- B. Existing Land Use: The Knightsbridge Property and the Henderson Property are both currently being used as recreational facilities and other uses incidental thereto.
- C. Transportation and Circulation: The site will have access on as shown on the Site Plan.
- D. Visual Form of the Environment: The site will be used for the Permitted Uses.
- E. View and Visibility: The Property is visible from Knightsbridge Boulevard and West Henderson Road.
- F. Proposed Development: The site will be used for the Permitted Uses.
- G. Behavior Patterns: The site will be used for Permitted Uses.

H. Emissions: No adverse effect from emissions shall 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.