

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
APRIL 13, 2016**

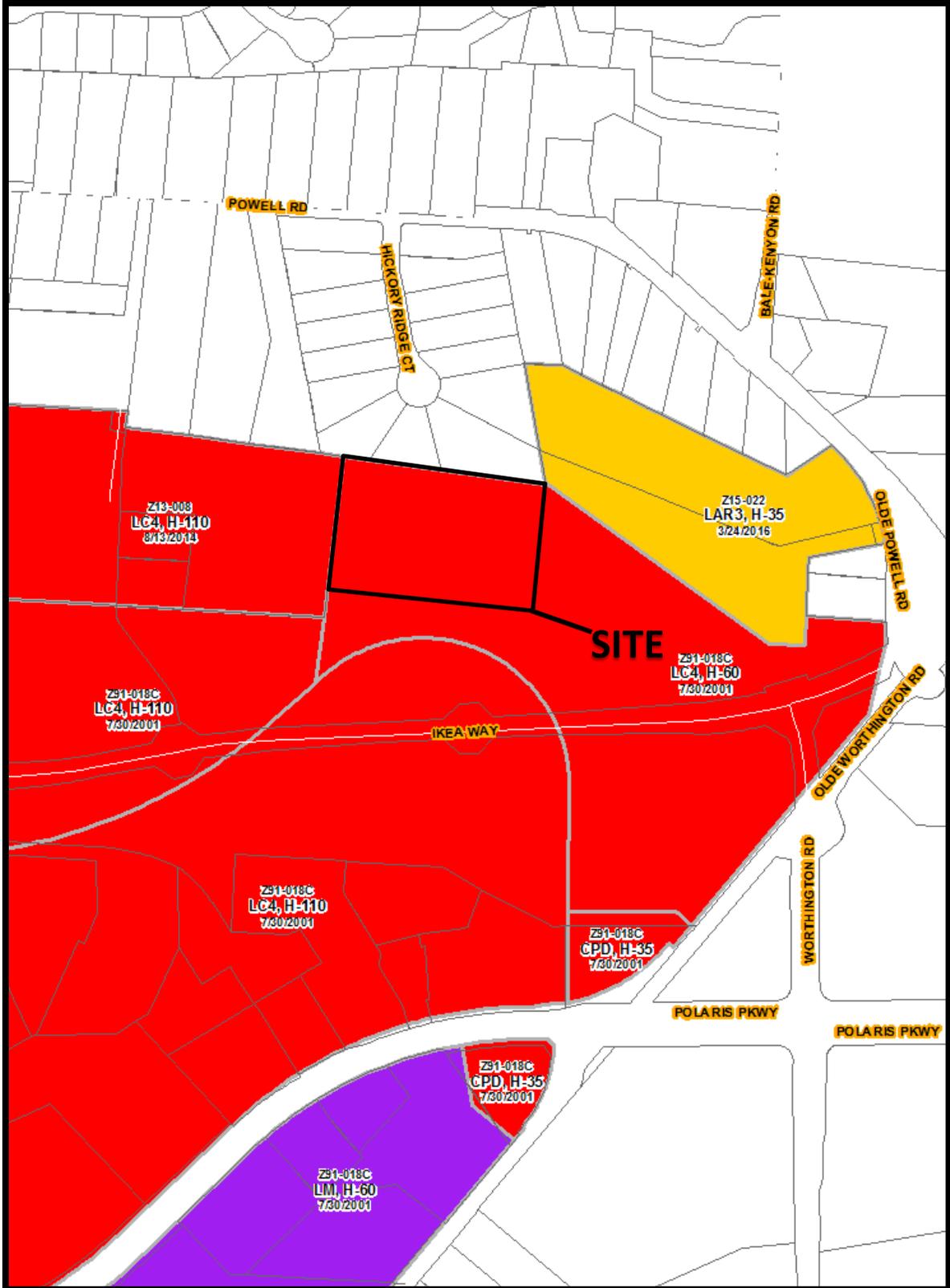
- 2. APPLICATION: Z16-088**
Location: **2090 IKEA WAY (43240)**, being 7.15± acres located on the north side of Ikea Way, 1,170± feet west of East Powell Road (a portion of 31844202025001; Far North Columbus Communities Coalition).
Existing Zoning: L-C-4, Limited Commercial District.
Request: L-C-4, Limited Commercial District.
Proposed Use: Updated setbacks.
Applicant(s): Polaris 91, LLC; c/o David Perry, David Perry Company, Inc., Agent; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.
Property Owner(s): The applicant.
Planner: Michael Maret; 614-645-2749; mjmaretc@columbus.gov

BACKGROUND:

- The 7.15± acre site consists of an undeveloped tract of land, comprised of a portion of a single parcel, that is zoned L-C-4, Limited Commercial District. The existing L-C-4 district established commercial zoning for the Polaris development (Z91-018C), while the new L-C-4 district proposes adjustments to the height and setback language, similar to that of an adjacent L-C-4 district (Z13-008).
- The site is bordered to the north by residences in Orange Township in the Single-Family Planned Residence District, and to the south, east and west by undeveloped and vacant lands in the L-C-4, Limited Commercial District. Also to the east is undeveloped land which was recently rezoned to L-AR-3 (Z15-022) for a 139-unit apartment development.
- The site is located within the boundaries of the *Far North Plan* (2014), which recommends “Regional Mixed Use” at this site.
- The site is located within the boundaries of the Far North Columbus Communities Coalition, whose recommendation is for approval.
- The limitation text includes use, height, building and parking setback, access, screening, landscaping, building design, lighting, and parkland dedication commitments.

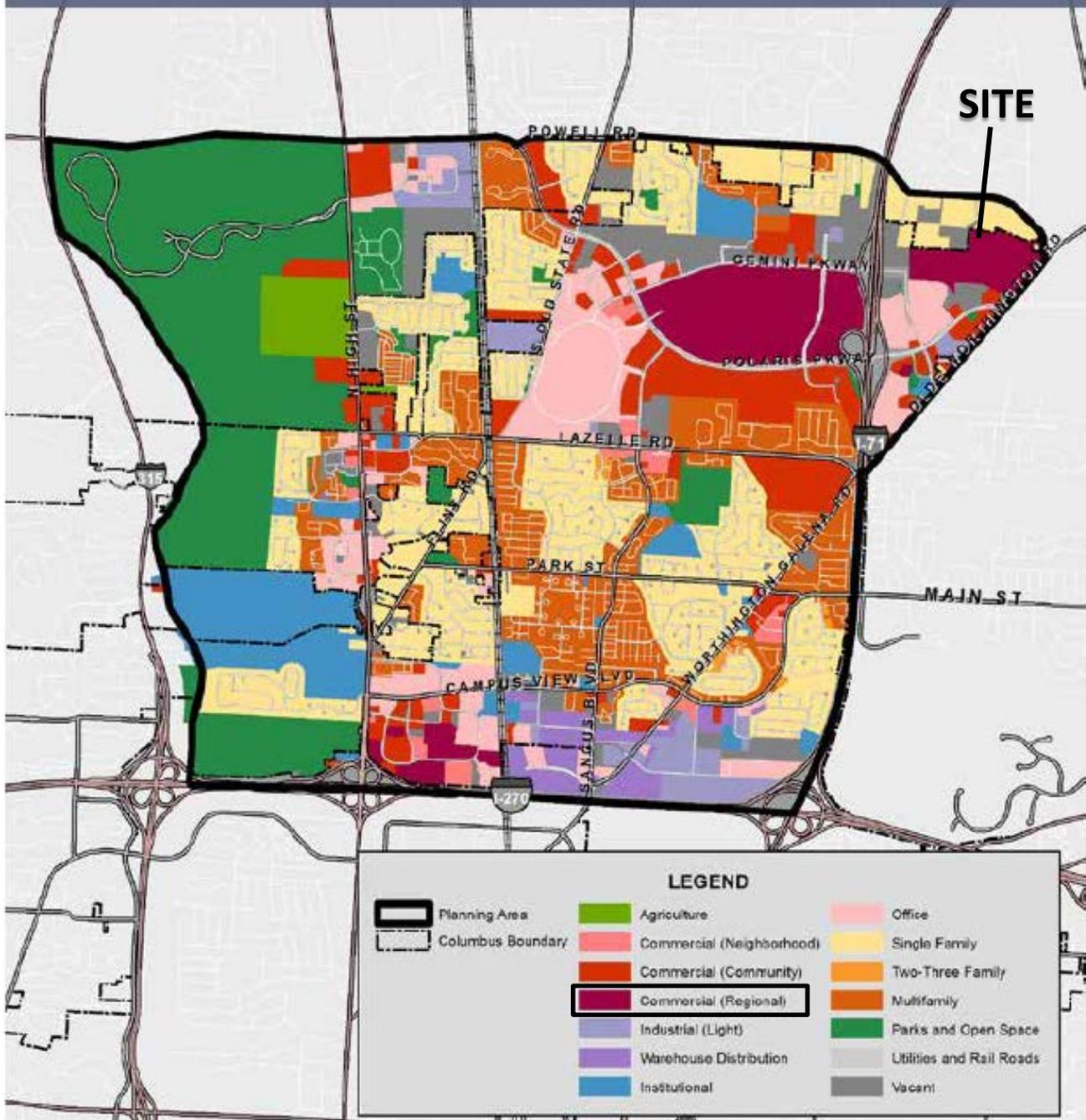
CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested L-C-4, Limited Commercial District would permit limited commercial development on the site. The *Far North Area Plan* calls for new development and redevelopment to be consistent and compatible with the land use, density, and pattern of the surrounding area. City staff considers the updated setback and height standards are consistent with other nearby L-C-4 districts.



Z16-088
 2090 Ikea Way
 Approximately 7.15 acres
 L-C-4 to L-C-4

Figure 7: Existing Land Use



Z16-088
2090 Ikea Way
Approximately 7.15 acres
L-C-4 to L-C-4



Z16-088
2090 Ikea Way
Approximately 7.15 acres
L-C-4 to L-C-4

DEVELOPMENT TEXT
L-C-4, Limited Commercial District

PROPERTY ADDRESS: 2090 Ikea Way, Columbus, OH 43240

PID: 27-31844202025001 (part of) (Delaware County)

AREA: 7.152 +/- ac

EXISTING ZONING: L-C-4, Limited Commercial District

PROPOSED ZONING: L-C-4, Limited Commercial District

APPLICANT: Polaris 91, LLC c/o Dave Perry, David Perry Company, Inc., 423 E. Town Street, FL 2, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 423 E. Town Street, FL 2, Columbus, Ohio 43215

PROPERTY OWNER: Polaris 91, LLC c/o Dave Perry, David Perry Company, Inc., 423 E. Town Street, FL 2, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 423 E. Town Street, FL 2, Columbus, Ohio 43215

DATE OF TEXT: April 4, 2017

APPLICATION NUMBER: Z16-088

1. INTRODUCTION:

The 7.152 +/- acres is zoned L-C-4, Limited Commercial by Ordinance 1413-01, passed July 30, 2001 (Z91-018C). Applicant proposes to rezone the site to modify setback language from the original 1991 ordinance that established commercial zoning for the Polaris development in the City of Columbus. Recent rezoning, including adjacent property to the west (Ordinance 1544-2014, Z13-008), have contained the same setback language as is proposed for this site. The site is designated as "Regional Mixed Use" in the Far North Plan (2014). The "Regional Mixed Use" designation supports commercial land use and recognizes the Polaris Centers of Commerce and other commercial development as the appropriate land use, as permitted under the current and the proposed zoning. Extensive deed restrictions and design review (Polaris Design Review Board) for review of both the site plan and architecture.

2. PERMITTED USES: The following uses shall be permitted:

All uses of Section 3356.03, C-4 Permitted Uses, except the following:

1. Billboards

2. Off premise graphics except for (i) graphics which identify an overall development on the subject property (such as a large office park or shopping center) and the management of the development and (ii) graphics identifying uses within the Subarea in which the graphics are located or a Subarea contiguous to the Subarea in which the graphics are located or (iii) as approved by the Columbus Graphics Commission as part of a Graphics Plan. Off-premise graphics are subject to approval by the Columbus Graphics Commission.

3. Used car lots, except used car lots used in conjunction with the sale of new cars.
4. Outside storage of items with the exception of items offered for sale and accessory to a permitted use, such as hardware, lumber, or landscaping sales uses, etc.
5. Storage of hazardous wastes except for small quantities generated or used in connection with testing labs or other permitted use under controlled conditions in compliance with all laws regulating such materials.
6. Halfway House.

3. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.

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

1. Building Height: The height district shall be H-110, allowing for a 110-foot height limitation in accordance with Sections 3309.14 and 3309.142 of the Columbus Zoning Code, except as follows.

- a) Building and Structure Height (permitted height measured from the north property line of the 7.152 +/- acres being rezoned):
 - 1) No building or structure (or any portion thereof) shall be permitted less than fifty (50) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“Byers”).
 - 2) Any building or structure (or any portion thereof) located more than fifty (50) feet and up to seventy-five (75) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“Byers”), shall not exceed thirty-five (35) feet in height.
 - 3) Any building or structure (or any portion thereof) located more than seventy-five (75) feet and up to one-hundred fifty (150) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”);

and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“Byers”), shall not exceed sixty (60) feet in height.

- 4) A building or structure (or any portion thereof) located more than one-hundred fifty (150) feet from the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“Byers”), may exceed sixty feet in height, as permitted in the H-110 height district, including Section 3309.142, as may be applicable.

2. Building Lines:

a) The building setback line shall be fifty (50) feet from any public street, fifteen (15) feet from any side property line, and ten (10) feet from any rear property line, except as otherwise set forth in Section A.1, and as follows in 2b):

b) No building setback shall be required from any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

3) Parking Setback:

a) There shall be a minimum thirty (30) foot parking setback from all public streets.

b) A minimum fifty (50) foot landscaped parking setback shall be provided along and parallel to the north property line of the area being rezoned and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, (“Grosh”); 8440 Hickory Ridge Court, PID: 27-31844202013000, (“Smith”); and 8043 Hickory Ridge Court, PID 27- 31844202012000 (“Byers”). The minimum fifty (50) foot landscaped parking setback shall consist of preservation of existing trees and supplemental planting and fencing (See Section 3.C.7).

c) No parking or maneuvering areas, except driveways, shall be constructed nearer than three (3) feet from any side or rear property line, except as required above (b) and as follows:

1) Internal aisles for vehicular circulation within parking lots to provide internal connection and circulation between adjacent parking lots are permitted.

2) No parking or maneuvering setback shall be required from any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created

by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

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

1) There shall be no vehicular access to East Powell Road.

2) The site does not directly abut any public street for vehicular access. Vehicular access will be provided through the adjacent commercially zoned property to the east, west or south.

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

1) Screening with landscaping (or screening materials which may consist of any combination of earth mounding, landscaping, walls, and/or fences) shall be provided so as to hide trash collection areas and waste storage area from view, to a minimum opacity of not less than 100%. All such landscaping shall be properly trimmed and all screening shall be maintained in a neat and tidy manner. All service areas shall be separated from public circulation and parking areas.

2) Where freestanding walls are used for screening, they shall be integrated into the building design and/or landscaping plan so as to appear to be a natural element of the building and/or lot on which such building is located.

3) Provision for handling all truck service shall be totally within each parcel. No off-street loading areas or loading docks shall be located on or along the front wall of any building, within the front yard of any parcel or nearer than fifteen (15) feet from any side or rear property line. Off-street loading areas or loading docks located on or along the side wall of any building shall in no event be located nearer than twenty-five (25) feet from the front of the building and such facilities and all activities therein shall be screened from view from all public streets with buildings or view-obscuring treatment such as landscaped mounds, a wall or fence, dense planting, strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of 6 feet high and an opacity of not less than seventy five percent (75%). All such view-obscuring measures shall be maintained in good condition and appearance by the owner of the property containing such freight loading area at all times.

4) Any freight loading area located within fifty (50) feet of a residentially zoned property used for residential purposes shall be screened from such residential property by buildings or view-obscuring treatment such as landscaped mounds, a wall or fence, dense planting, strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of 6 foot high and an opacity of not less than seventy five percent (75%). All such view-obscuring measures shall be maintained in good condition and appearance by the owner of the property containing such freight loading area at all times.

5) Each parcel shall provide minimum three (3) foot wide landscape buffer areas within the parcel, if not in conflict with a more restrictive standard of this text, and adjacent and parallel to the side and rear property lines, except where abutting the fifty (50) foot north buffer setback, where no building setback is required, where aisles connect adjacent parking lots and where no parking setback is required. The surface of the side and rear buffer areas shall be expressly reserved for the planting of lawns, trees or shrubs and no structures (except approvable graphics), equipment of any nature (except utility equipment, which shall be either underground or fully screened) or paved areas (except driveways) shall be permitted within the side and rear buffer areas.

6) Each parcel shall provide in the front of the parcel, along any public street, a minimum thirty (30) foot wide landscape buffer area, unless otherwise permitted in this development text, outside of but adjacent and parallel to any public street. Except for graphics and driveways, the surface of the front buffer area shall be expressly reserved for the planting of lawns, trees or shrubs. Storm water detention or retention areas may occur in said buffer areas.

7) The minimum fifty (50) foot landscaped setback (Section A.3.b.) along and generally parallel to the north property line of the area being rezoned, and, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, ("Grosh"); 8440 Hickory Ridge Court, PID: 27-31844202013000, ("Smith"); and 8043 Hickory Ridge Court, PID 27- 31844202012000 ("Byers"), shall, within the 50' setback,

a) be left in its current natural state, including the existing earthen mound within the 50' setback, subject to b). and c).

b) the existing eight (8) foot tall wood "board on board" style fence located approximately at the top of the mound shall be repaired and maintained, as needed, or the fence may be replaced, with an eight (8) foot tall "board on board" wood fence.

1) If the fence is repaired, fence pickets shall be replaced as needed on the south side of the fence, and, additionally, as many fence pickets as possible shall be placed on the north side of the fence, consistent with wind load limitations of the existing fence and fence structure, to cover joints between fence pickets on the south side of the fence, to improve fence opacity.

2) If the fence is replaced, the fence shall be double-sided with fence pickets placed on opposite sides of the fence structure to cover joints between the fence pickets, fence pickets shall start no more than one (1) foot above grade, and the fence shall be designed to be approximately 90% opaque, exclusive of space from grade to the bottom of the fence pickets.

c) Existing trees of one (1) inch caliper or greater within the 50 foot setback shall be maintained, except if it is necessary to remove trees in conjunction with additional tree planting. Additional tree planting of appropriate types, quantities and size(s) of

deciduous and/or evergreen plant material, as determined by an arborist or landscape architect at the time contiguous site development is proposed, may be planted within the 50 foot setback, particularly south of the fence.

8) For all retaining walls an area to be planted with shrubs and/or vines shall be provided between the wall and any paved area, except where adjacent to a retaining wall, if any, along the fifty (50) foot landscaped setback along the north property line.

9) All open areas on each developed parcel not occupied by buildings, structures, outside storage areas, parking areas, street right-of-way paved areas, driveways, walkways and off-street loading areas shall be suitably graded and drained and shall be landscaped with lawns, trees and shrubs.

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

Buildings shall be finished with the same level and quality of finish on all four (4) sides. There shall be no exposed smooth face concrete block.

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

1) There shall be no parking lot lighting within fifty feet (50) feet of the north property line of the area being rezoned, meaning, specifically, where directly abutting and adjacent to the south property line of property addressed as Hickory Ridge Court (unimproved lot, no street address) PID 27- 31844202014000, ("Grosh"); 8440 Hickory Ridge Court, PID: 27-31844202013000, ("Smith"); and 8043 Hickory Ridge Court, PID 27-31844202012000 ("Byers").

2) All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.

F. Graphics and Signage Commitments.

1) All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4, Commercial District, shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous.

1) The drawing titled "North Property Line Setback Exhibit", dated _____ and signed by David B. Perry, Agent, and Donald Plank, Attorney, illustrates required setbacks from the north property line and permitted building height, the required existing earthen mound in the north 50' setback and the approximate location of the existing eight (8) foot wood fence. The Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department

or his designee upon submission of the appropriate data regarding the proposed adjustment.

2) Applicable Parkland Dedication Ordinance (PDO) fees shall be paid prior to approval of a final Site Compliance Plan. Limited Commercial zoning (L-C-4) was originally established on this property by Ordinance 943-91, passed April 29, 1991, pre-dating the Parkland Dedication Ordinance (PDO).

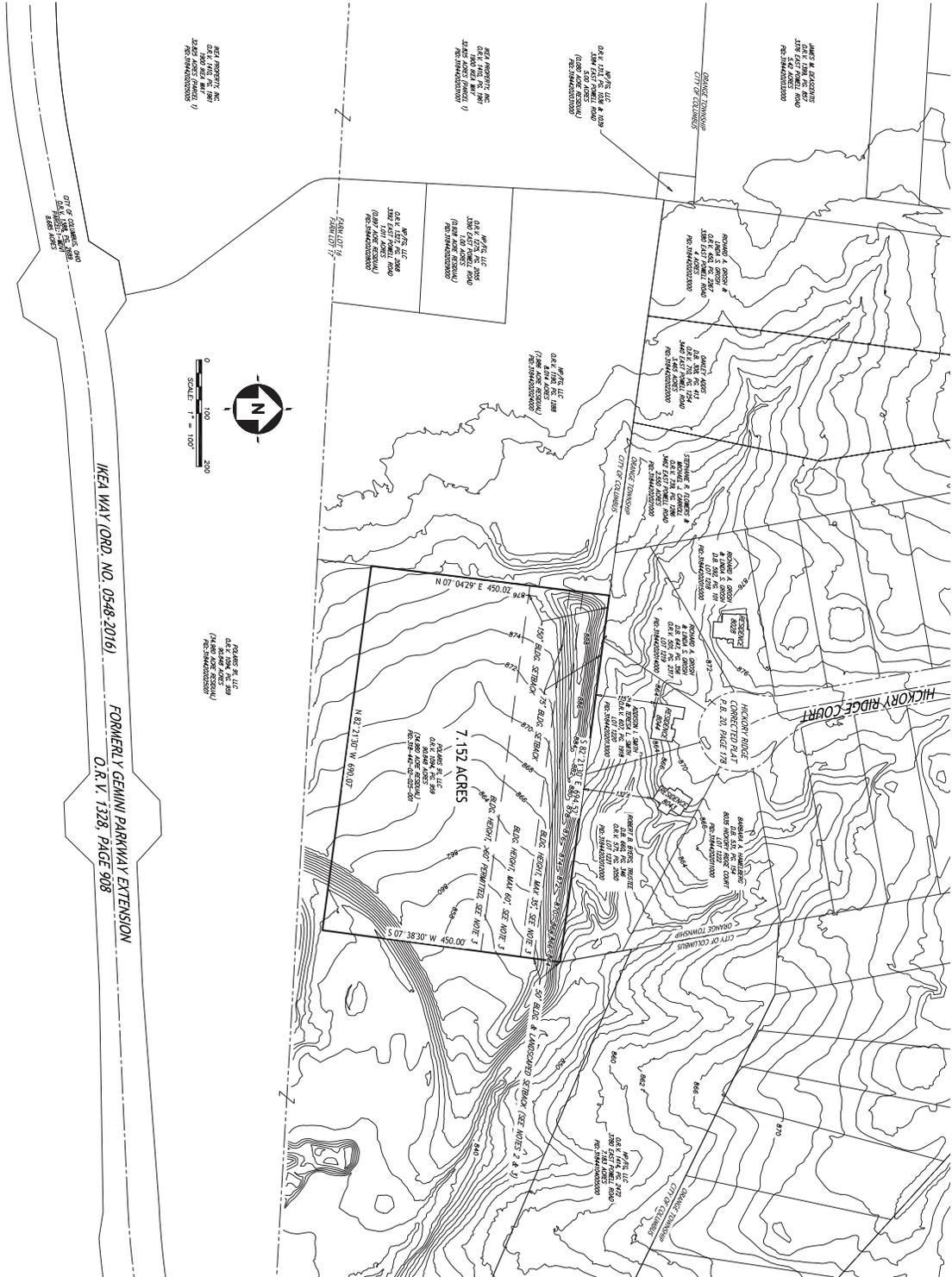
3) Severability. If for any reason any one or more articles, sections, sentences, clauses or parts of this Text are held invalid by any court of law or duly authorized public body, such determination shall not affect, impair or invalidate the remaining provisions of this Text, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Text held invalid and the invalidity of any section, sentence, clauses or parts of the Text in any one or more instances shall not prejudice in any way the validity of the Text in any other instance.

4) Future Zoning Applications. A zoning classification (L-C-4) and development standards which are thought to be appropriate are being established for the site with this Limitation Text. Development of the site will occur over an extended period of time and it may be necessary from time to time to augment the development standards and to provide for additional uses which cannot be foreseen but are compatible with the uses allowed. Any portion of the site being rezoned with this application may be rezoned independently or in conjunction with other abutting property in the future.

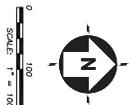
The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes, except as noted herein.

Signature: _____ Date: _____
David B. Perry, Agent

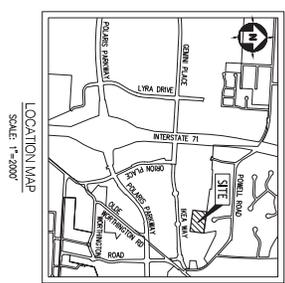
Signature: _____ Date: _____
Donald Plank, Attorney



IKEA WAY (ORD. NO. 05-168-2016)
FORMERLY GEMINI PARKWAY EXTENSION
O.R.V. 1328, PAGE 908



- PLAN NOTES**
- 1) All references to setbacks from the north property line in the following plan notes and development text Section 3, Development Standards, A, Section 3, Development Standards, C (7), and Section 3, Development Standards, E (1), apply only to the north property line of the 7.152-acre parcel. The setbacks shown on this plan are based on the north property line of a parcel subsequently created, the north property line of which is south of the north property line of the 7.152-acre parcel. To illustrate the boundary of the Z16-088 zoning application, it is indicated the 7.152 acres will be sub-divided and/or split to create parcels that may also include existing property outside of the 7.152 acres.
 - 2) The 50 foot north landscaped setback on the north property line shall consist of the existing trees and other existing plant material. The purpose of the setback is to preserve the existing trees and other plant material. The developer shall maintain the trees and other plants within the setback and developer may maintain the area with the removal of dead trees as needed, both at developer's option. There shall be no new plant material installed within the setback. The developer shall be responsible for the maintenance of the trees and other plants within the setback. The developer shall be responsible for the maintenance of the trees and other plants within the setback. The developer shall be responsible for the maintenance of the trees and other plants within the setback.
 - 3) An 11-110 Height District is established by the Z16-088 zoning, subject to specific height limitation based on setback from part of or the north property line. 23.00m. Building height shall be determined by the height of the building. The height of the building shall be determined by the height of the building. The height of the building shall be determined by the height of the building.



- BASIS OF BEARINGS**
- BEARINGS ARE BASED ON DATA ACQUIRED BY GPS OBSERVATIONS AS PER M.A.D. 83 (1986) - OHIO STATE PLANE COORDINATE SYSTEM - NORTH ZONE FROM THE DELAWARE COUNTY DECEDENT MONUMENTATION.
- a) A building or structure located more than 150 feet from the north property line may exceed sixty (60) feet in height, as permitted in the zoning ordinance, including sections 3503.04, as may be applicable.
 - b) No building or structure located more than 75 feet and up to 150 feet in height, from the north property line shall exceed thirty-five (35) feet in height.
 - c) No building or structure located more than 50 feet and up to 75 feet in height, from the north property line shall exceed thirty (30) feet in height.
 - d) No building or structure located more than 50 feet and up to 75 feet in height, from the north property line shall exceed thirty (30) feet in height.

POLARIS 91, LLC
2054 IKEA WAY
CITY OF COLUMBUS
DELAWARE COUNTY, OHIO

NORTH PROPERTY LINE SETBACK EXHIBIT

PROJECT NO: 13356
SCALE: AS NOTED
DATE: 3/7/2017
DRAWN: D.B.P.
CHECK: K.A.S.

SHEET NO. 1/1



Z16-088