

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MARCH 11, 2010**

1. **APPLICATION:** **Z09-039 (ACCELA # 09335-00000-00334)**
 Location: **4799 SAWMILL ROAD (43232)**, being 0.4± acres located at the northwest corner of Bethel and Sawmill Roads. (590-189240)

 Existing Zoning: CPD, Commercial Planned Development District.
 Request: CPD, Commercial Planned Development District.
 Proposed Use: Rezoning to allow a restaurant with indoor seating.
 Applicant(s): 4799 Sawmill Road LLC, c/o Gary B. Gitlitz; Atty; 5003 Horizons Drive, Suite 200; Columbus, OH 43235.

 Property Owner(s): 4799 Sawmill Road LLC; 5003 Horizons Drive, Suite 200; Columbus, OH 43235.

 Planner: Dana Hitt, AICP, 645-2395, dahitt@columbus.gov

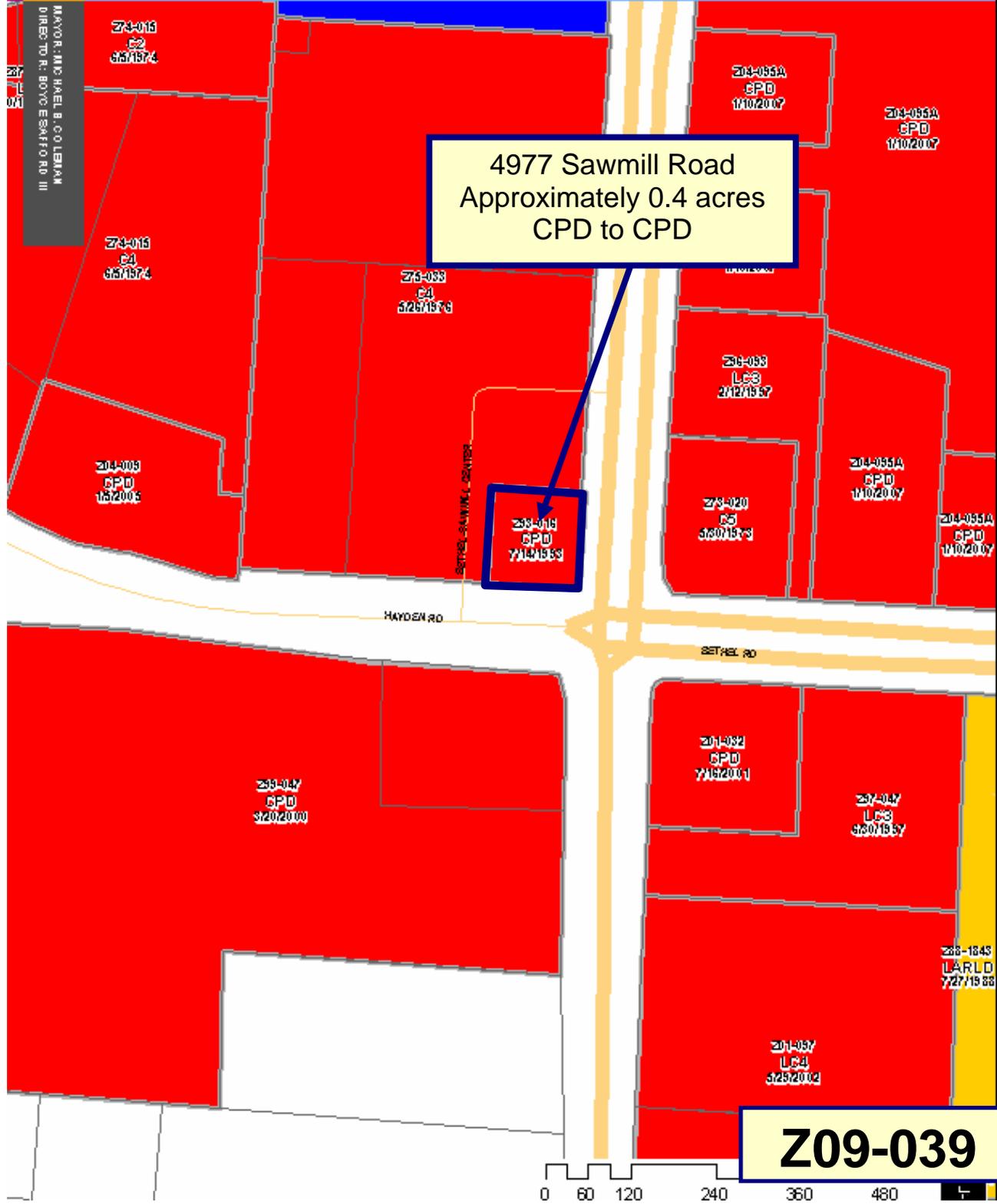
BACKGROUND:

- The applicant is requesting the CPD, Commercial Planned Development District to allow indoor seating in a former drive-through restaurant that was not permitted to have indoor seating per the current CPD, Commercial Planned Development Text, although the text would allow any other permitted C-4 use.
- To the north and west is a shopping center in the C-4, Commercial District. To the south is across Hayden Road is a retail development zoned in the CPD, Commercial Planned Development District. To the east across Sawmill Road is an auto service facility zoned in the C-5, Commercial District and retail uses zoned in the L-C-3, Limited Commercial District.
- The site is located within the boundaries of *The Northwest Plan* (2007), but no specific recommendation is provided.
- The CPD text provides for use limitations and limitations on vehicular access. Signage commitments made in Z92-016 are maintained. The south building façade may be relocated 3 feet north if the Department of Public Service will not grant an encroachment into an existing sewer easement.
- The *Columbus Thoroughfare Plan* identifies both Sawmill and Bethel / Hayden Roads as 4-2D arterials, requiring a minimum of 60 feet of right-of-way from centerline.

CITY DEPARTMENTS RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would allow for indoor seating in a former drive-through restaurant. The CPD Text and Plan provide for use limitations and limitations on vehicular access. Signage commitments made in Z92-016 are maintained. The proposed CPD is consistent with the development and zoning patterns of the area.



MAYOR: MICHAEL B. COLEMAN
DIRECTOR: BOYCE SAFFORD III



4977 Sawmill Road
Approximately 0.4 acres
CPD to CPD

209-016
CPD
77141533

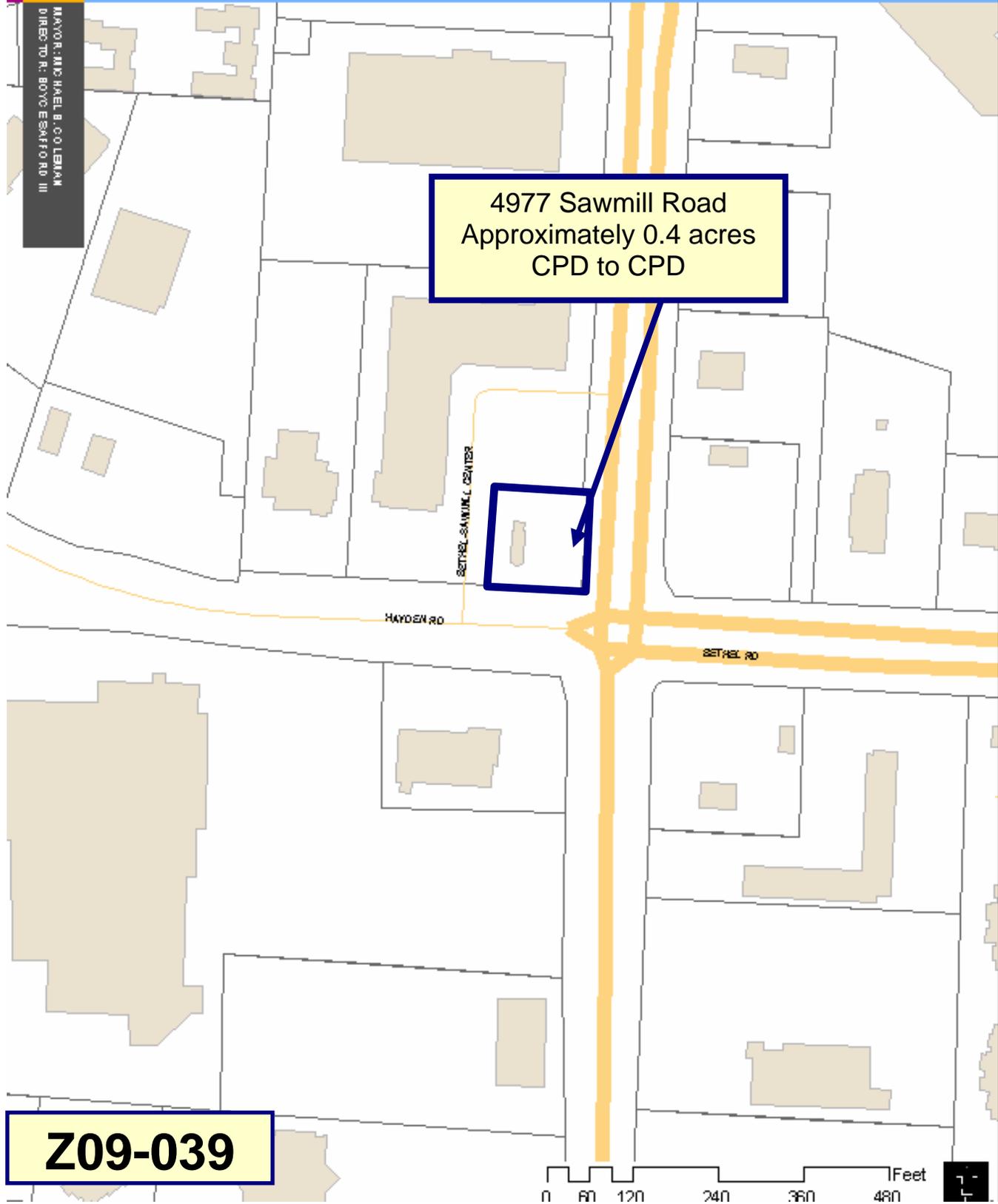
Z09-039

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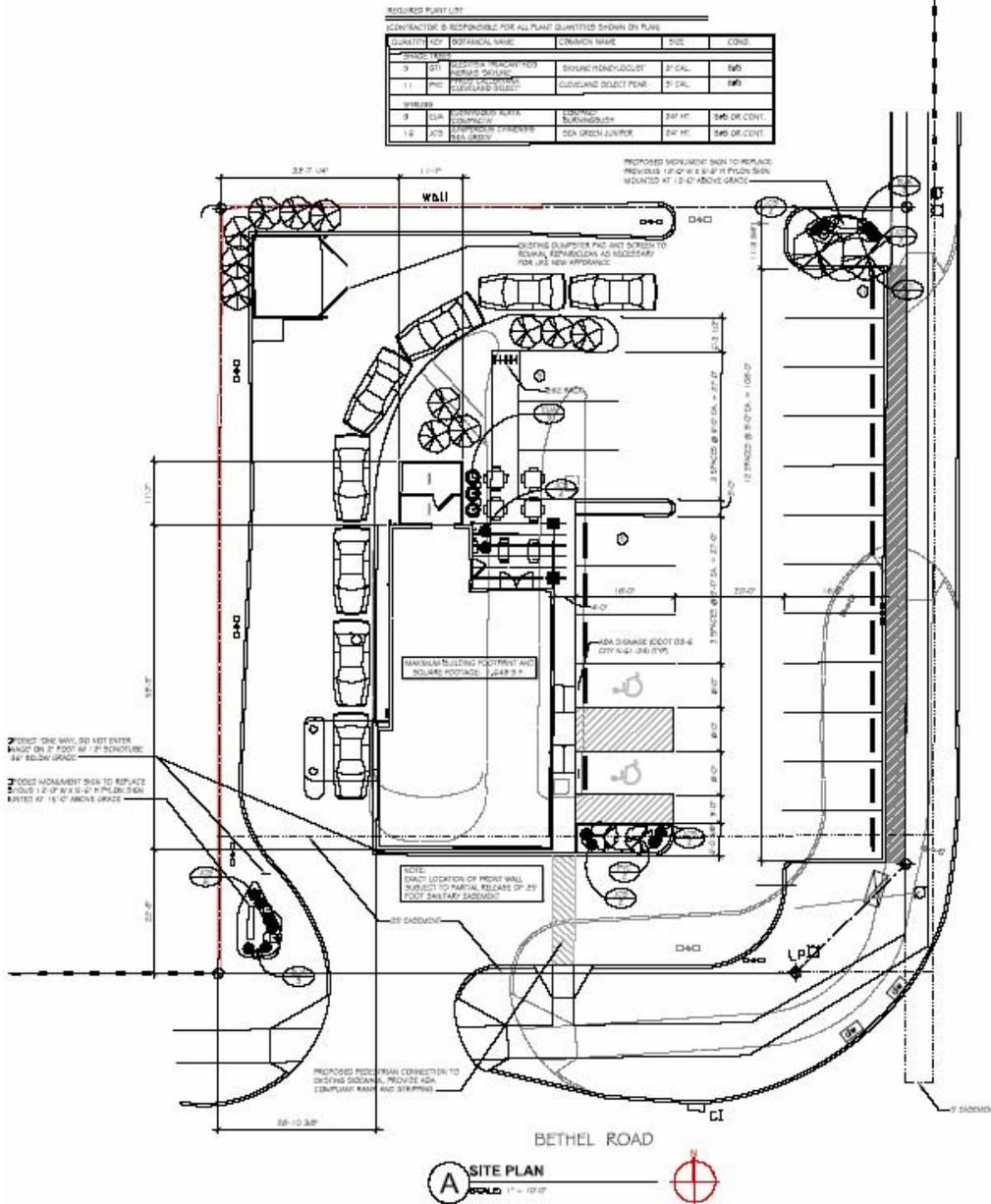


MAYOR: MICHAEL B. COLEMAN
DIRECTOR: ROYCE SAKITO RD III

4977 Sawmill Road
Approximately 0.4 acres
CPD to CPD



Z09-039



**ZONING TEXT
FOR
4799 SAWMILL ROAD
Z09-039
DATE OF TEXT: 1/__/10
PLANNED COMMERCIAL DEVELOPMENT
CPD DISTRICT**

Permitted Uses. A restaurant with a single drive-thru, interior dining and outdoor patio dining area or other permitted use under Chapter 3357, C-4 Commercial of the Columbus City Code.

Development Standards. Unless otherwise indicated on submitted Site Plan or in the written text, the applicable development standards should be those standards contained in Chapter 3357, C-4 Commercial of the Columbus City Code.

Site Plan. The property shall be developed in accordance with the submitted Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Adjustments to the Site Plan shall be reviewed and may be approved by the Director, Division of Development, or its designee, upon submission of the appropriate data regarding the proposed adjustment. The general layout and site concept shall, however, conform to the Site Plan.

Graphics. The two (2) existing ground mounted site sign locations shall be reused per the Site Plan. The ground mounted signs shall be replaced with new signs 12'-0" wide and 5'-6" high, 15'-0" maximum height and 66 square feet maximum per face of graphics area. The building shall have a fascia sign of four feet (4') high and eight feet (8') wide, mounted with the top at sixteen feet-two inches (16'-2") above finished floor on the South building face. There will be no billboards changeable copy (reader board) or off-premises graphics permitted on the subject property.

Building Lighting: To be as shown on the attached Site Plan.

Existing Adjacent Land Uses. The property to the northeast is developed as a strip shopping center, the property to the southeast are developed as a gas station (Shell Oil and BP). The property to the south is developed as a CVS pharmacy and the property to the west is developed as a strip retail shopping center.

Transportation and Circulation. The existing curb cut and on Sawmill Road will be deleted and all access from the north shall be by easement through the contiguous shopping center. The existing right in – right out curb cut on Bethel Road will remain. The internal circulation patterns are shown on the submitted Site Plan.

Emissions. Emissions shall be no greater than generated by the previous use as a double drive-thru Rally's. No adverse effects from omissions shall result from the proposed development.

Behavioral Patterns. The site cannot be expanded due to the surrounding development and roadway improvements. The proposed use would serve the existing surrounding residential community as well as the motorists moving through the area.

Dumpster Enclosure. The dumpster shall be screened on three sides with a wood fence 6 feet in height and have wooden gates on the forth side. The enclosure shall be screened, manual opening for access.

2009-2010
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January 8, 2010

Department of Development
City of Columbus
757 Carolyn Ave.
Columbus, Ohio 43224

RE: Application Z09-039 (4799 Sawmill Road, Columbus, Ohio 43235)

Dear Department of Development:

On January 6, 2010, Application Z09-039 (4799 Sawmill Road, Columbus, Ohio 43235) came before the Northwest Civic Association Board of Trustees for review and recommendation.

The Board determined that Applicant's requested rezoning was acceptable and **approved** by a vote of **11 Yes to 0 No**. This approval is conditioned on the fact that when the monument sign is designed NWCA is able to review the design prior to installation. NWCA gave guidance that the Northwest Commercial Overlay standards for monument signs are preferred, as this property is not part of Phase I of the Northwest Commercial Overlay.

This letter serves as NWCA's official recommendation that Application Z09-039 (4799 Sawmill Road, Columbus, Ohio 43235) should be **approved** by the Department.

If you have any questions or concerns, please contact me.

Sincerely,



Jennifer Anne Adair, Esq.
President and Zoning Chair
JenniferAAdair@yahoo.com
614-286-6577 (Cell)

Cc: Gary Gitlitz, Attorneys for Applicant (email)
Priscilla Tyson, Development Chair, Columbus City Council (email)
Dana Hiatt, City Planner (email)
File



MAYOR: MICHAEL B. COLLIAN
DIRECTOR: R. BOYD SMITH RD III

4977 Sawmill Road
Approximately 0.4 acres
CPD to CPD



HAYDEN RD

BETHEL RD

Z09-039

