

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
NOVEMBER 10, 2011**

6.     **APPLICATION:**                   **Z11-026 (ACCELA # 11335-00000-00480)**  
          **Location:**                   **865 DESANTIS COURT (43214)**, being 3.3± acres  
  located on the south side of Henderson Road, 1250± feet  
  west of Lauraland Drive South. (010-014735).  
          **Existing Zoning:**           RR, Rural Residential C-3, Commercial Districts.  
          **Request:**                    L-C-4, Limited Commercial District.  
          **Proposed Use:**            Commercial Development.  
          **Applicant(s):**           DeSantis Florists Inc; c/o Jill Tangeman, Atty.; 52 East  
  Gay Street; Columbus, Ohio 43216.  
          **Property Owner(s):**   DeSantis Florists Inc; 865 DeSantis Court; Columbus,  
  Ohio 43214.  
          **Planner:**                   Dana Hitt; 645-2395; [dahitt@columbus.gov](mailto:dahitt@columbus.gov)

**BACKGROUND:**

- The site contains the applicants existing business and vacant land. This application is to rezone this site from the RR, Rural Residential and the C-3, Commercial District to the L-C-4, Limited Commercial District to allow more commercial uses.
- To the north across Henderson Road are senior housing units and a sports facility in the CPD, Commercial Planned Development Districts. To the south and east is a self-storage facility zoned in the RR, Rural Residential and C-3 Commercial Districts. To the west is a railroad line beyond which are industrial uses and a conference center zoned in the M-1, Manufacturing and CPD, Commercial Planned Development Districts respectively.
- The limitation text provides for use restrictions, street trees, loading dock screening and commitments to building material finishes.
- The *Columbus Thoroughfare Plan* identifies Henderson Road as a 4-2D arterial requiring 60 feet of right-of-way from the centerline.

**CITY DEPARTMENTS RECOMMENDATION:** Approval.

The requested L-C-4, Limited Commercial District would allow for additional commercial uses at the site. Given the presence of the self-storage facility to the south and east and the railroad line to the west, Staff finds the proposal to be compatible with surrounding development and zoning pattern in the area.

292-057  
ARLD  
2/24/1993

233-107  
CPD  
12/11/1985

233-063  
CPD  
10/2/1995

237-174  
CPD  
4/6/1981

KNIGHTS BRIDGE BLVD

237-174  
CPD  
4/6/1981

865 DeSantis Court  
Approximately 3.3 acres  
RR & C-3 to L-C-4

W HENDERSON RD

W HENDERSON RD

974  
M1  
10/31/1961

DESANTIS CT

974  
C3  
10/31/1961

272-107  
C3  
11/25/1972

207-065  
CPD  
6/22/2003

767  
RR  
4/21/1958

974  
RR  
10/31/1961

**Z11-026**

974  
M1  
10/31/1961

865 DeSantis Court  
Approximately 3.3 acres  
RR & C-3 to L-C-4

KNIGHTS BRIDGE BLVD

WHENDERSON RD

WHENDERSON RD

DESANTIS CT

**Z11-026**

### **LIMITATION OVERLAY TEXT**

**Zoning District:** L-C-4  
**Property Location:** 865 DeSantis Court, Columbus, Ohio  
**Owner:** DeSantis Florists, Inc.  
**Applicant:** DeSantis Florists, Inc.  
**Date of Text:** October 10, 2011  
**Application:** Z11-026

**1. Introduction:** The applicant seeks to rezone 3.432 +/- acres to L-C-4. The site is currently zoned C-3 and RR. The applicant is asking to rezone the site to L-C-4 to allow for broader commercial uses.

**2. Permit Uses:** Those uses listed in Chapter 3356.03 (C-4, Regional Scale Commercial District) of the Columbus City Code shall be permitted.

A. The following uses are excluded from this site:

1. Billboards
2. Used car lots, except used car lots used in conjunction with the sale of new cars.
3. Outside display 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.
4. Halfway House
5. Automobile and light truck dealers
6. Automotive accessories, parts, and tire sales
7. Automobile maintenance and repair
8. Automotive sales, leasing, and rental
9. Motorcycle, boat and other motor vehicle dealers
10. Motor vehicle accessories and parts dealers
11. Recreational vehicle dealers
12. Truck, utility trailer and RV sales, rental and leasing
13. Video Sales

**3. Development Standards:** Except as otherwise noted above and herein, the applicable development standards of Chapter 3356 (C-4) shall apply to this site.

#### **A. Density, Lot, and/or Setback Commitments.**

1. Building lines:

a. The building setback line shall be 50 feet on the north side of the subject site and 10 feet on the south, west and east sides of the site.

2. Parking setbacks:

a. The parking setback line shall be 10 feet on the north side of the site and 5 feet on the south; east and west sides of the site.

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

1. Sidewalks from the parking areas to any building shall be provided. In addition, sidewalks that connect to parcels outside the development will be provided where topography allows and will be a minimum of eight (8) feet in width.

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

1. No off-street loading areas or loading docks shall be located on or along the front wall of any building, within the front yard or nearer than fifteen (15) feet from any side or rear property line.

Off-street loading areas of 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' 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 owners of the property containing such freight loading area at all times.

2. All open areas 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 landscaped with lawns, trees and shrubs.

3. Street trees on internal private streets shall be installed at a minimum of 30 feet apart, unless tree groupings of equal quantity are more practical.

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

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

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

1. All new or relocated utility lines shall be installed underground.

**F. Graphics and/or Signage Commitments.**

1. All signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial zoning district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

\*\*\*The undersigned, being the agent for the owner of the subject property together with the applicant in the subject application, does hereby agree on behalf of the owner and the applicant, singularly and collectively for themselves, their 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 Code.

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Jill S. Tangeman, Esq.  
Vorys, Sater, Seymour and Pease, LLP  
52 East Gay Street  
Columbus, Ohio 43215



**northwest** CIVIC ASSOCIATION  
October 17, 2011

Post Office Box 20134  
Columbus, OH 43220

*Community Enrichment  
Through Participation!*

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

Re: Application Z11-026

On October 5, 2011 Application Z11-026, 865 DeSantis Ct, Columbus, OH 43214 came before the Northwest Civic Association's Board of Trustees for review and recommendation.

After hearing the presentation, we expressed our concern for not knowing what would be built if the property were rezoned to L-C-4 (Limited Commercial District). A agreement was reached with the attorney for the applicant to enter into a Good Neighbor Agreement. This Neighbor Agreement will give the Northwest Civic Association the opportunity to review and have input into what is being proposed to be built on the site prior to clearing of the site and issuance of a Zoning Clearance Approval.

With the Good Neighbor Agreement the Board of Trustees voted 5-0 to recommend that Application Z11-026 be approved by the Development Department.

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

Sincerely,

Rosemarie Lisko  
Zoning Chair  
[Rosemarielisko@sbcglobal.net](mailto:Rosemarielisko@sbcglobal.net)  
14-985-1150

Cc: Jill S. Tangeman, Attorney for applicant  
Dana Hitt, City Planner  
Troy Miller, Zoning Chair, Columbus City Council

## **GOOD NEIGHBOR AGREEMENT**

THIS GOOD NEIGHBOR AGREEMENT (this "Agreement"), to be effective as of the

day of , 2011, by and between DeSantis Florists Inc., an Ohio corporation ("Owner") and the NWCA Civic Association, an Ohio not-for-profit corporation ("NWCA").

### **RECITALS**

A. Owner is the owner of 3.3 +/- acres of property located at 865 DeSantis Court, Columbus, Ohio 43214 as more fully described on Exhibit A attached hereto and made a part

hereof (the "Owner Property").

B. Owner has filed a rezoning application with the City of Columbus to rezone the Owner Property to L-C-4 Limited Commercial District.

C. Owner has agreed to make certain commitments to NWCA in exchange for NWCA's support of the rezoning application.

D. Owner and NWCA the Association wish to enter into this Agreement to set forth those commitments by Owner.

NOW, THEREFORE, in consideration of the foregoing and the covenants and agreements set forth in this Agreement, Owner and NWCA agree as follows:

1. Site Plan Review: Prior to the submittal of an application for zoning clearance for the Owner Property, a site plan identifying building location and proposed landscaping and

building elevations will be presented to NWCA. Owners agrees that it will not clear the land

before an application for Zoning Clearance is submitted and the site plan is presented to NWCA.

Owner further agrees that, at the time of development, a minimum of ten (10) new trees of 2.5"

caliper will be planted on site.

2. Self-Storage Facility: If, prior to the issuance of any zoning clearance approval for development of the Owner Property, the development existing on adjacent Parcel No. 010-

129766 would cease to be a self-storage facility such that the existing use variance is terminated,

use of the Owner Property would be limited to uses in the C-3 Commercial District as set forth in

the Columbus zoning code.

IN WITNESS WHEREOF, Owner and NWCA have executed this Agreement to be effective as

of the day and year first set forth above.

*(Signature Page to Follow)*

DeSantis Florists Inc., an Ohio corporation

By:

*Name:ftJL0*

Its: /Ore,r

Northwest Civic Association, an Ohio  
corporation not for profit

By:

Name:

Its:



