

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
JUNE 9, 2011**

- 3. APPLICATION:** **Z11-015 (ACCELA # 11335-00000-00192)**  
**Location:** **83 & 88 NELSON ROAD (43219,** being 6.9± acres located at the corner of East Long Street and Nelson Road and on the east side of Nelson Road at the terminus of East Long Street. (010-039949; Near East Area Commission).
- Existing Zoning:** M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial and CPD, Commercial Planned Development District.
- Request:** CPD, Commercial Planned Development Districts.  
**Proposed Use:** Auxiliary Athletic Facility for a school.  
**Applicant(s):** Most Reverend Frederick F. Campbell DD, PHD; Bishop of the Catholic Diocese of Columbus c/o Dave Perry, The David Perry Co.; 145 East Rich Street, 3<sup>rd</sup> Floor; Columbus, OH 43215.
- Property Owner(s):** Most Reverend Frederick F. Campbell DD, PHD; Bishop of the Catholic Diocese of Columbus c/o William S. Davis, Chief Financial Officer of the Catholic Diocese of Columbus; 198 East Broad Street; Columbus, OH 43215-3766.
- Planner:** Dana Hitt; 645-2395; [dahitt@columbus.gov](mailto:dahitt@columbus.gov).

**BACKGROUND:**

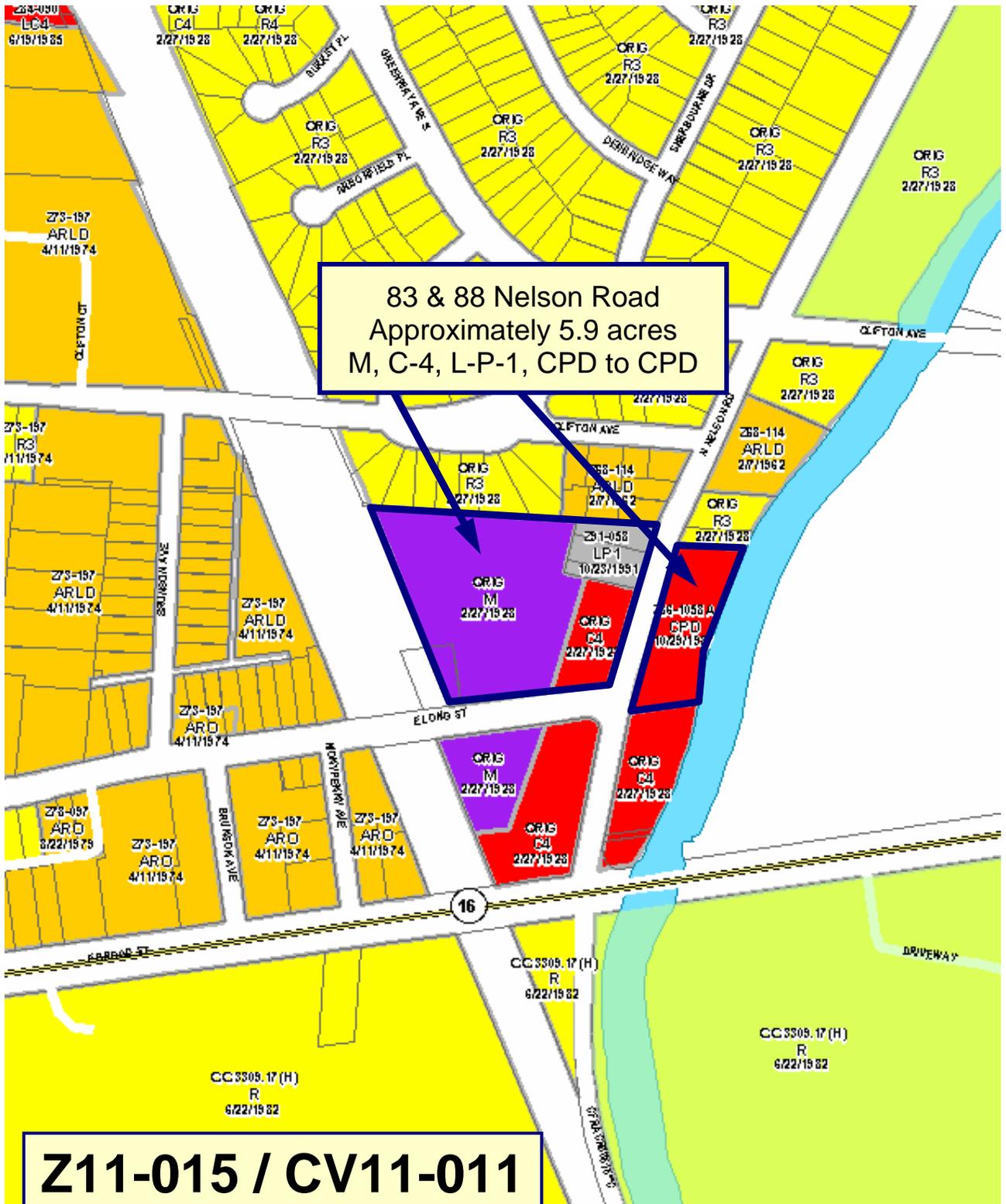
- This application is to rezone from M, Manufacturing, L-P-1, Limited Parking, C-4, Commercial and CPD, Commercial Planned Development Districts to the CPD, Commercial Planned Development District to develop an auxiliary athletic facility for St. Charles Preparatory School which is located on the other side of Alum Creek. St. Charles intends to build a pedestrian bridge over Alum Creek to connect this site to the school. The applicants also wish to continue an office use and build parking on the east side of Nelson Road. The site is developed with a vacant lumber yard on the west side of Nelson Road and an existing office building and vacant land on the east side of Nelson Road.
- To the north are dwellings in the R-3, Residential and ARLD, Apartment Residential Districts. To the east is Alum Creek. Across East Long Street to the south are a car wash and convenience store zoned in the M, Manufacturing and C-4, Commercial Districts. To the west is the Norfolk Southern Railroad which runs on top of a large embankment.
- The site lies within the boundary of *The Near East Area Plan (2005)*, but no specific recommendation is provided for this site.

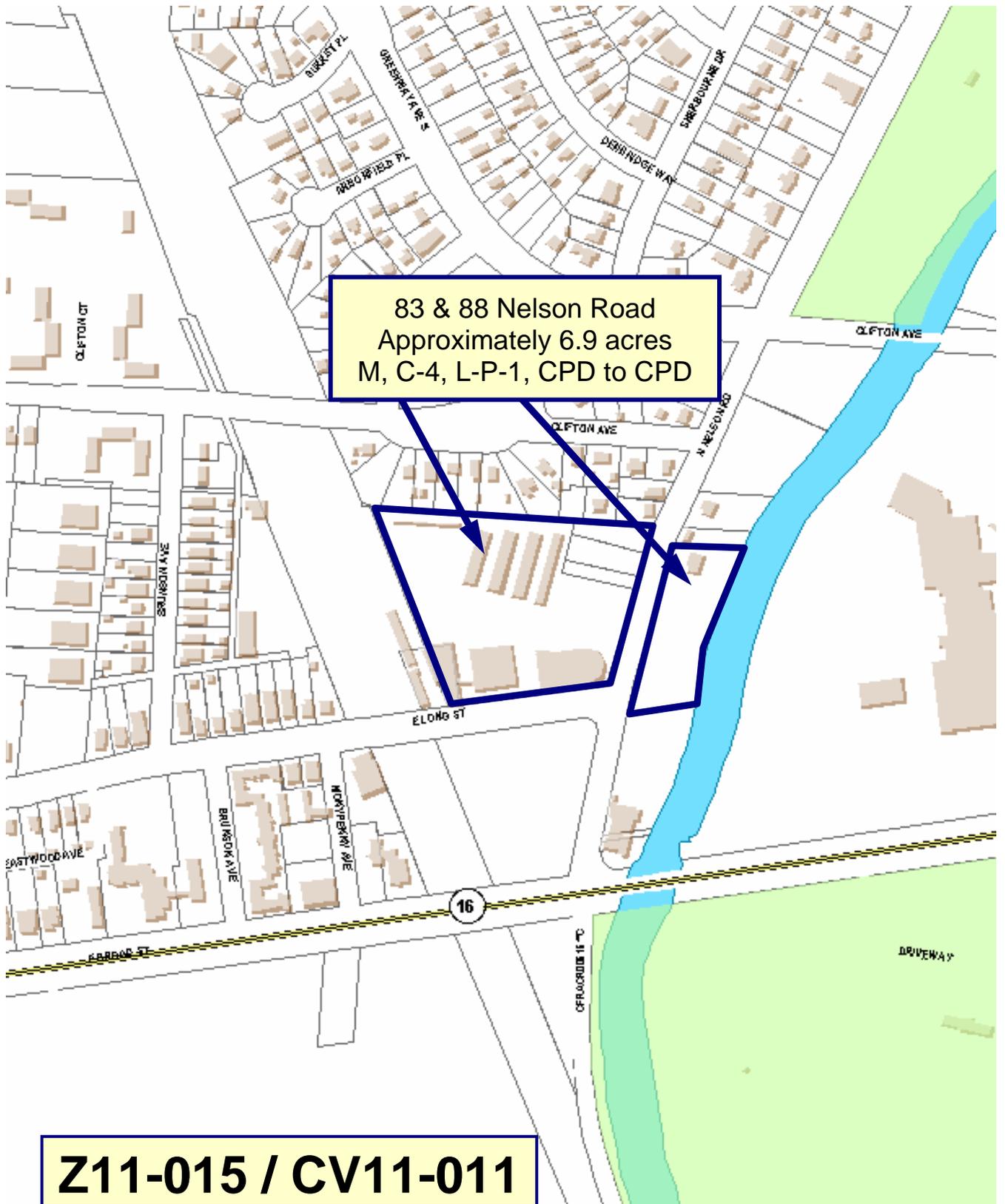
- The applicant requests building and parking setback variances as well as variances because the parking lot will cross a property line after completion. Staff supports these variances, finding them to be necessary to accommodate the development and finds that they will no have adverse impact on the surrounding area.
- The applicant has included landscaping standards regarding the size of landscaping, but has shown very little landscaping on the CPD plan nor committed to any in the CPD text. Staff finds this deficient.
- The applicant is requesting an administrative variance through the Sewerage and Drainage Variance Review Committee to fill in the Stream Corridor Protection Zone. This variance has not been approved yet and until BZS staff knows if the Sewerage and Drainage Variance Review Committee will approve the variance to fill in the stream protection zone, we do not know if the CPD plan can be constructed as shown.
- The *Columbus Thoroughfare Plan* identifies Nelson Road as a C arterial requiring a minimum of 30 feet of right-of-way from centerline.

**CITY DEPARTMENTS' RECOMMENDATION:** Disapproval.

The Commercial Planned Development District will allow an auxiliary athletic facility and parking facility located on the other side of Alum Creek. Although the proposal is consistent with the development and zoning pattern in the area, until BZS staff knows if the Sewerage and Drainage Variance Review Committee will approve the variance to fill in the stream protection zone, we do not know that the CPD plan can be constructed as shown. These are not minor issues in Staff's opinion. City Council has indicated to Staff that they do not like applications being sent to them with unresolved issues. Finally, the applicant has included landscaping standards regarding the size of landscaping, but has shown very little landscaping on the CPD plan nor committed to any in the CPD text. Staff finds this deficient.







**CPD, Commercial Planned Development  
83 and 88 North Nelson Road  
Columbus, OH 43219**

**PROPOSED DISTRICT:** CPD, Commercial Planned Development  
**EXISTING DISTRICT:** M, Manufacturing, C-4, Commercial, L-P-1,  
Limited Private Parking (Z91-058) and CPD,  
Commercial Planned Development (Z86-1058(A))  
**ACRES:** 5.9 +/- acres  
**PROPERTY ADDRESS:** 83 and 89 North Nelson Road, Columbus, OH  
43219  
**PROPERTY OWNER(S):** Most Reverend Frederick F. Campbell, DD, Ph.D.  
Bishop of the Catholic Diocese of Columbus, 198  
East Broad Street, Columbus, OH 43215-3766;  
Norfolk Southern Corporation, 8000 Ravines  
Edge Court, Suite 300-B, Columbus, OH 43235-  
5428; Marcia J. Horvath, 90 North Nelson Road  
Columbus, OH 43219; all c/o Dave Perry, Agent,  
David Perry Co., Inc., 145 East Rich Street, 3<sup>rd</sup>  
Flr., Columbus, OH 43215 and Donald Plank,  
Plank Law Firm, 145 East Rich Street, 3<sup>rd</sup> Flr.  
Columbus, OH 43215 and Donald Plank, Plank  
Law Firm, 145 East Rich Street, 3<sup>rd</sup> Flr.,  
Columbus, OH 43215  
**APPLICANT:** Most Reverend Frederick F. Campbell, DD, Ph.D.  
Bishop of the Catholic Diocese of Columbus, 198  
East Broad Street, Columbus, OH 43215-3766  
c/o Dave Perry, David Perry Co., Inc., 145 East  
Rich Street, 3<sup>rd</sup> Flr., Columbus, OH 43215 and  
Donald Plank, Plank Law Firm, 145 East Rich  
Street, 3<sup>rd</sup> Flr., Columbus, OH 43215  
**DATE OF TEXT:** June 1, 2011  
**APPLICATION NUMBER:** Z11-015

**INTRODUCTION:** The 5.9 +/- acre site consists of property on both the west and east sides of North Nelson Road. St. Charles Preparatory School and the Catholic Diocese of Columbus propose to redevelop the former lumber yard site at the northwest quadrant of North Nelson Road and East Long Street (Subarea A) for use as an auxiliary athletic facility (Subarea A) for St. Charles Preparatory School, located at 2210 East Broad Street, Bexley, OH and to develop property on the east side of Nelson Road (Subarea B) as a parking lot. Residual property (Subarea C) on the east side of Nelson Road will continue to be used for C-2, Commercial District office uses, as presently permitted (CPD, Z86-1058A). St. Charles Preparatory School is located to the east of North Nelson Road, on the east side of Alum Creek. Applicant proposes to connect the main St. Charles Preparatory School campus with the auxiliary athletic facility and parking by building a pedestrian bridge across Alum Creek to enhance connectivity and pedestrian movement between the main campus and auxiliary. The site plan, titled "St Charles Preparatory School West Campus – Schematic Athletic Site Plan", dated \_\_\_\_\_, is referenced in Section I., Miscellaneous commitments as the schematic development plan.

**SUBAREA A:**

Subarea A is located at the northwest quadrant of North Nelson Road and East Long Street and consists of 5.3 +/- acres. The Subarea will be developed in concept as depicted on the plan titled “St Charles Preparatory School West Campus – Schematic Athletic Site Plan”, dated \_\_\_\_\_. There are two (2) property owners of the property in Subarea A. As noted on the referenced site plan, Norfolk Southern Corporation owns approximately the west 0.70 +/- acres of Subarea A. While it is anticipated the property ownership will remain separate, from the balance of the site owned by the Catholic Diocese of Columbus, and, therefore, the tax parcels cannot be combined, the property line shall be disregarded for all compliance purposes with the Zoning Code and Site Compliance Plan and the site shall be reviewed as depicted as a single athletic facility and parking lot.

**1. PERMITTED USES:** The permitted use of Subarea A shall be an auxiliary athletic facility and customary accessory uses for an athletic facility. One (1) ground level dwelling unit shall also be permitted in the Support Building, subject to approval of pending Council Variance application CV11-011.

**2. DEVELOPMENT STANDARDS:** Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

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

1. The North Nelson Road and East Long Street building setbacks shall be five (5) feet and zero (0) feet, respectively. The on-grade track shall be permitted to extend to within two (2) feet of the North Nelson Road right of way.

2. The North Nelson Road and East Long Street parking setback shall be two (2) feet, for the track, as depicted, and four (4) feet, for the East Long Street parking lot and service drive.

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

1. Vehicular access shall be located as depicted on the referenced plan. The primary vehicular access for the parking lot shall align with the commercial curbcut on the south side of East Long Street.

2. An on-site parking lot with not less than 70 parking spaces shall be provided, as depicted on the referenced plan

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

1. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

2. The minimum size of all trees at installation shall be two (2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.

3. Other than along the south and east side of the building at the northwest corner of North Nelson Road and East Long Street, the entire Subarea shall be enclosed with fencing a minimum of six (6) feet tall.

**D. Building Interior-Exterior Commitments. N/A**

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

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

1. 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 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

**G. Other CPD Requirements.**

1. Natural Environment: The natural environment of the site is flat. All buildings on the site shall be removed other than the existing building at the northwest corner of North Nelson Road and East Long Street, which is planned to be remodeled for the athletic facility support building. Existing pavement will be removed.

2. Existing Land Use: The site is a former lumber yard. Most of the existing buildings will be removed for redevelopment of the site for the athletic facility.

3. Circulation: Access to and from the site will be via one (1) full turning movement curbcut on East Long Street and one (1) emergency access curbcut, also on East Long Street, as depicted on the referenced plan.

4. Visual Form of the Environment: The site is located at the intersection of two collector (C) right of ways. The site was used for decades as a retail and whole sale lumber yard. Residential uses abut the site to the north. Property zoned CPD and used for an office is located on the east side of North Nelson Road. Commercially zoned and developed property is located to the southeast and south. Norfolk and Western railroad property and rail lines are located to the west.

5. Visibility: The site is located at the intersection of North Nelson Road and East Long Street. There is good visibility of the site from both streets.

6. Proposed Development: Rezoning to CPD for development of the site as an auxiliary athletic facility of St. Charles Preparatory School.

7. Behavior Patterns: Vehicular access will be from East Long Street.

8. Emissions: Development will conform to City of Columbus requirements as further

controlled by development standards of this development text and plan. There will be no objectionable emissions.

#### **H. Modification of Code Standards.**

1. Section 3356.11, C-4 District Setback Lines, which Section requires a thirty (30) foot building setback line on both East Long Street and North Nelson Road, based on both streets being Collectors (C) on the Columbus Thoroughfare Plan (CTP), while right of way for both streets presently complies with the CTP right of way designation and the existing building and proposed portico addition to the existing building at the northwest corner of East Long Street and North Nelson Road requires building setbacks of zero (0) feet and five (5) feet, respectively, and the athletic facility track will be located approximately two (2) feet from the North Nelson Road right of way.
2. Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while applicant proposes a four (4) foot parking setback on East Long Street and the track will extend to within two (2) feet of the North Nelson Road right of way.
3. The 5.3 +/- acre Subarea A consists of property owned by two (2) different property owners. The proposed track and parking lot is, and may remain, divided by a property line. As long as there are two (2) separate property owners, the applicable parcels that are owned separately cannot be combined. The property line shall be disregarded for all purposes related to the Zoning Code and Site Compliance Plan process and the 5.3 +/- acre Subarea shall be treated as a single parcel for regulatory purposes. Due to the property line, the following code variances are provided:
  - a. 3312.09, Aisle, to permit a property line to divide a parking lot aisle(s), while the total width of the parking lot aisle shall comply with minimum aisle width.
  - b. 3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a property line and to maneuver across a property line, while total code required maneuvering area shall comply.
  - c. 3312.29, Parking Space, to permit a property line to divide parking spaces, while the total parking space shall comply with required dimensions.

#### **I. Miscellaneous Commitments.**

1. Development of Subarea A shall be in accordance with the site plan titled "St Charles Preparatory School West Campus – Schematic Athletic Site Plan", dated \_\_\_\_\_, and signed by \_\_\_\_\_ David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. 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. Any slight adjustment to any of the drawings 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.

#### **SUBAREA B:**

Subarea B, 1.0 +/- Ac., is located on the east side of North Nelson Road generally north of the intersection of North Nelson Road and East Long Street. The Subarea will be developed as a parking lot. The 1.0 +/- acre Subarea will be split from PID: 010-066607. The residual area of PID: 010-066607 is Subarea C.

**1. PERMITTED USES:** The permitted use of Subarea B shall be a parking lot.

**2. DEVELOPMENT STANDARDS:** Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

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

The North Nelson Road parking setback shall be three (3) feet.

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

Vehicular access shall be located as depicted on the referenced plan. The primary vehicular access for the parking lot shall be a full-turning movement curbcut on North Nelson Road. The parking lot may be connected with the parking lot to the south (18 North Nelson Road, PID: 010-213570) and/or the property to the north (Subarea C, 90 North Nelson Road).

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

1. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

2. The minimum size of all trees at installation shall be two (2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.

**D. Building Interior-Exterior Commitments. N/A**

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

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

1. 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 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

**G. Other CPD Requirements.**

1. Natural Environment: Part of the site is paved for parking. The balance of the Subarea site is unimproved.
2. Existing Land Use: Part of the site is paved for parking.
3. Circulation: Primary access to and from the site will be via one (1) full turning movement curbcut on North Nelson Road. The parking lot may be connected with the parking lot to the south (18 North Nelson Road, PID: 010-213570) and/or the property to the north (Subarea C, 90 North Nelson Road).
4. Visual Form of the Environment: The site is located east of Subarea A and is part of a parcel zoned CPD, in which most C-2 office uses are permitted. Property to the south is zoned commercial and is developed with a restaurant and accessory parking. Property to the north is part of the CPD and is developed with an office building. Alum Creek is to the east.
5. Visibility: The site is located on North Nelson Road and generally at and north of the T intersection of North Nelson Road and East Long Street. There is good visibility of the site from both streets.
6. Proposed Development: Rezoning to CPD for development of a parking lot.
7. Behavior Patterns: Vehicular access will be from North Nelson Road.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and plan. There will be no objectionable emissions.

#### **H. Modification of Code Standards.**

Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while applicant proposes a three (3) foot parking setback on North Nelson Road.

#### **I. Miscellaneous Commitments.**

1. Development of Subarea B shall be in accordance with the site plan titled "St Charles Preparatory School West Campus – Schematic Athletic Site Plan", dated \_\_\_\_\_, and signed by \_\_\_\_\_ David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. 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. Any slight adjustment to any of the drawings 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. Landscaping in the public right of way in front of the property at 90 North Nelson Road (PID: 010-066607, Sub-Area C) shall be trimmed to provide adequate sight distance looking north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

**SUBAREA C:**

Subarea C, 0.60 +/- Ac., is located on the east side of North Nelson Road approximately 200 feet north of the intersection of North Nelson Road and East Long Street. The Subarea will be developed as a parking lot. The 0.60 +/- acre Subarea will be split from PID: 010-066607. The residual area of PID: 010-066607 is Subarea B.

**1. PERMITTED USES:** The permitted use of Subarea C shall be all office uses of Section 3353.03, Permitted Uses, C-2 Office Commercial Uses, except dental or medical offices or clinics.

**2. DEVELOPMENT STANDARDS:** Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3353 of Columbus City Code (C-2, Office Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

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

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

Vehicular access shall be located as depicted on the referenced plan, as presently exists.

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

1. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.

2. The minimum size of all trees at installation shall be two (2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.

**D. Building Interior-Exterior Commitments.** N/A

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

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

1. 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-2 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

**G. Other CPD Requirements.**

1. Natural Environment: The site is developed with an office building and accessory parking permitted by CPD/Z86-1058A. The site is at grade at North Nelson Road and slopes to the east to Alum Creek.
2. Existing Land Use: The site is developed with a 2,200 +/- sq. ft. office building and accessory parking.
3. Circulation: Primary access to and from the site will be via an existing circular drive with two (2) curbcuts on North Nelson Road. The circular drive may be connected with Subarea B to the south.
4. Visual Form of the Environment: The site is located east of Subarea A and is part of a parcel zoned CPD, in which most C-2 office uses are permitted. Property to the south is zoned commercial and is developed with a restaurant and accessory parking. Property to the north is zoned residential. Alum Creek is to the east.
5. Visibility: The site is located on the east side of North Nelson Road, north of the intersection of North Nelson Road and East Long Street. There is good visibility of the site from North Nelson Road.
6. Proposed Development: Rezoning to CPD in conjunction with Subareas A and B and to reflect change to site plan of CPD plan in Z86-1058A.
7. Behavior Patterns: Vehicular access will be from North Nelson Road.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and plan. There will be no objectionable emissions.

#### **H. Modification of Code Standards.**

1. Section 33312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback, while the existing circular driveway is located with a zero (0) foot parking setback.
2. Section 3312.49, Minimum Numbers of Parking Spaces Required, which Section requires a minimum of five (5) parking spaces for general office use at the rate of one (1) space per 450 gross square feet, while there are three (3) parking spaces on-site.

#### **I. Miscellaneous Commitments.**

1. Development of Subarea C shall be in accordance with the site plan titled "St Charles Preparatory School West Campus – Schematic Athletic Site Plan", dated \_\_\_\_\_, and signed by \_\_\_\_\_ David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. 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. Any slight adjustment to any of the drawings 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. Landscaping in the public right of way in front of the property at 90 North Nelson Road (PID: 010-066607, Sub-Area C) shall be trimmed to provide adequate sight distance looking north from the driveway serving the proposed parking lot on the east side of North Nelson Road in Subarea B.

*The undersigned, being the owner and/or applicant in the subject application, does hereby agree singularly and collectively for himself, his 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 Code, except as noted herein.*

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David B. Perry, Agent  
Date

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Donald Plank, Attorney

Date

DEVELOPMENT STRATEGY

►► **Light Industrial/Commercial:** This area consists largely of light industrial development. Future development should reinforce this land use. Development standards should be utilized to ensure high quality development.

►► **Potential Light Rail Station:** A site in this area should be reserved for a potential light rail station. COTA's Vision 2020 plan anticipates the development of light rail within this corridor and this area could provide a convenient rail station and spur/ accommodate commercial and higher density residential development.

- Lower and Medium Density Residential
- East Broad Street
- Higher Density Residential/ Mixed Use Development
- Commercial District Nodes
- Office/Light Industrial/Mixed Uses
- Light Industrial/Commercial
- Potential Light Rail Station

83 & 88 Nelson Road  
Approximately 6.9 acres  
M, C-4, L-P-1, CPD to CPD

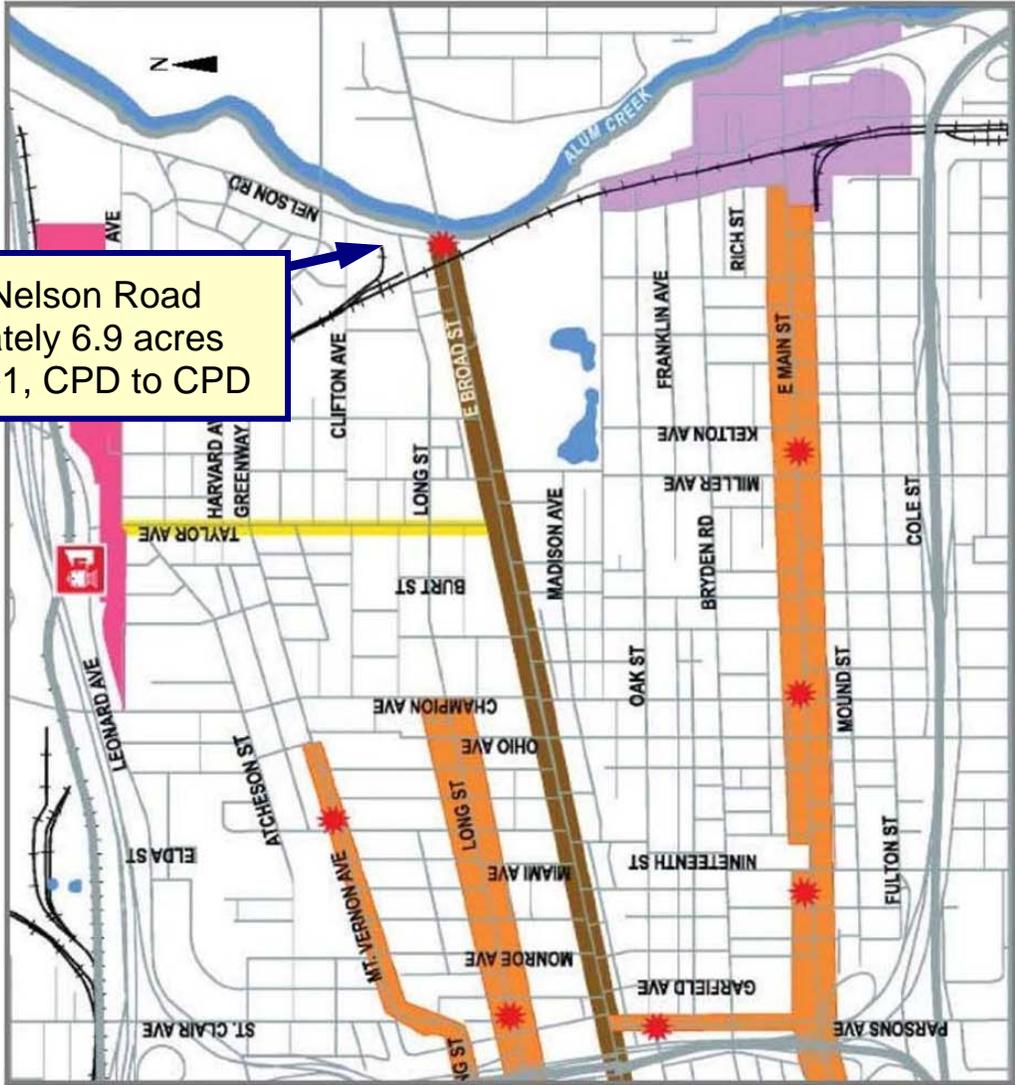
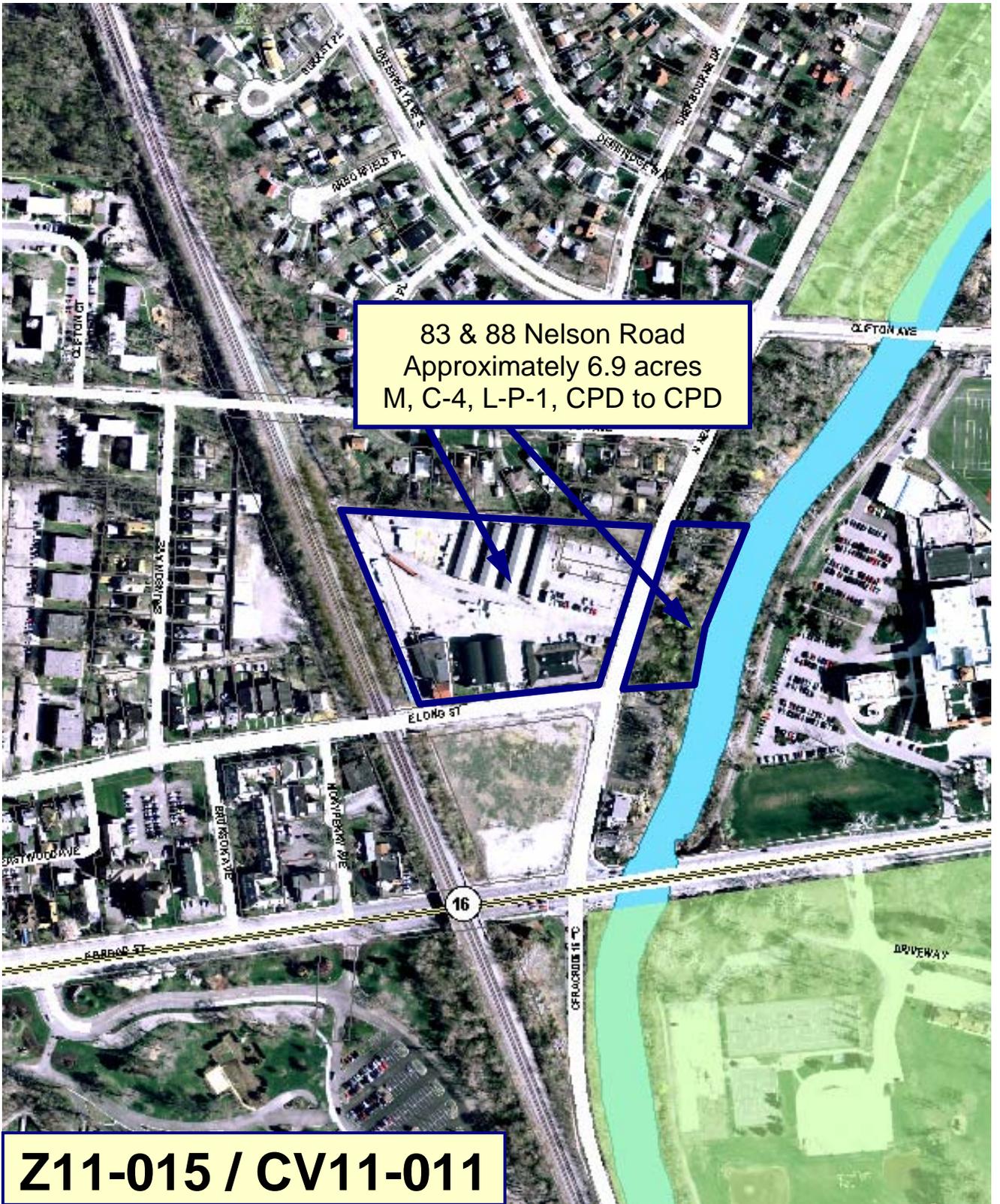


Figure 5



83 & 88 Nelson Road  
Approximately 6.9 acres  
M, C-4, L-P-1, CPD to CPD

**Z11-015 / CV11-011**