



## Legislation Details (With Text)

**File #:** 1478-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/30/2017      **In control:** Zoning Committee

**On agenda:** 6/19/2017      **Final action:** 6/20/2017

**Title:** To rezone 3575 CLEVELAND AVENUE (43224), being 0.58± acres located on the west side of Cleveland Avenue, 210± feet south of Elmore Avenue, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z17-003).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1478-2017.Labels, 2. ORD1478-2017.Attachments

Date	Ver.	Action By	Action	Result
6/20/2017	1	CITY CLERK	Attest	
6/20/2017	1	MAYOR	Signed	
6/19/2017	1	COUNCIL PRESIDENT	Signed	
6/19/2017	1	Zoning Committee	Approved	Pass
6/12/2017	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z17-003

**APPLICANT:** Central Ohio Transit Authority; c/o Perry Payne, Resource International, Inc., Agent; 6350 Presidential Gateway; Columbus, OH 43231.

**PROPOSED USE:** COTA park and ride.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 11, 2017.

**NORTH LINDEN AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently developed with a drive through carry-out and self-serve car wash, and is zoned in the CPD, Commercial Planned Development District (Z91-022). The applicant proposes the CPD, Commercial Planned Development District to permit a COTA park and ride development in conjunction with adjacent properties in Clinton Township. The development text will permit only the COTA park and ride use on the site with provisions for setbacks, access, buffering, and lighting. Variances for reduced front, rear, and side parking setback lines, parking lot drive aisle width, minimum parking lot trees, minimum soil area around trees, headlight screening, maneuvering, and parking space requirements are included mainly because the parking lot will be divided by parcel lines. The site is located within the *North Linden Neighborhood Plan Amendment (2014)* which recommends “community mixed use” for this location. The proposed use is compatible with the land use recommendation of the Plan which also encourages public transit, pedestrian, and bicycle use which are supported by this proposed development.

To rezone **3575 CLEVELAND AVENUE (43224)**, being 0.58± acres located on the west side of Cleveland Avenue,

210± feet south of Elmore Avenue, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z17-003).

**WHEREAS**, application No. Z17-003 is on file with the Department of Building and Zoning Services requesting rezoning of 0.58± 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 North Linden Area 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 recommendations of the *North Linden Neighborhood Plan Amendment* for community mixed-use development as it encourages public transit, pedestrian, and bicycle use which are supported by this proposed development; 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:

**3575 CLEVELAND AVENUE (43224)**, being 0.58± acres located on the west side of Cleveland Avenue, 210± feet south of Elmore Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Situated within the original lot number seventeen (17) of the Scioto Company's Farm Subdivision, quarter township 1, township 1, range 18, U.S. Military Survey, Clinton Civil Township, Franklin County, State of Ohio and being bounded and more particularly described as follows:

Commence as a starting reference with the original centerline of Elmore Avenue and Cleveland Avenue (AKA Franklin County Road #75); thence with the centerline or survey for Cleveland Avenue (see plat volume 22 at page 479), south 19 degrees 44' 00" west, 243.01 feet to a point; thence north 85 degrees 15' 30" west, 41.409 feet to the westerly right of way boundary of Cleveland Avenue and hereafter being the true point of beginning;

Thence with aforesaid right of way boundary to Cleveland Avenue, south 19 degrees 44' 00" west (passing a point at 63.450 feet) a total distance of 100.00 feet; thence leaving said roadway right of way north 85 degrees 15' 30" west (passing a point at 108.591 feet) a total distance of 248.2256 feet to a point; thence north 04 degrees 52' 25" east, 96.597 feet to a point; thence south 85 degrees 15' 30" ( passing a point at 113.871 feet) a total distance of 273.871 feet to the true point of beginning.

Containing within said bounds 25,216.314 feet or 0.5789 acres of land.

Property Description for Parcel 010-219215

**To Rezone From:** CPD, Commercial Planned Development District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of thirty-five (35) 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 plans being titled, “**COTA BRT: NORTHERN LIGHTS PARK AND RIDE LOT REZONING SITE PLAN,**” “**COTA BRT: NORTHERN LIGHTS PARK AND RIDE LOT PLANTING PLAN,**” and “**COTA BRD: NORTHING LIGHTS PARK AND RIDE LOT LANDSCAPE DETAILS,**” and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT,**” all signed by Perry Payne, agent for the applicant, and dated May 22, 2017, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development  
PROPERTY ADDRESS: 3575 Cleveland Avenue, Columbus OH 43224  
OWNER: Jaber Al Khader, LLC  
APPLICANT: Central Ohio Transit Authority  
DATE OF TEXT: May 22, 2017  
APPLICATION NUMBER: Z17-003

1. INTRODUCTION:

The subject property consists of 0.5789 acres of land located on the west side of Cleveland Avenue approximately 250 feet south of the intersection of Cleveland Avenue and Elmore Avenue. The property is currently zoned CPD. The existing building on the property is currently occupied.

The applicant proposes to demolish the existing improvements on the subject property and construct a park and ride lot for transit riders and a bus pull off. This property is being developed in conjunction with the property located to the south and east in Clinton Township. The parcels cannot be combined so variances have been incorporated into the text to permit the desired development.

2. PERMITTED USES:

The permitted use in, on or upon the subject property shall be a bus rapid transit park and ride as shown on the attached COTA BRT - Northern Lights Park and Ride Rezoning Site Plan.

3. DEVELOPMENT STANDARDS:

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

The parking setback along the north, south and west property lines shall be zero. The parking setback line shall be a minimum of 10 feet from the Cleveland Avenue right-of-way.

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

Access will be as shown on the COTA BRT - Northern Lights Park and Ride Rezoning Site Plan. No direct access will be permitted to Cleveland Avenue.

Cleveland Avenue is listed as a 4-2 arterial in the Columbus Thoroughfare Plan dated 12/2010.

This requires a 100 foot minimum right of way. The existing right of way is 80 feet. COTA will dedicate an additional 10 feet of land along and parallel to the existing right of way for the entire frontage of the COTA property.

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

Asix foot high wooden fence will be constructed along the north property line of the site. Additional landscaping for the

site shall be developed in general conformance with the attached COTA BRT - Northern Lights Park and Ride Planting Plan.

D. Building Design and/or Interior/Exterior Treatment Commitments: N/A

E. Lighting and/or Other Environmental Commitments:

Lighting fixtures will be installed at the locations illustrated on the COTA BRT - Northern Lights Park and Ride Electrical Site Layout and shall not exceed 18 feet.

F. Graphics and/or Signage Commitments:

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 District shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments:

The site shall be developed in general conformance with the attached COTA BRT - Northern Lights Park and Ride Rezoning Site Plan and COTA BRT - Northern Lights Park and Ride Planting Plan. The Rezoning Site Plan and Planting Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of development and when engineering plans are complete. Any slight adjustment to the Site Plan and Planting Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or a designee, upon submission of the appropriate data regarding the proposed adjustment.

#### 4. CPD REQUIREMENTS:

A. Natural Environment:

The subject property is located on the west side of Cleveland Avenue approximately 250 feet south of the intersection of Cleveland Avenue and Elmore Avenue. The redevelopment of this property will complement the existing uses including business and residents by providing a connection to the public transportation system. Characteristics of the site will be similar to the existing. Drainage will be controlled on site. Landscaping and screening will enhance the visibility of the site.

B. Existing Land Use:

The subject property contains a single building which houses a self-serve car wash and drive through beverage shop.

C. Proposed Use:

The proposed use of the subject property is a park and ride lot and bus boarding area for the Central Ohio Transit Authority public transportation system.

D. Transportation and Circulation:

Access will be as shown on the COTA BRT - Northern Lights Park and Ride Rezoning Site Plan. No direct access will be permitted to Cleveland Avenue.

E. Visual Form of the Environment:

The subject property will be developed to enhance the area in keeping with the standards of facilities owned and operated by the Applicant.

F. View and Visibility:

Consideration has been given to the visibility and safety of motorists and pedestrians during the planning of development of the subject property and the location of access points.

G. Behavior Patterns:

The proposed improvements will service the public by providing a safe place to access the Central Ohio Transit Authority bus system.

H. Emissions:

Emissions from the subject property will not substantially affect the environment of the surrounding neighborhoods.

5. VARIANCES:

A. Front, Rear and Side Setback Requirements: Columbus City Code §3361.04 requires a minimum twenty-five foot setback unless otherwise specified and made a part of the rezoning ordinance. The parking setback along the north, south and west property lines shall be zero. The parking setback line shall be a minimum of 10 feet from the Cleveland Avenue right-of-way.

B. Parking Lot Drive Aisle: Columbus City Code §3312.09 requires a minimum drive aisle width of 20 feet. The proposed drive aisle width as shown on the development plan is 22 feet. The portion of the drive aisle located on the subject property is less than 22 feet due to the location in respect to the subject property boundary. The minimum drive aisle width on the subject property shall be 8 feet.

C. Minimum Parking Lot Trees: Columbus City Code §3312.21(A) contains a requirement that one shade tree be provided for every 10 parking spaces or fraction thereof. The number of shade trees shall be four (4) as set forth on the COTA BRT - Northern Lights Park and Ride Planting Plan which is one shade tree per 14.25 parking spaces. Additional trees will be provided on the perimeter as reflected on the COTA BRT - Northern Lights Park and Ride Planting Plan.

D. Minimum Soil Area around Trees: Columbus City Code §3312.21(A)(2) contains a requirement that each tree be surrounded by a minimum radius of four feet of soil area. Two proposed trees will have 141 square feet of soil area. The remaining two trees have 145 square feet or more of planting area.

E. Headlight Screening: Columbus City Code §3312.21(D)(1) contains requirements for headlight screening by either plantings or other means including opaque panels and fences. The screening will be set forth on the COTA BRT - Northern Lights Park and Ride Rezoning Site Plan and Planting Plan. Headlight screening will include plantings along the frontage of Cleveland Avenue and fencing and plantings along the north line of the site. Plantings in the frontage will include the required 36" tall shrubs with 24" shrubs also along portions of the frontage. The trees along the frontage of the property include 2 Armstrong Red Maple trees and 1 Honey Locust tree. The plantings along the north property line of the site will include 19 Fairview Juniper trees and 4 Homestead Elm trees. A six foot high wooden fence shall also be installed along the north line of the site. This fence will also serve as part of the overall screening plan.

F. Maneuvering: Columbus City Code §3312.25 contains a requirement that sufficient maneuvering area be provided on each lot. Applicant proposes maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easement(s).

G. Parking Space: Columbus City Code §3312.29 contains a requirement that a parking space shall be a rectangular area of not less than nine (9) feet by eighteen (18) feet. Applicant proposes to allow parking spaces to be divided by tax district parcel lines, subject to applicable total code required parking space dimensions being provided.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.