



## Legislation Details (With Text)

**File #:** 0892-2005      **Version:** 2

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

**File created:** 5/10/2005      **In control:** Zoning Committee

**On agenda:** 7/25/2005      **Final action:** 7/27/2005

**Title:** To amend Ordinance #1207-2004, passed on July 19, 2004 (Z04-015), for property located at 5461 NEW ALBANY ROAD EAST (43054), by repealing Section 3 and replacing it with a new Section 3 to amend the L-C-2, Limited Commercial District text to modify only the maximum height allowed for lighting standards (Z04-015A).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 0892-2004 Site plan.pdf, 2. ORD 0892-2004 Modified subareas.pdf, 3. ORD 0892-205 Disclosure.pdf, 4. ORD 0892-2005 Data Form.pdf

Date	Ver.	Action By	Action	Result
7/27/2005	2	MAYOR	Signed	
7/27/2005	2	CITY CLERK	Attest	
7/25/2005	1	Zoning Committee	Taken from the Table	Pass
7/25/2005	2	Zoning Committee	Approved as Amended	Pass
7/25/2005	2	Zoning Committee	Amended as submitted to the Clerk	Pass
7/25/2005	2	COUNCIL PRESIDENT	Signed	
7/18/2005	1	Zoning Committee	Tabled to Certain Date	Pass
7/18/2005	1	Zoning Committee	Taken from the Table	Pass
7/11/2005	1	Zoning Committee	Tabled to Certain Date	Pass
7/11/2005	1	Zoning Committee	Waive the 2nd Reading	Pass
6/27/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/27/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
6/26/2005	1	Dev Zoning Drafter	Sent for Approval	
6/24/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
6/1/2005	1	Dev Zoning Drafter	Sent for Approval	
5/10/2005	1	Dev Zoning Drafter	Sent for Approval	

**AMENDMENT:** Z04-015A

Ordinance #1207-2004, passed on July 19, 2004 (Z04-015), rezoned 47.74± acres to the L-C-2 and L-C-4, Limited Commercial Districts. That rezoning established specific land use prohibitions and development standards including building design, height, setbacks, landscaping, lighting, and graphics restrictions. This legislation will amend Ordinance #1207-2004, passed July 19, 2004, to increase the maximum height of lighting standards in Sub-area 10 (L-C-2, Limited Commercial District) from 20-feet to 28-feet. All other conditions and restrictions of Ordinance #1207-2004 remain in effect and are unchanged by this legislation.

**CITY DEPARTMENT'S RECOMMENDATION:** Approval.

To amend Ordinance #1207-2004, passed on July 19, 2004 (Z04-015), for property located at **5461 NEW ALBANY ROAD EAST (43054)**, by repealing Section 3 and replacing it with a new Section 3 to amend the L-C-2, Limited Commercial District text to modify only the maximum height allowed for lighting standards (Z04-015A).

**WHEREAS**, #1207-2004, passed on July 19, 2004 (Z04-015), established the L-C-2 and L-C-4, Limited Commercial Districts on property located at **5461 NEW ALBANY ROAD EAST (43054)**, being 47.74± acres located north and southwest of the intersection of New Albany Road and New Albany Road West, and

**WHEREAS**, it is necessary to amend the Sub-area 10 L-C-2, Limited Commercial District text identified in Section 3 of said Ordinance to allow minor alterations to existing text commitments, and

**WHEREAS**, this amendment modifies Section 3.D.3 of the Sub-area 10 L-C-2, Limited Commercial District text, affects only the maximum permitted height of lighting standards, and in no other way alters the other conditions of the limitation overlay text; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Section 3 of Ordinance #1207-2004, passed on July 19, 2004 (Z04-015), is hereby repealed and replaced with a new Section 3 to read as follows:

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-4 and L-C-2, Limited Commercial District Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plans being titled "**ARCHITECTURAL SITE PLAN**" and "**PROPOSED MODIFIED SUBAREA PLAN**," signed on June 16, 2004 by Jeffrey L. Brown, and limitation text titled, "**LIMITATION OVERLAY TEXT**," signed on May 10, 2005 by Jeffrey L. Brown, attorney for the Applicant, and the limitation text reading as follows:

**LIMITATION OVERLAY TEXT**

**PROPOSED DISTRICTS:** L-C-4; L-C-2

**PROPERTY ADDRESS:** 5461 New Albany Road East

**OWNER:** The New Albany Company

**APPLICANT:** Same as owner

**DATE OF TEXT:** 5/10/05

**APPLICATION NUMBER:** Z04-015A

**1. INTRODUCTION:** The applicant needs to reconfigure the subareas to permit a new user on the north side of New Albany Road West.

**Subarea 2 31.5+/- Acres (L-C-4):** Subarea 2 because of its location along the New Albany Expressway may be characterized by office, commercial and hotel development

**2. PERMITTED USES:**

1. The following uses shall be permitted within Subarea 2. Those uses permitted under Chapter 3356, C-4, Commercial District of the Columbus City Code.

2. Excepting therefrom:

- a. Automobile Sales, Leasing and Rental
- b. Billboards
- c. Bowling alley
- d. Commercial radio transmitting or television station and appurtenances
- e. Electric substation
- f. Funeral parlor
- g. Motion picture theater
- h. Public parking for pay

3. **DEVELOPMENT STANDARDS:** Except as otherwise noted above and therein, the applicable development standards of Chapter 3356 shall apply to Subarea 2.

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

1. Setback from New Albany Expressway shall be 80' for parking, loading and maneuvering areas and 125-feet for all buildings; setback from New Albany Road shall be 125-feet for all buildings and parking, loading and maneuvering areas. Setback from New Albany Road West shall be 80-feet for all buildings and parking, loading maneuvering areas.
2. Setback from all other publicly dedicated roads shall be 55-feet for all buildings and parking, loading, and maneuvering areas.
3. Lot coverage for building and paved areas shall not exceed eighty percent of the lot area.
4. Height district shall be 60-feet.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. The proposed street alignments are schematic and subject to change.
2. Curb cuts along the New Albany Road West shall have a minimum 250-foot spacing from centerline to centerline with opposing curb cuts offset at a minimum of 150-feet or aligned to avoid conflict. These spacing requirements shall not apply to right in/right out curb cuts.
3. A street, private or public may cross thru Subarea 2.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Landscaping within the 125-foot parking and building setback along New Albany Road shall contain a 3-foot to 4-foot high continuously uniform evergreen screen. The evergreen screen shall be located along the edge of parking lots toward the New Albany Road right-of-way.
2. Landscaping within the New Albany Expressway 80-foot parking and building setback shall be based on the following standard:
  - a. Existing trees shall be preserved.
  - b. There shall be a 3-foot to 4-foot high continuously uniform evergreen screen within the 80-foot New Albany Expressway parking setback. The evergreen screen shall be located along the edge of parking lots toward the Expressway right-of-way.
  - c. New trees shall be planted within the parking and building setback and in a hedge row manner approximately 60-feet behind the Expressway right-of-way per the following standards: six (6) shade trees and four (4) multi-stem ornamental trees shall be planted per 100 lineal feet.
3. Landscaping within the 80-foot parking and building setback along New Albany Road West shall be rural in character and based on the following standard:
  - a. Within the 80-foot parking and building setback there shall be a minimum 5-foot high continuously uniform earth mound except for areas of ingress and egress for roadways. The mound shall have a 4:1 slope that will begin at the 80' parking and building setback line with a minimum crest at the top of the mound of 5-feet in width. From the crest, the mound shall slope upward or downward to meet existing grade at the right-of-way line. A fence may also be installed within said setback area.

b. Along the crest of the mound, trees shall be planted in a hedge row manner per the following standards: four (4) deciduous shade trees and three (3) multi-stem ornamental trees per 100 lineal feet of mounding.

4. Landscaping within all 55-foot parking and building setbacks shall be rural in character and based on the following standards:

a. Within the 55-foot parking and building setback there shall be a minimum 3-foot high continuously uniform earth mound except for areas of ingress and egress for roadways. The mound shall have a 4:1 slope that will begin at the 55-foot parking and building setback line with a minimum crest at the top of the mound of 5-feet in width. From the crest, the mound shall slope upward or downward to meet existing grade at the right-of-way line. A fence may also be installed within said setback area.

b. Along the crest of the mound, trees shall be planted in a hedge row manner per the following standards: 4 shade trees and 3 multi-stem ornamental trees shall be planted per 100 lineal feet of mounding.

5. The mounding and landscaping requirements within the parking setback may be deleted if existing vegetation within the parking setback area screens the parking areas within the parcel from the adjacent public right-of-way. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking and building setback area, Section C(3)(b).

6. A street tree row shall be established along all publicly dedicated rights-of-way (other than New Albany Expressway) containing one tree for every 30-foot of road frontage. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and located a minimum 1-foot from edge of right-of-way unless the City of Columbus approves planting these trees within the right-of-way. Minimum tree size at installation shall be 2.5" caliper.

7. One tree shall be planted for every six (6) parking spaces. Trees shall be planted in islands at least five feet wide.

8. All loading docks shall be screened from off-site view to a minimum height of 6-feet by either landscaping, fencing, walls or buildings used individually or in combination thereof.

9. The property owner shall grant a conservation easement to the City of Columbus along the banks of the Sugar Run Creek subject to retaining its right to cross the easement area with streets, utility lines and to install a leisure path. The easement shall be 200-feet in width with a minimum distance of 100 feet from centerline of the creek to any one side of the creek.

10. If a public street is constructed across Subarea 2, then a leisure path shall be installed along one side of the public street to provide access to the pedestrian crossing under the New Albany Expressway.

11. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

12. Unless otherwise specified minimum size of all trees shall be 2.5" caliper for deciduous, 6-feet high for evergreens, and 1.5" caliper for ornamental trees.

13. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

14. All trees and landscaping shall be well maintained. Dead items, weather permitting shall be replaced within six months.

15. The area south of the creek within the Subarea as shown on the submitted "Subarea Plan", as open space shall be subject to a conservation easement granted to the City of Columbus. The property owner retains the right to cross that easement area with streets, utility lines and to install a leisure path.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external lighting shall be cutoff type fixtures (down-lighting), and shall provide no light spillage to off-site parcels. However, buildings and landscaping at entry locations may be uplit or downlit provided that landscaping lighting does not spill over into the public right-of-way.

2. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

3. Parking lot lighting standards shall not exceed 28-feet in height.

4. All new or relocated utility lines shall be installed underground.
5. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence that is consistent with the building's architecture.
6. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from ground level by same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical and all other equipment on the ground shall be fully screened from view from ground level by wall, fence or landscape material utilizing the same material or character of the building.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Codes, as it applies to the C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
2. Entry features may be established within the subarea and may contain signage. Minimum setback for entry features shall be 5-feet from right-of-way line. In no case, shall entry features interfere with maintaining safe clear sight distances at intersections. Depending on the final form of the entry features, appropriate variances from the Columbus City Code may be required.
3. No signs shall be painted directly on the surface of any building, wall, or fence. No wall murals shall be allowed.
4. No flashing, traveling, animated or intermittently illuminated signs shall be used. No co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners and pennants shall be permitted.
5. If site signage is illuminated, the signage shall be externally illuminated, internal illumination will be prohibited. Signage light source shall be directed toward the sign and shall not cause visibility problems for motorists or adjacent property owners.

F. Tree Preservation.

Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

G. Architectural Standards - Commercial - Office and Institutional

1. Buildings shall be situated with the longest and/or more predominant building facade parallel to a major street.
2. Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations. Additional buildings, whether attached or detached, shall be of similar design, materials, and construction.
3. Building materials shall be limited to the following: brick, precast, natural and cultured stone, and E.I.F. S. (Exterior Insulated Finish Systems.) Wood and metal shall be allowed as accent features. Each building facade shall be at a minimum 50 percent brick or precast. Synthetic materials shall be permitted above the ground story and allowed on the ground story only as accent features (i.e. engaged columns, pediments, cornices, etc.). Tinted glass shall be permitted, reflective or mirrored glass shall be prohibited. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are also prohibited.
4. Pitched, flat, or mansard roofs shall be permitted. All flat roofs shall be required to have a parapet and/or a means of screening all rooftop mechanical equipment. All rooftop screens must be consistent and harmonious to the building's facade and character.
5. Poured concrete exterior walls are prohibited.

**Subareas 10 (L-C-2):** Subarea 10 because of its location near the intersection of New Albany Road West and New Albany Road should provide office services for this area.

2. **PERMITTED USES:**

The following uses shall be permitted within Subarea 10: Those uses listed in Chapter 3353, C-2, Commercial District) of the Columbus City Code.

**3. DEVELOPMENT STANDARDS:** Except as otherwise noted above and therein, the applicable development standards of Chapter 3353, shall apply to Subarea 10.

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

1. Setback from New Albany Road West shall be 60-feet for all buildings and parking, loading, and maneuvering areas.
2. Lot coverage for building and paved areas shall not exceed eighty percent of the lot area.
3. Height district shall be 60-feet.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. The proposed street alignments are schematic and subject to change.
2. Curb cuts along the New Albany Road West shall have a minimum 250-foot spacing from centerline to centerline with opposing curb cuts offset at least 150-feet or aligned to avoid conflict. These spacing requirements shall not apply to right in/right out curb cuts.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Landscaping within all 60-foot parking setbacks shall be rural in character and based on the following standard:
  - a. Within the 60-foot parking and building setback there shall be a minimum 5-feet high continuously uniform earth mound except for areas of ingress and egress for roadways and in front of the open space as shown on the submitted architectural site plan. The mound shall have a 4:1 slope that will begin at the 6-foot parking and building setback line with a minimum crest at the top of the mound of 5-feet in width. From the crest, the mound shall slope upward or downward to meet existing grade at the right-of-way line. A fence may also be installed within said setback area.
  - b. Along the crest of the mound, trees shall be placed in a hedge row manner per the following standards: four (4) shade trees and three (3) multi-stem ornamental trees shall be planted per 100-feet of mounding.
2. The mounding and landscaping requirements within the parking setback may be deleted if existing vegetation within the parking setback area screens the parking areas within the parcel from the adjacent public right-of-way. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking and building setback area, Section C(1)(b).
3. A street tree row shall be established along all publicly dedicated rights-of-way containing one tree for every 30-feet of road frontage. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and located a minimum 1-foot from edge of right-of-way unless the City of Columbus approves planting these trees within the right-of-way. Minimum tree size at installation shall be 2.5" caliper.
4. One tree shall be planted for every six parking spaces. Trees shall be planted in islands at least five feet wide.
5. All loading dock shall be screened from off-site view to a minimum height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination thereof.
6. In Subarea 10 a leisure trail shall be installed within the north right-of-way of New Albany Road West at the time of construction of New Albany Road West.
7. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.
8. Unless otherwise specified, minimum size of all plant material at installation shall be 2.5" caliper for deciduous shade trees, 6-feet high for evergreens and 1.5" caliper for ornamental trees.

9. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

10. All trees and landscaping shall be well maintained. Dead items, weather permitting shall be replaced within six months.

11. The property owner shall grant a conservation easement to the City of Columbus along the banks of the Sugar Run Creek subject to retaining its right to cross the easement area with driveways, parking, street, and utility lines as shown on the submitted architectural site plan drawing. The property owner may also install a leisure path in that easement area. The easement shall be 200-foot in width with a minimum distance of 60-feet from centerline of the creek to any one side of the creek. If the easement is to be reduced to sixty feet it must extend beyond the existing tree line along the creek by a distance of ten feet. The reduction to sixty feet shall not occur in any flood plain or wetland areas. ~~The property owner may install retention/detention areas within the easement.~~

**The property owner may install retention/detention areas within the easement which shall be maintained as a wetland water quality basin.**

12. The open space adjacent to New Albany Road West as shown on the architectural site plan drawing shall be maintained as open space subject to the installation of utilities and the removal of dead and diseased trees and shrubs subject to sound forestry management practices. The property owner may install retention/detention areas, and signage subject to obtaining any necessary zoning and/or building permit approvals within said open space area.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external lighting in Subarea 10 shall be cutoff type fixtures (down-lighting), and shall provide no light spillage to off-site parcels. However, buildings and landscaping may be uplit or downlit provided that landscaping lighting does not spill over into the public right-of-way.

2. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

3. Parking lot lighting standards shall not exceed ~~20-feet~~ **28-feet** in height.

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

5. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence that is consistent with the building's architecture.

6. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from ground level by same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical and all other equipment on the ground shall be fully screened from view from ground level by wall, fence or landscape material utilizing the same material or character of the building.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Codes, as it applies to the C-2, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. Entry features may be established within the subarea and may contain signage. Minimum setback for entry features shall be 5-feet from right-of-way line. In no case, shall entry features interfere with maintaining safe clear sight distances at intersections. Depending on the final form of the entry features, appropriate variances from the Columbus City Code may be required.

3. No signs shall be painted directly on the surface of any building, wall, or fence. No wall murals shall be allowed.

4. No flashing, traveling, animated or intermittently illuminated signs shall be used. No co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners and pennants shall be permitted.

5. If site signage is illuminated, it shall be externally illuminated, internal illumination will be prohibited. Signage light source shall be directed toward the sign and shall not cause visibility problems for motorists or adjacent property owners.

F. Tree Preservation.

Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

G. Architectural Standards - Office

1. Buildings shall be situated with the longest and/or more predominant building facade parallel to a major street.
2. Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations. Additional buildings , whether attached or detached, shall be of similar design, materials, and construction.
3. Building materials shall be limited to the following: brick, precast, natural and cultured stone, and E.I.F. S. (Exterior Insulated Finish Systems.) Wood and metal shall be allowed as accent features. Each building facade shall be at a minimum 50 percent brick or precast. Synthetic materials shall be permitted above the ground story and allowed on the ground story only as accent features (i.e. engaged columns, pediments, cornices, etc.). Tinted glass shall be permitted, reflective or mirrored glass shall be prohibited. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are also prohibited.
4. Pitched, flat, or mansard roofs shall be permitted. All flat roofs shall be required to have a parapet and/or a means of screening all rooftop mechanical equipment. All rooftop screens must be consistent and harmonious to the building's facade and character.
5. Poured concrete exterior walls are prohibited.

H. Site Plan.

The architectural site plan is conceptual in nature and except for the encroachments into the conservation easement and the general arrangement of the building to the north and parking to the south and east of the building is not being committed to as part of this zoning.

**SECTION 2.** That the existing Section 3 of Ordinance #1207-2005, passed on July 19, 2004 (Z04-015) is hereby repealed.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.