



## Legislation Details (With Text)

**File #:** 1558-2016      **Version:** 2

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

**File created:** 6/6/2016      **In control:** Zoning Committee

**On agenda:** 6/27/2016      **Final action:** 7/1/2016

**Title:** To rezone 3507 MORSE ROAD (43224), being 12.4± acres located on the south side of Morse Road, 224± feet west of Sunbury Road, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z15-062).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1558-2016Attachments, 2. ORD1558-2016Labels

Date	Ver.	Action By	Action	Result
7/1/2016	2	CITY CLERK	Attest	
6/30/2016	2	MAYOR	Signed	
6/27/2016	2	COUNCIL PRESIDENT	Signed	
6/27/2016	1	Zoning Committee	Approved as Amended	Pass
6/27/2016	1	Zoning Committee	Amended as submitted to the Clerk	Pass
6/20/2016	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z15-062

**APPLICANT:** Germain Lexus of Easton, c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.

**PROPOSED USE:** Automobile service center.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (3-0-1) on March 10, 2016.

**NORTHEAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel that is currently undeveloped, with the exception of two billboards, zoned in the R, Rural District. The requested CPD, Commercial Planned Development District would allow for the development of an automobile service center. The CPD text allows for all uses permitted in the C-4, Commercial District plus an accessory car wash, and includes commitments for reduced setbacks along Morse Road, landscaping provisions, building design, and dumpster screening. Variances for district setback lines, reduced stacking spaces, and elimination of required by-pass lane for the accessory car wash are included in the text. The applicant will develop the site in accordance with the provided site plan and building elevations. The site is located within the planning area of the *Northeast Area Plan (2007)*, which recommends high density residential uses at this location. The Planning Division recognizes that the proposed CPD, Commercial Planned Development District matches the existing commercial development of the adjacent properties along the southern side of Morse Road, and supports deviation from the Plan's recommendation.

To rezone **3507 MORSE ROAD (43224)**, being 12.4± acres located on the south side of Morse Road, 224± feet west of Sunbury Road, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z15-062).

**WHEREAS**, application No. Z15-062 is on file with the Department of Building and Zoning Services requesting rezoning of 12.4± acres from R, Rural District, to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the Northeast 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, which will allow the development of the site with an automobile service center, is compatible with the established commercial and light industrial uses on the southern side of Morse road in this area.

**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:

**3507 MORSE ROAD (43224)**, being 12.4 acres located on the south side of Morse Road, 224± feet west of Sunbury Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, being all of the remainder of the tract conveyed to Alan S. Acker and Stephen M. Swepston, Trustees by deeds of record in Official Record 06029 G09, Official Record 06029 G11 and Instrument Number 200306020162916, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at Franklin County Geodetic Survey monument number 5252 found at the centerline intersection of Morse Road and Sunbury Road;

Thence North 86° 11' 07" West, a distance of 366.67 feet, with the centerline of said Morse Road, to a point;

Thence South 03° 48' 59" West, a distance of 80.00 feet, across the right-of-way of said Morse Road and with the line common to the 0.0536 acre tract conveyed to City of Columbus, Ohio by deed of record in Official Record 30008 B08 and the 1.581 acre tract conveyed to Mesa Properties by deed of record in Official Record 17767 E18, (passing at 70.00 feet a 5/8 inch rebar capped "Lansdale" found), to a 3/4 inch iron pipe capped "Bird/Bull" found at the northeast corner of said Acker/Swepston tract, the TRUE POINT OF BEGINNING;

Thence with the line common to said Acker/Swepston tract and said 1.581 acre tract, the following courses and distances: South 03° 48' 59" West, a distance of 107.97 feet, to a 3/4 inch iron pipe capped "Bird/Bull" found; South 15° 37' 59" West, a distance of 81.21 feet, to a 3/4 inch iron pipe capped "Bird/Bull" found; South 27° 14' 05" West, a distance of 85.00 feet, to a 3/4 inch iron pipe found; South 30° 31' 30" West, a distance of 238.43 feet, to a 3/4 inch iron pipe found; South 39° 43' 52" West, a distance of 80.00 feet, to a 3/4 inch iron pipe found in the northwesterly right-of-way line of said Sunbury Road, being in the northwesterly line of the remainder of the tract conveyed to M. McGee and Hattie B. Swepston by deed of record in Deed Book 1642, Page 139;

Thence South 55° 07' 37" West, a distance of 241.47 feet, with said northwesterly right-of-way line and the line common to said Acker/Swepston and Swepston tracts, to a 3/4 inch iron pipe found at the northeasterly corner of the 54.197 acre

tract conveyed to Limsoc, Inc. by deed of record in Instrument Number 199908190211939;

Thence North 86° 41' 13" West, a distance of 490.26 feet, with the line common to said Acker/Swepston tract and said 54.197 acre tract, to an iron pin set at the southeasterly corner of the tract conveyed to Charles Snailham by deed of record in Official Record 10580 J05;

Thence North 03° 27' 09" East, a distance of 708.48 feet, with the line common to said Acker/Swepston and Snailham tracts, to a 5/8 inch rebar found in the southerly right-of-way line of said Morse Road, being the common corner of the remainder of said Acker/Swepston tract, said Snailham tract, the 0.073 acre tract conveyed to Franklin County Commissioners by deed of record in Instrument Number 199908130206429 and the 0.2254 acre tract conveyed to City of Columbus, Ohio by deed of record in Official Record 30008 B08;

Thence South 86° 11' 07" East, a distance of 653.97 feet, with said southerly right-of-way line and the line common to said Acker/Swepston tract and said 0.2254 acre tract, to a 3/4 inch iron pipe capped "Bird/Bull" found at the northwest corner of said 0.0536 acre tract;

Thence South 03° 50' 01" West, a distance of 10.00 feet, with said southerly right-of-way line and a line common to said Acker/Swepston tract and said 0.0536 acre tract, to a 3/4 inch iron pipe capped "Bird/Bull" found;

Thence South 86° 11' 07" East, a distance of 233.76 feet, with said southerly right-of-way line and a line common to said Acker/Swepston tract and said 0.0536 acre tract, to the TRUE POINT OF BEGINNING, containing 12.397 acres, more or less.

**To Rezone From:** R, Rural 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, "CPD SITE PLAN," "BUILDING ELEVATION," and "CAR WASH ELEVATION," and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT," all dated June 6, 2016, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

### COMMERCIAL PLANNED DEVELOPMENT TEXT

**PROPOSED DISTRICTS:** CPD, Commercial Planned Development

**PROPERTY ADDRESS:** 3057 Morse Road

**OWNER:** SJKM LLC

**APPLICANT:** Germain Lexus of Easton

**DATE OF TEXT:** 6/6/16

**APPLICATION:** Z15-062

1. **INTRODUCTION:** This site is located on the south side of Morse Road east of Sundance Drive. The applicant wants to expand its automobile sales and service business by creating another service center.

2. **PERMITTED USES:**

Those uses permitted under Chapter 3356, C-4, Commercial District of the Columbus City Code and an accessory car wash used in conjunction with the proposed service center.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the text or submitted drawings the applicable development standards are contained in Chapter 3356 C-4, Commercial District of the Columbus City Code.

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

1. Building setback shall be a minimum of 51 feet from Morse Road.
2. Parking setback shall be a minimum of 25 feet from Morse Road.

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

N/A

**1. The developer shall resubmit the traffic access study prepared for this development. Upon review and approval of this traffic access study by the Department of Public Service, the developer shall implement the recommendation of this traffic access study.**

**2. Upon the redevelopment of the parcel to the west (Franklin County parcel number 190-004417), the subject property shall grant a cross access easement to provide the property owner of the parcel to the west access to the access point for this site forming a fourth, south leg of the intersection of Morse Road and Trindel Way.**

**3. If volume/capacity ratios exceed 1 or delays at the intersection of Morse Road and Trindel Way reach extreme levels, it may be necessary to restrict the northbound left turning movements at this intersection during one or both peak periods (7 AM - 9 AM and 3 PM - 7 PM) via signage at the driveway.**

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

1. The frontage along Morse Road shall be landscaped as follows: 1 tree per 30 linear feet **except where impacting the proposed trail connection between Morse Road and the Alum Creek Trail.** Trees may be grouped or evenly spaced.

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

1. The building shall be developed in accordance with the submitted building elevation plans. The building elevation plans may be slightly adjusted to reflect engineering, architectural, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the building elevation plans shall be 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 proposed adjustment.

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

1. The dumpster will be screened with a wood gate.
2. No fences shall be permitted on the site except for the fence along Morse Road and the west side of the site as shown on the submitted site plan. A fence may also be installed adjacent to the existing bike easement and any future expansion of the bike easement.

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the appropriate C-4, Commercial District. Any variance to the standards of Graphics Code shall be submitted to the Columbus Graphics

Commission.

G. Miscellaneous

1. Variances

- (a) Section 3356.11 C-4 district setback line: To reduce the building setback from 80 feet to 51 feet along Morse Road.
- (b) 3312.11 Drive-up stacking area: To reduce the number of stacking spaces from 8 to 4 and to eliminate a by-pass lane for the accessory car wash.
- 2. The applicant has submitted a site plan as part of its zoning application. The site 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 of the development and when engineering and architectural drawings are completed. Any slight adjustments to the site plan shall be 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 proposed adjustment.
- 3. The applicant shall work with the City on a bike path connection from Morse Road to the existing bike path as long as no parking is eliminated from the site plan due to the bike connection.

**4. The design of the detention area is subject to the review and approval of the City of Columbus.**

45. CPD Criteria

- (a) Natural Environment: The site is located on the south side of Morse Road adjacent to Alum Creek.
- (b) Existing Land Use: Undeveloped.
- (c) Circulation: Access to the site shall be from Morse Road.
- (d) Visual from the Environment: Elevations of the building have been submitted.
- (e) View and Visibility: Consideration has been given to the visibility and safety of the motorists and pedestrian in the layout of the site.
- (f) Proposed Development: Commercial.
- (g) Behavior Patterns: Existing development in the area has established the behavior pattern for the motorist in the area.
- (h) Emissions: No adverse effect from emissions should result from the proposed development.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
ORD1558-2016Amendment (nct) 6/23/16 S:Docs/Amending City of Cols Ord