



Legislation Details (With Text)

File #: 0921-2005 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 5/16/2005 **In control:** Zoning Committee
On agenda: 6/13/2005 **Final action:** 6/15/2005
Title: To amend Ordinance #2443-00, passed on November 20, 2000 (Z00-058), for property located at 1345 GEORGESVILLE ROAD (43228), by repealing Section 3 in its entirety and replacing it with a new Section 3 thereby amending the CPD text to allow the store frontage to be other than Georgesville Road and to declare an emergency. (Z00-058A)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0921-2005.site.pdf, 2. ORD0921-2005Hilltop.pdf, 3. ORD 0921-2005ProjectDisc.pdf, 4. Amendment Z00-058A Data Form.pdf

Date	Ver.	Action By	Action	Result
6/15/2005	2	MAYOR	Signed	
6/15/2005	2	CITY CLERK	Attest	
6/13/2005	1	Zoning Committee	Approved as Amended	Pass
6/13/2005	2	Zoning Committee	Amended to Emergency	Pass
6/13/2005	2	COUNCIL PRESIDENT	Signed	
6/6/2005	1	Columbus City Council	Read for the First Time	
5/27/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
5/27/2005	1	Dev Drafter	Sent for Approval	
5/27/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
5/27/2005	1	Dev Drafter	Sent to Clerk's Office for Council	
5/16/2005	1	Dev Drafter	Sent for Approval	

AMENDMENT: Z00-058A

Ordinance #2443-00, passed on November 20, 2000, rezoned 1.51± acres to the CPD, Commercial Planned Development District. That rezoning established specific allowed uses and development standards including building location, size, height, materials, access, setbacks, landscaping, and lighting. This legislation will amend Ordinance #2443-00, passed November 20, 2000, to modify the store location, allowing the building to front a private drive instead of Georgesville Road. All other conditions and restrictions of Ordinance #2443-00 remain in effect and are unchanged by this legislation.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #2443-00, passed on November 20, 2000 (Z00-058), for property located at **1345 GEORGESVILLE ROAD (43228)**, by repealing Section 3 in its entirety and replacing it with a new Section 3 thereby amending the CPD text to allow the store frontage to be other than Georgesville Road **and to declare an emergency.** (Z00-058A)

WHEREAS, Ordinance #2443-00, passed on November 20, 2000 (Z00-058), established the CPD, Commercial Planned Development District on property located at **1345 GEORGESVILLE ROAD (43228)**, being 1.51± acres located at the northeast corner of Georgesville Road and I-270; and

WHEREAS, it is necessary to amend the CPD text identified in Section 3 of said Ordinance to allow minor alterations to the existing text commitments, and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance for the owner to obtain a building permit in a timely manner for the immediate preservation of the public peace, property, health and safety, and;

WHEREAS, a provision of the Development Text contained in Ordinance 2443-00 requires the frontage of any convenience store building to face Georgesville Road, and;

WHEREAS, the developer requests to amend Ordinance #2443-00 to permit the convenience store building to be turned 90 degrees to face the primary entrance drive of the adjacent shopping center, and;

WHEREAS, the Greater Hilltop Area Commission recommends approval, and;

WHEREAS, City Departments recommend approval, and;

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

SECTION 1. That Section 3 of Ordinance #2443-00, passed on November 20, 2000 (Z00-058), 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 is hereby authorized and directed to make said zoning changes to the said original zoning map in the office of the Building Services Section and shall register a copy of the approved CPD, Commercial Planned Development District and application among the records of the Department as required by Section 3311.12 of the Columbus City Codes; said plan titled, "**SITE AND LANDSCAPE PLAN**," dated May 6, 2005, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," both signed May 6, 2005 by David B. Perry, Agent, and Donald Plank, Attorney, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPERTY ADDRESS: 1345 Georgesville Road, Columbus, OH 43228

OWNER: United Dairy Farmers, Inc. c/o Dave Perry, Agent, The David Perry Co., 145 East Rich Street, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

APPLICANT:

United Dairy Farmers, Inc. c/o Dave Perry, Agent, The David Perry Co., 145 East Rich Street, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

DATE: May 6, 2005

APPLICATION NO.: Z00-058A (Amended)

~~**I. INTRODUCTION:** The subject property is a 1.51-acre site located near the Georgesville Road interchange at I-270 (the "Property"). The Property is part of a 47-acre site bounded by I-270, Georgesville Road, and Hall Road that was rezoned to L-C-4 in 1995 to permit retail commercial uses. Because the applicant United Dairy Farmers intends to build a convenience and ice cream store with gasoline sales on the Property,~~

it must rezone the site to Commercial Planned District. The appropriate limits from the current L-C-4 text have been incorporated into this CPD text to ensure compatibility.

I. INTRODUCTION: The subject property is 1.51 acres located near the Georgesville Road interchange at I-270. The site was rezoned to CPD, Commercial Planned Development (Z00-058) by Ordinance 2443-2000, passed November 20, 2000 to permit a convenience store with gasoline sales and a car wash. Ordinance 2443-2000 requires any building to face Georgesville Road. By this ordinance, this CPD is being amended to permit the store to face the entrance drive to the east for the adjacent shopping center. The site plan titled "Site and Landscape Plan" dated May 6, 2005, hereafter referred to as "Site Plan", and signed May 6, 2005 by David B.

Perry, Agent, and Donald Plank, Attorney, is submitted with this text as the site development plan, subject to adjustment with final engineering. Any such adjustment is subject to review and approval by the Development Director or his/her designee upon submission of appropriate data regarding the proposed adjustment.

II. PERMITTED USES: A convenience store and ice cream store with gasoline sales, carwash, and outside display areas shall be permitted on the Property.

III. DEVELOPMENT STANDARDS: Except as otherwise listed in this Commercial Planned Development Text, the development standards contained in Columbus City Code Chapter 3355 3356 for C-4, Commercial District, shall apply to the Property.

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

1. Parking, Maneuvering, and Loading Setback. The parking, maneuvering, and loading setback from Georgesville Road shall be 25 feet.

2. Store Location. ~~The frontage of any structure to be used as a convenience store and ice cream store shall face Georgesville Road.~~

2. Building and Canopy Setbacks. The building and canopy setbacks from Georgesville Road shall be a **minimum of 50 feet.**

3. Height. The height district shall be thirty-five feet as defined in Columbus City Code Sections 3309.14 and 3309.142.

4. Building Size. The maximum total size of all buildings on the Property shall not exceed 15,100 square feet.

5. Lot Coverage. Lot coverage shall not exceed 85% of the Property area. Lot coverage shall include all paved areas and buildings.

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

1. Parking Requirements. So long as the Property is used as a convenience store and ice cream store with gasoline sales and outdoor display areas, the parking requirement for the Property, including that building area used as an ancillary eating area, shall be calculated at 1 parking space for each 250 square feet of gross floor area.

2. Access. Access to the Property shall be located and limited as shown on the Site Plan dated ~~October 3, 2000~~ **May 6, 2005**, ~~unless the City of Columbus Traffic Engineering and Parking Division approves different access locations and/or limitations.~~

3. Sidewalks. Sidewalks into the Property shall be installed at any entry point where there is a traffic signal.

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

1. Georgesville Road. A row of trees with 1 tree for every 30 feet of frontage along Georgesville Road shall be installed. The trees may be equally spaced or grouped together. In addition, at least 4 trees for every 100 feet of frontage along Georgesville Road shall be installed in the parking setback along Georgesville Road.

2. Surface Parking. Any surface parking lot adjacent to Georgesville Road shall be screened from Georgesville Road with a minimum 3 foot high continuous (except at access points) planting hedge, fence, wall, or earth mound, or any combination thereof. Such screening may include the trees required by Section III.C.1.

3. Buffer. The periphery of the Property shall be landscaped in the area shown on the Site Plan **Lawn and landscaped areas shall be provided in the areas depicted on the Site Plan.**

4. Miscellaneous Commitments.

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

b. The landscaping required in this section may be satisfied or offset by preserving existing vegetation.

c. The storm water detention system shall be designed to aid in storm water containment removal. By providing detention areas with different water depth levels and with vegetation such as wetland plants, the detention areas will improve the Property's aesthetics as well as help in storm water containment removal.

d. An irrigation system shall be installed for the landscaping provided on the Property.

e. Landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials at the next planting season or within 6 months, whichever occurs sooner.

f. The minimum size of any trees at installation shall be 2.5 inch caliper for deciduous, 5 to 6 feet high for evergreen, and 1.5 inch caliper for ornamental.

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

1. Rooftop Mechanicals. For any building adjacent to Georgesville Road, any rooftop mechanical equipment or other utility equipment shall be screened from Georgesville Road at the height of the equipment or to the sight line from Georgesville Road.

2. Building Materials. The facade of any building that faces Georgesville Road shall be finished with the following materials, individually or in any combination thereof: brick, stucco (dryvit or equal); thru wall masonry units (Terra wall); split face, fluted and/or polished concrete masonry units; wood; glass; aluminum and glass storefront framing; and/or pre-colored metal or shingles for canopy and mansard roofing. Neither smooth face nor scored concrete panels shall be used unless used solely as an accent material which shall not exceed 20% of the area on a facade of a building that faces Georgesville Road.

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

1. Display Area. The outdoor display areas shall contain only those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to, firewood, mulch, flowers, Christmas wreaths, etc. The outdoor display area shall be limited to the front of the building along the sidewalk, with a maximum area of 4 feet in depth, 12 feet in width, and 3 feet in height.

2. Lighting.

a. All external lighting shall be cutoff-type fixtures (down lighting), and shall provide no light spillage to off-site parcels. However, buildings and landscaping may be up lighted from a concealed source.

b. All types of parking, pedestrian and other exterior lighting shall be on poles and shall be from the same manufacturer type and style.

c. All light poles and standards shall be constructed of black, brown, or bronze metal except poles and standards 8 feet in height or less which may be constructed of dark wood where used in any entry feature or special setting where the use of wood complements the design ethic.

d. Parking lot lighting shall be no higher than 20 feet.

F. Graphic Commitments. The applicable graphics standards shall be those contained in Columbus City Code Article 15 as they apply to C-4, Commercial District. Any variances or special permits shall be granted by the City of Columbus Graphics Commission.

IV. CPD REQUIREMENTS.

A. **Natural Environment**: The Property is vacant.

B. **Existing Land Use**: None.

C. **Proposed Use**: Convenience store and ice cream store with gasoline sales and outdoor display areas **and single bay automatic car wash**.

D. **Transportation and Circulation**: The Property is part of a larger 47 acre tract that will be developed with retail commercial uses. It will have an internal traffic circulation and parking system. Most users will access the Property from the internal traffic system.

E. **Visual Form of the Environment**. The Property is located near the Georgesville Road exit from I-270. Commercial uses are located across Georgesville Road, with residential uses located behind those commercial uses.

F. **View and Visibility**: The Property is visible from Georgesville Road.

G. **Behavior Patterns**: The proposed use would serve freeway traffic because it is located next to a major interchange. It will also serve the existing residents to the east.

H. **Emissions**: No adverse effect from emissions shall result from the proposed development.

SECTION 2. That Section 3 of Ordinance #2443-00, passed on November 20, 2000 (Z00-058) is hereby repealed.

SECTION 3. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**