



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Details (With Text)

File #: 1038-2005 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 5/31/2005 **In control:** Zoning Committee

On agenda: 6/27/2005 **Final action:** 6/30/2005

Title: To rezone 3267 MORSE ROAD (43232), being 2.53± acres located at the southwest corner of Morse Road and Dunbridge Street, From: AR-12, Apartment Residential, and C-4, Commercial Districts, To: L-C-4, Limited Commercial, and CPD, Commercial Planned Development Districts. (Rezoning # Z05-015).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1038-2005.site1.pdf, 2. ORD1038-2005.site2.pdf, 3. ORD1038-2005.StfRpt.pdf, 4. ORD1038-2005.zon.pdf, 5. ORD1038-2005.gis.pdf, 6. ORD1038-2005.Plan.pdf, 7. ORD1038-2005.NCC.pdf, 8. ORD1038-2005.prjdscl.pdf, 9. ORD1038-2005.labels.pdf, 10. City Council Data FormZ05-015.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|------------------------------------|--------|
| 6/30/2005 | 2 | CITY CLERK | Attest | |
| 6/29/2005 | 2 | MAYOR | Signed | |
| 6/27/2005 | 1 | Zoning Committee | Approved | Pass |
| 6/27/2005 | 2 | Zoning Committee | Amended as submitted to the Clerk | Pass |
| 6/27/2005 | 2 | Zoning Committee | Approved as Amended | Pass |
| 6/27/2005 | 2 | Zoning Committee | Reconsidered | Pass |
| 6/27/2005 | 2 | COUNCIL PRESIDENT PRO-TEM | Signed | |
| 6/20/2005 | 1 | Columbus City Council | Read for the First Time | |
| 6/13/2005 | 1 | DEVELOPMENT DIRECTOR | Reviewed and Approved | |
| 6/13/2005 | 1 | Dev Zoning Drafter | Sent to Clerk's Office for Council | |
| 6/10/2005 | 1 | Dev Zoning Drafter | Sent for Approval | |
| 6/10/2005 | 1 | Dev Zoning Reviewer | Reviewed and Approved | |
| 6/10/2005 | 1 | Dev Zoning Drafter | Sent for Approval | |

Rezoning Application Z05-015

APPLICANT: Goo Goo Car Wash; c/o David Perry, Agent.; The David Perry Company; 145 East Rich Street; Columbus, OH 43215.

PROPOSED USE: Car wash and commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-1) on April 14, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. While the *Northland Plan Volume I* (2001) recommends office and residential uses, Staff can support the proposed retail uses with the extensive development standards contained within the text. The requested CPD, Commercial Planned Development District and L-C-4, Limited Commercial District would permit controlled retail and carwash development with substantial buffering which is consistent with the zoning and land use patterns of the area and generates

traffic at off-peak times as opposed to the recommended office and residential uses.

To rezone **3267 MORSE ROAD (43232)**, being 2.53± acres located at the southwest corner of Morse Road and Dunbridge Street, From: AR-12, Apartment Residential, and C-4, Commercial Districts, To: L-C-4, Limited Commercial, and CPD, Commercial Planned Development Districts. (Rezoning # Z05-015).

WHEREAS, application #Z05-015 is on file with the Building Services Division of the Department of Development requesting rezoning of ~~159.95~~ **2.53±** acres from AR-12, Apartment Residential, and C-4, Commercial Districts, to CPD, Commercial Planned Development, and L-C-4, Limited Commercial Districts; and

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

WHEREAS, the City Departments recommend approval of said zoning change because while the *Northland Plan Volume I* (2001) recommends office and residential uses, Staff can support the proposed retail uses with the extensive development standards contained within the text. The requested CPD, Commercial Planned Development District and L-C-4, Limited Commercial District would permit controlled retail and carwash development with substantial buffering which is consistent with the zoning and land use patterns of the area and generates traffic at off-peak times as opposed to the recommended office and residential uses, 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:

6314 EAST BROAD STREET (43213), 3267 MORSE ROAD (43232), being 2.53± acres located at the northeast corner of East Broad Street and Taylor Station Road, and being more particularly described as follows:

SUBAREA A

L-C-4, LIMITED COMMERCIAL DISTRICT

**DESCRIPTION OF A 0.922 ACRE TRACT TO BE REZONED
ALONG MORSE ROAD, WEST OF DUNBRIDGE STREET
CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands and being a portion of an original 3.680 acre tract of land conveyed to Dale Property Company by deed of record in Instrument 200303010041527, all records referenced to the Recorder's Office, Franklin County, Ohio, said rezoning tract bounded and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Morse Road (variable width) with the centerline of Dunbridge Street (59 feet in width), said Dunbridge Street is as shown upon the plat of Parkleigh Section 2, of record in Plat Book 42, Page 110;

thence N 86° 10' 20" W along the centerline of Morse Road and along the north line a 0.166 acre tract of land conveyed, for Morse Road right-of-way purposes, as Parcel 57-WD to Franklin County Commissioners by deed of record in Instrument 199908060200091 a distance of 149.78 feet to a point at the northwest corner of said 0.166 acre tract and at the northeast corner of a 0.138 acre tract of land conveyed, for Morse Road right-of-way purposes, as Parcel 54-WD to Franklin County Commissioners by deed of record in Instrument 200002030023773;

thence S 03° 19' 53" W along a portion of the east line of said original 3.680 acre tract, along the west line of said 0.166 acre tract and along the east line of said 0.138 acre tract a distance of 60.00 feet to a point in the south right-of-way line of Morse Road, at the southwest corner of said 0.166 acre tract, at the southeast corner of said 0.138 acre tract and at the true place of beginning of the rezoning tract herein intended to be described;

thence S 03° 19' 53" W along a portion of the east line of said original 3.680 acre tract and along a portion of the west line of an original 1.792 acre tract of land conveyed to Emma C. & Mulford P. Denune by deed of record in Instrument 199906220157799 a distance of 400.02 feet to a point;

thence N 86° 10' 20" W crossing a portion of said original 3.680 acre tract and parallel with the centerline of Morse Road a distance of 100.69 feet to a point;

thence N 03° 23' 58" E crossing a portion of said original 3.680 acre tract a distance of 400.01 feet to a point in the south right-of-way line of Morse Road and at the southwest corner of said 0.138 acre tract;

thence S 86° 10' 20" E crossing a portion of said original 3.680 acre tract, along the south right-of-way of Morse Road and along the south line of said 0.138 acre tract a distance of 100.21 feet to the true place of beginning;

containing 0.922 acres of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in October, 2004. The above description was prepared for rezoning purposes only and not for transfer of real property. Basis of bearings the centerline of Morse Road, being N 86° 10' 20" W, as shown upon Sheet 21 of 25 of the Franklin County Engineers Right-of Way Plans for Morse Road - County Road No. 17.

To Rezone From: ~~C-4, Commercial District, and AR-12, Apartment Residential District.~~

To: L-C-4, Limited Commercial District.

SUBAREA B

CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT

DESCRIPTION OF A 1.609 ACRE TRACT TO BE REZONED ALONG MORSE ROAD, AT DUNBRIDGE STREET CITY OF COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands and being a portion of an original 1.792 acre tract of land conveyed to Emma C. & Mulford P. Denune by deed of record in Instrument 199906220157799, all records referenced to the Recorder's Office, Franklin County, Ohio, said zoning tract bounded and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Morse Road (variable width) with the centerline of Dunbridge Street (59 feet in width), said Dunbridge Street is as shown upon the plat of Parkleigh Section 2, of record in Plat Book 42, Page 110;

thence S 03° 22' 52" W along the centerline of Dunbridge Street a distance of 91.05 feet to a point;

thence N 86° 37' 08" W perpendicular to the centerline of Dunbridge Street and crossing a 1 foot Reserve, as shown upon said plat of Parkleigh Section 2 a distance of 30.00 feet to a point in the west line of said Reserve, in the east line of said original 1.792 acre tract and at the true place of beginning of the rezoning tract herein intended to be described;

thence S 03° 22' 52" W along a portion of the west line of said Reserve and along a portion of the east line of said original 1.792 acre tract a distance of 559.03 feet to a point at the southeast corner of said original 1.792 acre tract at the southwest corner of said Reserve and in the north line of Lot 68 as shown upon said plat of Parkleigh Section 2;

thence N 86° 42' 46" W along the south line of said original 1.792 acre tract and along a portion of the north line of said Lot 68 a distance of 119.21 feet to a point at the southwest corner of said original 1.792 acre tract, at the northwest corner of said Lot 68, at the northeast corner of Lot 67 as shown upon said plat of Parkleigh Section 2 and at the southeast corner of an original 3.680 acre tract of land conveyed to Dale Property Company by deed of record in Instrument 200303010041527;

thence N 03° 19' 53" E along a portion of the west line of said original 1.792 acre tract and along a portion of the east line

of said original 3.680 acre tract a distance of 591.43 feet to a point in the south right-of-way line of Morse Road, at the southwest corner of a 0.166 acre tract of land conveyed, for Morse Road right-of-way purposes, as Parcel 57-WD to Franklin County Commissioners by deed of record in Instrument 199908060200091 and at the southeast corner of a 0.138 acre tract of land conveyed, for Morse Road right-of-way purposes, as Parcel 54-WD to Franklin County Commissioners by deed of record in Instrument 200002030023773;

thence S 86° 10' 20" E crossing a portion of said original 1.792 acre tract, along the south right-of-way of Morse Road and along a portion of the south line of said 0.166 acre tract a distance of 88.70 feet to a point at a corner of said 0.166 acre tract and at the northwest corner of a 0.010 acre tract of land conveyed, for Morse Road right-of-way purposes, as Parcel 57-WD-1 to Franklin County Commissioners by deed of record in Instrument 200111270273394;

thence S 41° 10' 20" E crossing a portion of said original 1.792 acre tract, along the southwesterly right-of-way of Morse Road and along a portion of the southwesterly line of said 0.010 acre tract a distance of 44.23 feet to the true place of beginning;

containing 1.609 acres of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in October, 2004. The above description was prepared for rezoning purposes only and not for transfer of real property. Basis of bearings the centerline of Morse Road, being N 86° 10' 20" W, as shown upon Sheet 21 of 25 of the Franklin County Engineers Right-of Way Plans for Morse Road - County Road No. 17.

To Rezone From: AR-12, Apartment Residential District,

To: CPD, Commercial Planned Development District.

SECTION 2. That Height Districts are hereby established on this property as follows: thirty-five (35) feet on the CPD, Commercial Planned Development District and thirty-five (35) feet on the L-C-4, Limited Commercial District.

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 CPD, Commercial Planned Development and L-C-4, Limited Commercial Districts and Application among the records of the Building Services Division as required by Sections 3311.12 and 3370.03 of the Columbus City Codes; said text being titled, "**DEVELOPMENT TEXT L-C-4, LIMITED COMMERCIAL (SUB-AREA A, 0.92 +/- AC) AND CPD, COMMERCIAL PLANNED DEVELOPMENT (1.61 +/- AC.) 2.53 ± ACRES,**" dated May 1, 2005, and plans titled, "**SUB-AREA PLAN AND SITE PLAN (SUB-AREA B)**" and "**SUB-AREA PLAN AND CAR WASH LANDSCAPING PLAN**", dated May 1, 2005, all signed by **David B. Perry, Agent for Applicant**, and Donald T. Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

L-C-4, LIMITED COMMERCIAL (SUB-AREA A, 0.92 +/- AC) AND CPD, COMMERCIAL PLANNED DEVELOPMENT (1.61 +/- AC.) 2.53 ± ACRES

EXISTING DISTRICT: AR-12, Apartment Residential and ~~C-4, Commercial~~

PROPOSED DISTRICTS: L-C-4, Limited Commercial (0.92 +/- Ac)
CPD, Commercial Planned Development (1.61 +/- Ac)

PROPERTY ADDRESS: 3267 Morse Road, Columbus, OH 43231

OWNER: Emma C. Denune and Dale Property Company c/o Dave Perry, Agent for Property Owner, The David Perry Co., 145 East Rich Street, Columbus, OH 43215 and Donald Plank, Esq., Attorney for Property Owner, Plank & Brahm 145 East Rich Street, Columbus, OH 43215

APPLICANT: Goo Goo Car Wash c/o Dave Perry, Agent for Applicant, The David Perry Co., 145 East Rich

Street, Columbus, OH 43215 and Donald Plank, Esq., Plank & Brahm, 145 East Rich Street
Columbus, OH 43215

DATE OF TEXT: May 1, 2005

APPLICATION NUMBER: Z05-015

INTRODUCTION:

The site is 2.53 +/- acres located on the south side of Morse Road beginning one (1) foot west of Dunbridge Street. Existing zoning is AR-12, Apartment Residential. Both the existing two (2) single family dwellings from annexation and the existing zoning are inappropriate for the site given the location on Morse Road, the intense commercial use and heavy traffic of the location and adjacency to the unrestricted C-4, Commercial District to the west. Applicant proposes to rezone the property to create two (2) sub-areas, as follows: Sub-Area A (0.92 +/- Acres) - L-C-4, Limited Commercial, for general commercial use with appropriate development standards and Sub-Area B (1.61 +/- Acres, CPD, Commercial Planned Development). The plans titled "Sub-Area Plan and Site Plan (Sub-Area B)" and "Sub-Area Plan and Car Wash Landscaping Plan", both dated May 1, 2005 and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, are submitted with this application to illustrate Sub-Area A and B and as a registered site plan and landscaping plan for the proposed car wash development of Sub-Area B.

Sub-Area A L-C-4, Limited Commercial 0.92 +/- Acres

1.a PERMITTED USES: All uses permitted in Columbus City Code Chapter 3356.03, C-4 Permitted Uses, except dwelling units, shelters, bowling alley, cellular tower, dance hall, drive-in motion picture theater, electric substation, off-premise graphics, unless approved by the Graphics Commission, motor bus terminal, tattoo and/or piercing parlor, skating rink, and storage garage as a primary use

b. Prohibited Use: While 1.a states the permitted uses of Sub-Area A, uses that are not permitted in Sub-Area A and that off-premise graphics are not permitted unless approved by the Graphics Commission, applicant wishes to further state that no billboard shall be permitted in Sub-Area A.

2. DEVELOPMENT STANDARDS: The applicable development standards shall be as specified in Chapter 3356, C-4, Commercial District, the Regional Commercial Overlay (Chapter 3372) and the Morse Road Special Graphics Control Area, except as specifically set forth herein.

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

1. The minimum building setback along Morse Road shall be 80 feet.
2. The minimum parking setback along Morse Road shall be 30 feet.

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

1. Curb cuts shall be approved by the City of Columbus Transportation Division.
2. A single curbcut to Morse Road shall be permitted for vehicular access to Morse Road. The Morse Road curbcut shall also provide vehicular access to Sub-Area B. The curbcut shall be located as depicted on the sub-area plan, subject to final design and engineering and approval of the Division of Transportation.

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

1. The parking setback areas along Morse Road shall be maintained in live vegetation and shall include tree and shrub planting in accordance with the Morse Road Overlay.
2. A street tree row shall be established along Morse Road. The street tree row shall require trees at the rate of one (1) tree for every 40 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester.

The trees shall be approximately evenly spaced subject to curbcut location and clear vision requirements at a uniform setback and planted in the right of way, subject to approval of the City Forester and Public Service Department, or otherwise shall be planted adjacent to the right-of-way.

3. All parking areas adjacent to Morse Road shall have headlight-screening parallel to the frontage, with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking or pavement area. Said headlight screening shall be in the form of an evergreen hedge, earth mounding or wall. The height of headlight screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance.
4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.
6. Mounding shall have a maximum slope of 3:1.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware unless said mechanicals are screened by decorative cornices. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl siding is and other materials are permitted as long as it is they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.
4. The primary roof of all buildings shall be pitched or sloped with a minimum slope of 6:12. If shingles are used for roofing, they shall be dimensional shingles. Mansard roof fronts with a flat roof not visible from Morse Road shall be permitted.

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

1. All parking lot and private street lighting fixtures shall be fully shielded cut-off fixtures (down lighting) or decorative lantern or luminaire-style fixtures.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.
5. Ground mounted lighting is permitted but the source of light shall be screened to prevent glare.
6. All new or relocated utility lines within Sub-Area A shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance. There shall be no requirement to place any existing wiring/utilities along Morse Road underground.
7. All lighting shall be positioned as to not be directed toward any residential area.

8. The dumpster shall be emptied only between the hours of 7AM and 9PM.

F. Graphics and Signage Commitments.

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to C-4, Commercial District

and the Morse Road Special Graphics Control Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. The ground sign shall be monument style. Signs shall be internally illuminated or silhouette lighted.
3. Ground mounted illumination shall be concealed from view of the public right-of-way by a landscape screen of low shrubs or equivalent.
4. Prohibited signs include: signs with flashing lights, co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners, and pennants.
5. There shall be one (1) free-standing sign permitted for all of Sub-area A. The ground sign shall meet specifications of the Morse Road Special Graphics Control Area unless modified by application to the Columbus Graphics Commission.
6. Street addresses shall be incorporated into the free-standing sign or prominently displayed on the building. Addresses shall be in Arabic numerals and be readable from the street.

G. Miscellaneous.

1. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance, other than as may be under the jurisdiction of the Columbus Graphics Commission.
2. Parkland Dedication Ordinance fees at the rate of \$400/acre shall be paid prior to or in conjunction with a request for a Certificate of Zoning Clearance for all or the fractional portion of the site, as applicable.
3. Sidewalks shall be constructed along Morse Road to the City of Columbus specifications if sidewalks do not exist at the time of development.
4. A pedestrian sidewalk across the Morse Road setback shall be provided. The exact location is subject to determination with final site engineering.
5. Sub-area A is presently part of Tax District/Parcel 010-005553. The balance of the parcel is presently zoned C-4, Commercial **to the west of Sub-Area A and AR-12 to the south of Sub-Area A.**

Sub-Area B

CPD, Commercial Planned Development

1.61 +/- Acres

1. Uses:

a. **Permitted Use:** The only permitted use of Sub-Area B shall be a car wash as depicted on the site plans titled "Sub-Area Plan and Site Plan (Sub-Area B)" and "Sub-Area Plan and Car Wash Landscaping Plan", dated May 1, 2005 and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. The car wash shall be a single-bay automatic wash and shall have an on premise attendant's office. See G, Miscellaneous, # 1, for additional car wash development standards.

b. **Prohibited Use:** While 1.b. a states the only permitted use of Sub-Area B, applicant wishes to further state that no billboard shall be permitted on the property.

2. DEVELOPMENT STANDARDS: Except as specified herein and as depicted on the referenced site plan, the applicable development standards shall be as specified in the C-5, Commercial District, the Regional Commercial Overlay (Chapter 3372) and the Morse Road Special Graphics Control Area.

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

1. Building, parking and pavement setbacks are as depicted on the plan.

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

1. Vehicular access point(s) and on-site vehicular circulation is as depicted on the Plan for Sub-Area B.
2. There shall be no direct access to Morse Road or Dunbridge Street. Vehicular access to the car wash site shall be across Sub-Area A to the Morse Road curbcut depicted on Sub-Area A.
3. Gate(s) may be installed at the entrance to Sub-Area B to close the car wash site, at developer's discretion, to limit any access to the site when the car wash is not open.

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

1. The parking setback areas along Morse Road shall be maintained in live vegetation and shall include tree and shrub planting in accordance with the Regional Overlay, as applicable.
2. A street tree row shall be established along Morse Road and Dunbridge Street. The street tree row shall require trees at the rate of one (1) tree for every 40 feet (+/-) of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced subject to curbcut location and clear vision requirements and planted in the right of way, subject to approval of the City Forester and Public Service Department, or otherwise shall be planted adjacent to the right-of-way at a uniform setback.
3. All parking areas adjacent to Morse Road shall have headlight-screening parallel to the frontage, with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Said headlight screening shall be in the form of an evergreen hedge, earth mounding or wall. The height of headlight screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance.
4. A minimum 25 foot wide landscaped setback shall be provided along and parallel to Dunbridge Street. The Parking Setback area south of the canopy shall include screening to a minimum height of 5 feet and 75% opacity. Mounding shall be used to provide at least 3 feet of the required 5 foot height of screening, along with plant material to meet the 5 foot, 75% opacity standard. Plant material consisting of a minimum of In the Parking Setback area adjacent to the canopy, headlight screening shall be provided to a minimum height of 30 inches. The headlight screening adjacent to the canopy may be evergreen plant material, a brick wall or mounding.
5. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
6. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.
7. Mounding shall have a maximum slope of 3:1.
8. The 75 foot setback area at the south end of the site is for Open Space and shall not be used for a storm water collection, but may be used for storm water discharge as described in #9. Trees within the Open Space area shall be preserved, except as related to providing storm water discharge (See #9). Screening shall be placed along the north line of the Open Space area and shall connect to the mounding/buffering (#4) in the Dunbridge Street setback to provide continuous screening of the adjacent parking/pavement area along the pavement line to the mounding/buffering (#4) in the Dunbridge Street setback. Screening may consist of a fence and/or plant material to obtain a minimum five (5) foot high 75% screen. Additional evergreen tree planting, consisting of a minimum of six (6) trees, shall be randomly planted within the Open Space area.
9. Storm water will be collected within the paved areas. It is anticipated due to the grade of the property that storm water discharge will be to the south. To the extent that excavation into the Open Space area is necessary for storm water discharge, the discharge shall be permitted. Any excavation shall be the minimum possible.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware unless said mechanicals are screened by decorative cornices. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS, vinyl siding and/or glass. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater. The exterior of the car wash building shall be brick and stucco (stucco, Dry-Vit, EIFS) with a minimum of 50% of each of the 4 walls being brick. The area of the overhead doors on the north and south ends of the carwash building and the area of windows on the east or west walls shall not be included in computing the minimum 50% brick area. Parapet ends may be used.

4. The primary roof of the car wash building shall be hip or gable style. And shall have a minimum pitch of 6:12. If shingles are used for roofing, they shall be dimensional shingles.

tx50tx4680 **E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. All parking lot and private street lighting fixtures shall be fully shielded cut-off fixtures (down lighting) or decorative lantern or luminaire-style fixtures.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color.

3. Light poles shall not exceed a maximum of 14 feet in height and there shall be no pole mounted lighting located within 50 feet of the Dunbridge Street right-of-way.

4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.

5. Ground mounted lighting is permitted but the source of light shall be screened to prevent glare.

6. All new or relocated utility lines within Sub-Area A shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance. There shall be no requirement to place any existing wiring/utilities along Morse Road or Dunbridge Road underground.

7. All lighting shall be positioned as to not be directed toward any residential area.

8. Trash dumpster(s) shall be fully screened by structures and/or landscaping to a minimum height of six (6) feet. Screening shall be designed and maintained to provide 100% opacity to the height of the screening. If a dumpster is provided within Sub-Area B, it shall be located as depicted on the Plan. The dumpster may be eliminated from Sub-Area B, if developer elects to share a dumpster with the adjacent property owner to the west.

F. Graphics and Signage Commitments.

1. All signage shall conform to Chapters 3375 and 3383 of the Columbus City Code as they apply to C-5, Commercial District and the Morse Road Special Graphics Control Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. The ground sign shall be monument style. Signs shall be internally illuminated or silhouette lighted.

3. Ground mounted illumination shall be concealed from view of the public right-of-way by a landscape screen of low shrubs or equivalent.

4. Prohibited signs include: signs with flashing lights, co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners, and pennants.

5. There shall be one (1) free-standing sign permitted for all of Sub-Area B. The ground sign shall meet specifications of the Morse Road Special Graphics Control Area unless modified by application to the Columbus Graphics Commission.

6. Street addresses shall be incorporated into the free-standing sign or prominently displayed on the building. Addresses shall be in

Arabic numerals and be readable from the street.

G. Miscellaneous.

1. Additional Car Wash Development Standards:

- a. The car wash shall not be open for business on any Sunday. Hours of operation Monday - Saturday shall be limited to 8AM - 9PM.
 - b. There shall be at least two (2) employee attendants on duty and working at this location at all times that the car wash is open for business.
 - c. The car wash shall operate only as an automatic wash with an attendant on duty. There shall be no self-serve washing facilities, although vacuum stations may be available on a self-serve basis, but only after a customer's car has been washed.
 - d. All car washing and car drying equipment shall be completely contained within the car wash building or underground.
 - e. The only vacuum equipment permitted outside of the car wash building or above grade shall be vacuum hoses, pole(s) to hang the hose(s) on and any switch necessary to activate the vacuum. All motors, vacuum canister(s), vacuum debris collection, system tubing, etc. shall be located in the car wash building or underground. The location of the vacuum hoses and any associated pole is not depicted on the Plans included with this text and will not be determined exactly until engineering is completed. The vacuum hoses/poles may be located adjacent to parking spaces, including in the landscaping islands, close to the edge of the pavement, between the parking spaces parallel to Dunbridge Street, or in the parking spaces to the extent that parking spaces exceed the required minimum dimensions.
 - f. No on-site parking space shall be used of any purpose other than incidental use related to the car wash, including parking of vehicles and vacuuming of vehicles while the vehicles are on the premises for the car wash. No parking space shall be rented, leased or in any way offered for use or be allowed to be used for storage or parking of vehicles unrelated to the car wash.
 - g. The dumpster shall be emptied only between the hours of 7AM and 9PM.
 - h. There shall be no exterior product sales displays.
2. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance, other than as may be under the jurisdiction of the Columbus Graphics Commission.
3. Parkland Dedication Ordinance fees at the rate of \$400/acre shall be paid prior to or in conjunction with a request for a Certificate of Zoning Clearance for all or the fractional portion of the site, as applicable.
4. The site shall be developed in accordance with the plans titled "Sub-Area Plan and Site Plan (Sub-Area B)" and "Sub-Area Plan and Car Wash Landscaping Plan", both dated May 1, 2005 and signed by David B. Perry, Agent, The David Perry Company and Donald Plank, Attorney for application. The plans 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 the Plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.
5. Sidewalks shall be constructed along Morse Road and Dunbridge Street to City of Columbus specifications if sidewalks do not exist at the time of development, or replaced in whole or part if damaged in conjunction with site development, or if the condition of the sidewalk warrants replacement, in whole or in part, as applicable.
6. A pedestrian sidewalk across the Morse Road setback shall be provided. The exact location is subject to change with final site engineering.
7. No off-premise graphic, including a billboard, shall be permitted on the property.

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