



## Legislation Details (With Text)

**File #:** 0971-2005      **Version:** 2

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

**File created:** 5/20/2005      **In control:** Zoning Committee

**On agenda:** 6/20/2005      **Final action:** 6/23/2005

**Title:** To rezone 4824 NORTH HIGH STREET (43214), being 0.34± acres located at the northeast corner of North High Street and Royal Forest Boulevard, From: P-1, Private Parking District, To: L-C-3, Limited Commercial District and to declare an emergency. (Z05-009)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 0971-2005 exhibits.pdf, 2. ORD 0971-2005 labels.pdf, 3. ORD0971-2005DataSheet.pdf

Date	Ver.	Action By	Action	Result
6/23/2005	2	CITY CLERK	Attest	
6/21/2005	2	MAYOR	Signed	
6/20/2005	1	Zoning Committee	Amended to Emergency	Pass
6/20/2005	2	COUNCIL PRESIDENT	Signed	
6/20/2005	1	Zoning Committee	Approved as Amended	Pass
6/13/2005	1	Columbus City Council	Read for the First Time	
6/6/2005	1	Dev Zoning Reviewer	Sent to Clerk's Office for Council	
6/3/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
6/1/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/1/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
5/31/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
5/31/2005	1	Dev Zoning Drafter	Sent for Approval	
5/26/2005	1	Dev Zoning Drafter	Sent for Approval	

**REZONING APPLICATION:** Z05-009

**APPLICANT:** Tom Morris; c/o Richard C. Brahm, Atty.; Plank and Brahm; 145 East Rich Street; Columbus, OH 43215.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0-1) on May 12, 2005.

**CLINTONVILLE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant's request for the L-C-3, Limited Commercial District for retail commercial development is consistent with existing development patterns along this portion of North High Street. The proposed limitation text includes use restrictions requested by the Clintonville Area Commission and development standards that address site access, landscaping and lighting restrictions. Together with the limitation text, the registered site plan and building

elevations comply with all requirements of the Urban Commercial Overlay.

To rezone **4824 NORTH HIGH STREET (43214)**, being 0.34± acres located at the northeast corner of North High Street and Royal Forest Boulevard, **From:** P-1, Private Parking District, **To:** L-C-3, Limited Commercial District **and to declare an emergency.** (Z05-009)

**WHEREAS**, application #Z05-009 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.34± acres from P-1, Private Parking District to L-C-3, Limited Commercial District, and

**WHEREAS**, the Development Commission recommends approval of said zoning change; 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 to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

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

**WHEREAS**, the City Departments recommend approval because the applicant's request for the L-C-3, Limited Commercial District for retail commercial development is consistent with existing development patterns along this portion of North High Street. The proposed limitation text includes use restrictions requested by the Clintonville Area Commission and development standards that address site access, landscaping and lighting restrictions. Together with the limitation text, the registered site plan and building elevations comply with all requirements of the Urban Commercial Overlay; 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:

**4824 NORTH HIGH STREET (43214)**, being 0.34± acres located on the northeast corner of North High Street and Royal Forest Boulevard, and being more particularly described as follows:

**LEGAL DESCRIPTION**

Situate in the City of Columbus, County of Franklin, in the State of Ohio and being further described as:

Being Lot Numbers Ten (10), Eleven (11), and Twelve (12) in THE ZOO LAND ADDITION TO THE CITY OF COLUMBUS, OH, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 5A, Recorder's Office, Franklin County, Ohio.

Excepting:

Being a strip of land 25 feet wide adjacent to, parallel with and south of the north lot line of Lot No. 10 of the ZOOLAND ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 5A, Recorder's Office, Franklin County, Ohio.

**To Rezone From:** P-1, Private Parking District,

**To:** L-C-3, Limited Commercial District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the L-C-3, Limited Commercial District on this property.

**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-3, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03

of the Columbus City Codes; said text titled, "**L-C-3 LIMITATION TEXT**," site plan titled, "**L-C-3 SITE PLAN**," and building elevation drawings titled, "**ROYAL FOREST AND HIGH PROPOSED RETAIL SHELL**," all signed on May 20, 2005 by Tom Morris, Applicant, and the text reading as follows:

**L-C-3 LIMITATION TEXT**

**PROPOSED DISTRICT:** L-C-3, Limited Commercial District

**PROPERTY ADDRESS:** 4824 North High Street

**OWNER:** Central Ohio Transit Authority

**APPLICANT:** Tom Morris; c/o Richard Brahm, Atty., Plank and Brahm; 145 East Rich Street; Columbus, OH 43215-5240.

**DATE OF TEXT:** 5/20/05

**APPLICATION NUMBER:** Z05-009

**1. INTRODUCTION:** The 0.34± site is located at the northeast corner of North High Street and Royal Forest Boulevard. The site is currently developed with a C.O.T.A. Park and Ride.

**2. PERMITTED USES:** Those uses permitted in Chapter 3355, Community Scale Commercial Development, of the Columbus City Code, except that the following uses are prohibited: (a) No restaurants with seating; (b) no butcher shops or meat and/or fish markets; and (c) no business permitted whose primary business is Check Cashing and Loans.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted text or site plan the applicable development standards are contained in Chapter 3355, C-3, Community Scale Commercial Development of the Columbus City Code.

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

Building and parking setbacks shall be in general conformance with the CPD site plan titled, "**L-C-3 SITE PLAN**," signed on May 20, 2005 by Tom Morris, the Applicant.

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

All curb cuts shall be subject to the approval of the City of Columbus Transportation Division.

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

1. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

2. All landscaping materials shall meet the following minimum size at the time of planting: Shade trees, 2 .5" caliper; Ornamental trees, 1.5" caliper; Evergreen trees, 5 feet in height. Tree caliper is measured six (6) inches from the ground. The minimum size of shrubs at installation shall be 2 gallon.

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

See Section 3.G.2 of this limitation text.

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

1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers type to insure compatibility.

3. Accent lighting shall be permitted provided such light source is concealed.

5. Light standards shall not exceed 18 feet in height.

**F. Graphics and/or Signage Commitments.**

All graphics and signage for each use on the subject property shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-3, Commercial classification, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

1. The site shall be developed in general conformance with the site plan titled, "**L-C-3 SITE PLAN**," signed on May 20, 2005 by Tom Morris, the Applicant. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and when 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/her designee upon submission of the appropriate data regarding the proposed adjustment.

2. The site shall be developed in general conformance with building elevations titled, "**NORTH HIGH & ROYAL RETAIL SHELL**," signed on May 20, 2005 by Tom Morris, the Applicant.

**SECTION 4. ~~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.~~**