



Legislation Details (With Text)

File #: 1917-2015 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 7/7/2015 **In control:** Zoning Committee
On agenda: 7/27/2015 **Final action:** 7/30/2015
Title: To rezone 5746 FRANTZ ROAD (43016), being 5.8± acres located on the east side of Frantz Road, across from the intersection with Keating Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District and to declare an emergency (Rezoning # Z14-048).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1917-2015.Attachments, 2. Notice Of Public Hearing - Council Mtg20150727

Date	Ver.	Action By	Action	Result
7/30/2015	2	CITY CLERK	Attest	
7/29/2015	2	MAYOR	Signed	
7/27/2015	2	COUNCIL PRESIDENT	Signed	
7/27/2015	1	Zoning Committee	Approved as Amended	Pass
7/27/2015	1	Zoning Committee	Amended to Emergency	Pass
7/20/2015	1	Columbus City Council	Read for the First Time	

Rezoning Application Z14-048

APPLICANT: Chablis LLC; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.

PROPOSED USE: To update an existing CPD for a shopping center to permit increased restaurant square footage, increased parking, and a second freestanding sign.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on January 8, 2015.

CITY DEPARTMENTS' RECOMMENDATION: The site is developed with a shopping center and zoned in the CPD, Commercial Planned Development District. The current CPD district limits the amount of permitted restaurant space, requires the same building materials on all sides of the building, and permits only one ground sign. The proposed CPD district will permit a second ground sign, increase permitted restaurant space with a commensurate increase in provided parking spaces, and provides for alternative building materials on the rear elevation of the building. The CPD text addresses customary use restrictions, site access, landscaping and buffering, outdoor display controls and lighting standards, and is consistent with previous development texts for this site. All other use restrictions and development standards in the current CPD district are reiterated in this proposal.

To rezone **5746 FRANTZ ROAD (43016)**, being 5.8± acres located on the east side of Frantz Road, across from the intersection with Keating Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned

Development District **and to declare an emergency** (Rezoning # Z14-048).

WHEREAS, application #Z14-048 is on file with the Department of Building and Zoning Services requesting rezoning of 5.8± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the request is consistent and compatible with surrounding development. The requested CPD, Commercial Planned Development District will allow the existing commercial development to add a freestanding sign, parking, and restaurant square footage, is consistent with the zoning and development pattern of the area, and contains appropriate development standards; 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; 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:

5746 FRANTZ ROAD (43016),), being 5.8± acres located on the east side of Frantz Road, across from the intersection with Keating Drive, and being more particularly described as follows:

Legal Description

Situated in the City of Columbus, County of Franklin, State of Ohio, and is described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey No. 2418 and being part of the 144.984 acre tract conveyed to Physicians Insurance Company of Ohio, by Deed of Record in Official Record Volume 1808, page D-12, all references being to records in the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning for reference at the point of intersection of the centerline of McGrath Drive and the centerline of Frantz Road as the same is shown and delineated on the plat of "BALLYMEAD AT DUBLIN, SECTION 3, PART 1," of record in Plat Book 61, pages 61, 62 and 63;

Thence North 77 deg. 01' 57" West, along said centerline of Frantz Road, a distance of 240.00 feet to a point of curvature of a curve to the right;

Thence North 12 deg. 58' 03" East, radial to said curve, a distance of 50.00 feet to an iron pin at a point of curvature in the northerly right-of-way line of Frantz Road and being the true point of beginning of the tract herein intended to be described;

Thence along said right-of-way line of Frantz Road, being the arc of a curve to the right (sub-delta equals 53 deg. 22' 36", Radius equals 950.0 feet), a chord bearing and distance of North 50 deg. 20' 39" West, 853.36 feet to an iron pin at the intersection to said right-of-way line with the centerline of Shannon Heights Boulevard produced easterly;

Thence North 66 deg. 20' 39" East, along said centerline of Shannon Heights Boulevard produced easterly and radial to said curve, a distance of 133.75 feet to an iron pin;

Thence South 75 deg. 00' 00" East, a distance of 325.51 feet to an iron pin;

Thence North 86 deg. 00' 00" East, a distance of 267.05 feet to an iron pin in the westerly line of "Northbridge Village Section 1", of record in Plat Book 63, page 33;

Thence South 3 deg. 00' 00" West, along said westerly line of "Northbridge Village Section 1", a distance of 537.56 feet to an iron pin at the southwesterly corner of said plat and being in the northerly right-of-way line 01 Frantz Road;

Thence North 77 deg. 01' 57" West along said right-of-way line, a distance of 18.67 feet to the true point of beginning, containing 5.881 acres, more or less.

To Rezone From: CPD, Commercial Planned Development 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 plan being titled, "**CPD PLAN**," and text titled, "**CPD TEXT**" both dated July 2, 2015, and signed by Jeffrey L. Brown, Agent for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 5746 Frantz Road

OWNER: Chablis LLC

APPLICANT: same as owner

DATE OF TEXT: 7/2/15

APPLICATION NUMBER: Z14-048

1. INTRODUCTION: The applicant wants to install a second freestanding sign along the Frantz Road frontage which would be permitted under the zoning code. The applicant also wants to update the look of the shopping center. The zoning text needs to be revised to permit a second sign, to update the restaurant square footage and the number of parking spaces and to permit different building materials on the rear elevation of the building.

2. PERMITTED USES: Those uses permitted in Section 3356.03, C-4, Commercial of the Columbus City Code. The following uses are prohibited:

- a. Automobile sales or service uses
- b. Nightclub or poolroom
- c. Hotel or motel
- d. Newspaper substation
- e. Assembly hall
- f. Trade school
- g. Business college
- h. Electric substation
- i. Funeral parlor
- j. Greenhouse or nursery
- k. Motor bus terminal
- l. Outdoor theater

- m. Off-premise graphic
- n. Bowling alley
- o. Cabaret, dance hall
- p. Garage repair shop
- q. Nightclub or discotheque
- r. Plumbing shop
- s. Poolroom or arcade, amusement arcade
- t. Laboratory
- u. Tire repair shop
- v. Veterinarian hospital, clinic or office
- x. Sales of boats, campers, trailers or mobile homes
- y. Recreational facilities such as miniature golf or swimming pools
- z. Amusement arcades

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3355 of the Columbus City Code.

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

N/A

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

1. All circulation, curb cuts and access points shall be subject to the approval of the Department of Public Service.
2. The developer shall provide joint access to the north driveway to the residential units to the north. Cost of maintenance of said driveway shall be shared jointly between the commercial property and the residential use to the north.
3. The existing development consists of 46,000 sq. ft. of space with 337 parking spaces. Up to 22,370 sq. ft. of the building may be used for restaurant space while maintaining the 337 parking spaces. If the developer wants to increase the amount of restaurant space beyond that figure, it may prepare a shared parking analysis subject to the requirements of the City's Department of Public Service. If the Department of Public Service agrees with the parking analysis then no additional parking shall be required. If the Department of Public Service does not accept the parking analysis then the developer may file a variance request with the City's Board of Zoning Adjustment.

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

1. The developer shall maintain the existing headlight screening along Frantz Road (minimum height of 30 inches).
2. Along the east property line and at the northeast corner of the site, the developer shall install and maintain a six foot wood fence and add 15, 8 to 12 foot tall flowering trees on the east side of the wood fence on the adjacent property provided that the owner grant permission for such plantings: the location of the fence and trees are shown on the submitted drawing.

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

1. The rear elevation of the building shall be finished with the same materials as the front and side elevations of the building or the rear elevation of the building shall be finished with cedar siding, stucco, EFIS individually or in any combination thereof.

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

Lighting

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. Light poles in the parking light shall not exceed 28 feet in height.

F. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

A. SITE PLAN

The Subject Site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

B. CPD CRITERIA

1. Natural Environment

The site is developed with a shopping center building and parking.

2. Existing Land Use

To the north and east and across Hayden Run Road are residential uses.

3. Proposed Use: Commercial

4. Transportation and Circulation

The access points for this development have already been established.

5. Visual Form of the Environment

The visual form of the site has been established with the construction of the shopping center.

6. View and Visibility

The location of the curb cuts and buildings has been established by the prior development.

7. Emissions

The existing development does not create adverse emissions.

C. VARIANCE

Due to the mixed use nature of the tenants in the shopping center, additional parking spaces for the restaurant tenants are not necessary. The retail tenant has a different parking demand peak than the restaurant tenant. The reduction in parking is from 392 spaces to 337 spaces.

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.