



Legislation Details (With Text)

File #: 0382-2006 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 2/15/2006 **In control:** Zoning Committee

On agenda: 4/24/2006 **Final action:** 4/27/2006

Title: To rezone 1386 FRANK ROAD (43223), being 0.41± acres located on the north side of Frank Road, 400± feet east of Finland Avenue, From: R, Rural District, To: L-C-4, Limited Commercial District and to declare an emergency. (Rezoning # Z05-088)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0382-2006Attachments.pdf, 2. ORD0382-2006Labels.pdf, 3. ORD0382-2006DataSheet.pdf

Date	Ver.	Action By	Action	Result
4/27/2006	2	ACTING CITY CLERK	Attest	
4/26/2006	2	MAYOR	Signed	
4/24/2006	1	Zoning Committee	Waive the 2nd Reading	Pass
4/24/2006	2	Zoning Committee	Approved as Amended	Pass
4/24/2006	2	Zoning Committee	Amended to Emergency	Pass
4/24/2006	2	COUNCIL PRESIDENT	Signed	
3/21/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/21/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
3/20/2006	1	Dev Reviewer	Reviewed and Approved	
3/20/2006	1	Dev Zoning Drafter	Sent for Approval	
3/17/2006	1	Dev Zoning Drafter	Sent for Approval	
3/17/2006	1	Dev Zoning Reviewer	Reviewed and Approved	

Rezoning Application Z05-088

APPLICANT: Charles R. Lang; c/o Brad Kennan; 3343 Kropp Road; Grove City, OH 43123.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 9, 2006.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The subject property is undeveloped, and has recently been annexed from Franklin Township. The requested L-C-4, Limited Commercial District will allow commercial development that is consistent with the adjacent L-C-4 District. The limitation text incorporates use restrictions, screening, and lighting controls which allow the proposed L-C-4 District to be more compatible with the surrounding residential development. The requested L-C-4, Limited Commercial District is consistent with the zoning and development patterns of the area.

To rezone **1386 FRANK ROAD (43223)**, being 0.41± acres located on the north side of Frank Road, 400± feet east of Finland Avenue, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District **and to declare an emergency.** (Rezoning # Z05-088)

WHEREAS, application #Z05-088 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.41± acres From: R, Rural District, To: L-C-4, 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 Southwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District will allow commercial development that is consistent with the adjacent L-C-4 District. The limitation text incorporates use restrictions, screening, and lighting controls which allow the proposed L-C-4 District to be more compatible with the surrounding residential development. The requested L-C-4, Limited Commercial District is consistent with the zoning and development patterns of the area, 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:

1386 FRANK ROAD (43223), being 0.41± acres located on the north side of Frank Road, 400± feet east of Finland Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, and being 0.41 ± acres out of the tract of land conveyed to Charles and Bessie Lang [Auditor's Tax Parcels:140-001696 and 140-001695] by the deed recorded in The Recorder's Official Record 28612 C-08, and being further described as follows:

Beginning at the southwest corner of lot number 24 of the Marsdale Addition, Plat Book 19, Page 50 and proceeding in a northerly direction for approximately 180 feet to the northwest corner of lot 24 of the Marsdale Addition, Plat Book 19, Page 50, along a common line of the previously mentioned Lang Tract and the east line of a .20 acre tracts of land conveyed to Charles and Bessie Lang and also being in the existing corporation line for the City of Columbus, as established by Ordinance # 1485-88 and the Official Record 11898-E-18.

Thence in an easterly direction for approximately 100 feet to the northeast corner of lot 23 of the Marsdale Addition, Platt Book 19, Page 50, along a common line of the previously mentioned Lang Tract and the southern side of 2, .2 ± acre tracts of land conveyed to Charles and Bessie Lang and also being in the existing corporation line for the City of Columbus, as established by Ordinance # 0068-2006.

Thence in a southerly direction for approximately 180 feet to the southeast corner of lot 23 of the Marsdale Addition, Plat Book 19, Page 50, along a common line of the previously mentioned Lang Tract and the west line of a .41 acre tract of land conveyed to Donald E Haddix and also being in the existing corporation line for the City of Columbus, as established by Ordinance # 1637-82 and the Official Record 2965-C-19.

Thence in a westerly direction for approximately 100 feet to the southwest corner of lot 24 of the Marsdale Addition, Platt Book 19, Page 50, along the north right of way line of Frank Road and also being in the existing corporation line for the City of Columbus, as established by Ordinance # 1485-88 and the Official Record 11898-E-18, to the Point of Beginning of this description, and containing approximately .41 ± acres more or less.

The above description was prepared in the office of AutoQuick, Inc by William B. Kennan in January 2006, from the best available County Records.

To Rezone From: R, Rural District,

To: L-C-4, Limited Commercial District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-C-4, 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-4, 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 being titled, "**DEVELOPMENT TEXT**," signed by Brad Kennan, Applicant, dated January 24, 2006, and reading as follows:

Development Text

PROPOSED DISTRICT: L-C-4, Limited Commercial District
PROPERTY ADDRESS: 1386 Frank Road, Columbus, OH 43223
OWNER: Charles R and Bessie A Lang
APPLICANT: Brad Kennan
DATE OF TEXT: 1/24/06
APPLICATION NUMBER: Z05-088

1. INTRODUCTION: To rezone approximately 0.41 ± acres of currently unused land located at 1386 Frank Road, Columbus, OH 43223 to L-C-4 for retail sales / auto sales.

The properties to the east and north are currently zoned R, Rural District. Property directly to the west is currently zoned L-C-4.

2. PERMITTED USES: Allowable uses shall be those uses permitted by Section 3356, C-4, Commercial District, and City of Columbus Zoning Code.

The following uses are prohibited:

1. Bars, Cabarets and Nightclubs
2. Halfway House
3. Blood and Organ Banks
4. Mission/Temporary Shelters
5. Drive-In Motion Picture
6. Animal Shelter
7. Bank
8. Restaurant with pick-up window
9. Convenient Store
10. Automotive Body Shop

3. DEVELOPMENT STANDARDS:

The applicable development standards of Chapter 3356, C-4 shall apply to the subject property with the following exceptions:

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

1. Building setback shall be at least 60' from residential property located to the east.
2. There will be a 10 foot parking setback from any property lines shared with residentially zoned property.

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 Transportation Division.

2. At time of zoning clearance it will be determined by the Transportation Division for the requirement of a left turn lane.

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

1. The existing 6' chain link fence, which runs the entire west, north and east sides of the property shall remain and have buffering slats inserted.
2. Buffering may include any acceptable screening that gives 75% opacity. This could include trees, opaque fencing or screening.
3. Two ornamental trees will be planted along the Frank Road frontage.
4. All trees and landscaping, existing or new, shall be well maintained. Dead items shall be removed and replaced within six months or the next planting season, which ever occurs first.
5. All trees shall meet the following minimum size at the time of planting: shade trees, 2.5" caliper; ornamental trees, 1.5" caliper; and evergreen trees, 5' in height. Caliper shall be measured 6" above grade.

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

1. 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(s) shall be finished on all sides/elevations with the same level and quality of finish.
3. Auto maintenance and storage of parts shall be interior only.

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

Lighting

- All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
- All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' type to insure compatibility.
- Accent lighting shall be permitted provide such light source is concealed.
- Any wall-mounted lighting shall be shielded to prevent offsite spillage.
- Light poles in the parking lot shall not exceed 28 feet in height.
- Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.

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 and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. External paging or other forms of external amplification will be limited to normal business hours 9:00 am to 6:00 pm EST.

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.~~