



Legislation Text

File #: 2067-2013, **Version:** 2

Rezoning Application Z13-038

APPLICANT: Equity, Inc.; c/o Donald Plank, Atty.; Plank Law Firm; 145 East Rich St., 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on June 13, 2013.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is primarily undeveloped, and is zoned CPD, Commercial Planned Development, L-C-2, Limited Commercial, and R, Rural Districts. The requested CPD, Commercial Planned Development District will allow limited commercial development. The site is located within the boundaries of the *Broad-Blacklick Area Plan* (2011), which recommends "Employment Center", including office and light industrial uses, and retail as secondary uses. In order to address the Plan recommendations regarding retail uses, the CPD text specifies that a maximum of 25,000 square feet of C-4 District uses can only be developed to a depth of 360 feet along the frontage, with C-2 District uses, hotels, and fitness centers permitted on the balance of the site. The CPD text also contains commitments that address setbacks, sidewalks, access, tree preservation/buffering, building design commitments, and screening. Variances for parking-related provisions to allow parcel lines to divide parking lots/spaces/maneuvering, and a reduction in the required building setback line from 80 feet to 50 feet are also included in the request. Additional access to the site is proposed through a portion of a private street (Shadymere Lane) in the adjacent residential development to the east via Ord. No. 2068-2013(CV13-025), which is a signalized access point to East Broad Street. The proposed CPD, Commercial Planned Development District will allow commercial development which consistent with the development and zoning pattern in the area and the recommendations of the *Broad-Blacklick Area Plan*. The use restrictions, screening, setbacks and buffering for the southern part of the site will ensure compatibility with the adjacent dwellings, while the access provisions should help maintain the traffic flow along East Broad Street.

To rezone **6517 EAST BROAD STREET (43004)**, being 11.0± acres located at the southwest corner of East Broad Street and Brice Road, From: CPD, Commercial Planned Development, L-C-2, Limited Commercial, and R, Rural Districts, To: CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z13-038).

WHEREAS, application #Z13-038 is on file with the Department of Building and Zoning Services requesting rezoning of 11.0± acres from CPD, Commercial Planned Development, L-C-2, Limited Commercial, and R, Rural Districts; and

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

WHEREAS, the Far East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed CPD, Commercial Planned Development District will allow commercial development which consistent with the development and zoning

pattern in the area and the recommendations of the *Broad-Blacklick Area Plan*. The use restrictions, screening, setbacks and buffering for the southern part of the site will ensure compatibility with the adjacent dwellings, while the access provisions should help maintain the traffic flow along East Broad Street; 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:

6517 EAST BROAD STREET (43004), being 11.0± acres located at the southwest corner of East Broad Street and Brice Road, and being more particularly described as follows:

Sub-Area A, 9.887 +/- acres

Situated in the State of Ohio, County of Franklin, Township of Jefferson and being a part of Lot 18 of the Subdivision of Quarter Township 3, Township 1, Range 16, United States Military Lands and being that land conveyed to The Eastglen Exchange, LLC by Instrument Number 201210300164477 & 2012121700193615 Franklin County Recorder's records, being part of Franklin County Auditor's Parcels 170-000181-00, 170-000829-00 and 520-262365-00, also land conveyed to Eastglen Land L.L.C. by Instrument Number 201207160101175 Franklin County Recorder's records, being part of Franklin County Auditor's Parcel 010-121103-00 consisting of 9.887 acres more or less, more particularly described as follows:

Commencing for reference at a 1" X 1" square bolt found marking the southeasterly corner of the "Villas at Broadmere Condominium" as recorded in Condo Plat Book 109, Page 31, Franklin County Records on the northerly line of Lot 66 of "Brook Farm", as recorded in Plat Book 59, Page 69;

Thence westerly, North 86 degrees 01 minutes 30 seconds West a distance of 523.23 feet, along the southerly line of said "Villas at Broadmere Condominium", being the northerly line of said "Brook Farm" and the northerly line of "Brook Farm Section 2" as recorded in Plat Book 60, Page 28 to the southwesterly corner of said "Villas at Broadmere Condominium", ¾" I pipe found 0.59' North, said point being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence westerly, North 86 degrees 01 minutes 30 seconds West a distance of 419.20 feet, along the northerly line of Lots 128 thru 122 of said "Brook Farm Section 2" also being the northerly corporation line of the City of Reynoldsburg Ordinance #47-73 Rec. in M.R. 159, Pg. 393, to a ¾" Capped Iron Pipe found at the southeasterly corner of a 1.380 acre parcel conveyed to Eastglen Land, LLC by Instrument Number 201207160101175;

Thence westerly, North 85 degrees 58 minutes 56 seconds West a distance of 141.13 feet, along the northerly line of Lots 122 thru 120 of said "Brook Farm Section 2" also being the northerly corporation line of the City of Reynoldsburg Ordinance #47-73 Rec. in M.R. 159, Pg. 393, to a ¾" Capped Iron Pipe found at the southwesterly corner of a 1.380 acre parcel conveyed to Eastglen Land, LLC by Instrument Number 201207160101175;

Thence northerly, North 03 degrees 57 minutes 33 seconds East a distance of 319.56 feet along the easterly line of said parcel to a point;

Thence easterly, South 86 degrees 02 minutes 27 seconds East a distance of 11.67 feet to a Mag Nail found;

Thence northerly, North 03 degrees 57 minutes 33 seconds East a distance of 45.03 feet to a point;

Thence easterly, South 86 degrees 58 minutes 53 seconds East a distance of 25.00 feet to a point;

Thence northerly, North 03 degrees 57 minutes 33 seconds East a distance of 86.84 feet to a point;

Thence easterly, South 86 degrees 04 minutes 23 seconds East a distance of 104.22 feet to a point on the westerly line of a 8.467 acre parcel conveyed to Eastglen Exchange, LLC by Instrument Number 201210300164477;

Thence northerly, North 03 degrees 55 minutes 37 seconds East a distance of 338.86 feet, along said westerly line of said Eastglen Exchange, LLC parcel to the Southerly RW line of East Broad Street;

Thence easterly North 81 degrees 46 minutes 48 seconds East a distance of 527.27 feet, along said Southerly RW line of East Broad Street, to the northeast corner of a 0.501 acre parcel conveyed to Eastglen Exchange, LLC by Instrument Number 2012121700193615;

Thence southerly, South 02 degrees 44 minutes 56 seconds West a distance of 12.87 to a point;

Thence easterly, South 86 degrees 45 minutes 26 seconds East a distance of 7.04 feet to a point on the easterly line of said 0.501 acre Eastglen Exchange, LLC parcel;

Thence southerly, South 03 degrees 01 minutes 27 seconds West a distance of 198.59 feet along the easterly line of said parcel to a point at its southeast corner on the northerly line of said Villas at Broadmere Condominium;

Thence westerly, North 86 degrees 19 minutes 38 seconds West a distance of 109.76 feet along the southerly line of said Eastglen Exchange, LLC parcel and northerly line of said "Villas at Broadmere Condominium", to a point on easterly line of said 8.467 acre Eastglen Exchange, LLC parcel;

Thence southerly, South 03 degrees 40 minutes 22 seconds West a distance of 690.47 feet, along the easterly line of said Eastglen Exchange, LLC parcel, and the westerly line of said "Villas at Broadmere Condominium", to the POINT OF BEGINNING and containing 9.887 acres more or less.

Subject, however to all highways, easements and restrictions of record, if any.

This description was written on April 22, 2013 by Jim Broadway P.S. #6909 of the Mannik & Smith Group, Inc. from a survey of the premises.

Bearing used herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96) Said bearings originated from a field traverse which was tied to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the southerly R/W line of East Broad Street, having a bearing of North 81 degrees 46 minutes 48 seconds East and monumented as described herein, is designated the "basis of bearing" for this description.

To Rezone From: L-C-2, Limited Commercial, and R, Rural Districts

To: CPD, Commercial Planned Development District

Sub-Area B, 1.117 +/- acres

Legal Description

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Jefferson, Quarter Township 3, Township 1, Range 16, United States Military District, and being 1.117 acres out of an original 5.115 acre tract (PID 010-121103) conveyed to Eastglen Land LLC, by deed of record in Instrument Number 200408130189451, all records herein are from the Recorder's Office, Franklin County, Ohio, said 1.117 acre tract being more particularly described as follows:

BEGINNING, at a set iron pipe, at the southwest corner of Eastglen Professional Condominium First Amendment, as shown and delineated in Condominium Plat Book 143, Page 92, and being on the easterly line of Eastglen Professional Condominium as shown and delineated in Condominium Plat Book 121, Page 43;

Thence South 86 degrees 03' 13" East, a distance of 152.22 feet, along the southerly line of said Eastglen Professional Condominium First Amendment, to a set iron pipe;

Thence South 03 degrees 56' 47" West, a distance of 319.75 feet, over and across said Original 5.115 acre tract, to a set iron pipe on the northerly line of Lot 120, of Brook Farm Section 2, as shown and delineated in Plat Book 60, Page 28;

Thence North 85 degrees 57' 32" West, a distance of 152.22 feet, along the northerly line of said Brook Farm Section 2, passing a found 5/8 inch iron pin with no cap a distance of 36.24 feet, to a set iron pipe at the southeast corner of said Eastglen Professional Condominium, and the southwest corner of said Original 5.115 acre tract;

Thence North 03 degrees 56' 47" East, a distance of 319.50 feet, along the easterly line of said Eastglen Professional Condominium, to the POINT OF BEGINNING, containing 1.117 acres, more or less. Being subject to all easements, restrictions, and right-of-ways of record.

This description was based on an actual field survey by "Civil and Environmental Consultants, Inc." in September, 2008.

Bearings are based on North 37 degrees 10' 39" West, from a GPS survey of Franklin County Monuments "LIVINGSTON" and "HOWELL #2", Ohio State Plane Coordinate System, South Zone, NAD 83, 1986 Adjustment.

All iron pipes set are 1 inch in DIA, by 30 inches in length, with an I.D. cap bearing the name "CEC PROP. COR."

Parcel Number: 010-287951

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, "**EAST GLEN - SITE PLAN**," dated June 18, 2013, and text titled, "**DEVELOPMENT TEXT**," dated September 13, 2013, and signed by Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT

11.004 +/- acres

EXISTING DISTRICTS: CPD, Commercial Planned Development, L-C-2, Limited Commercial and R, Rural Districts

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 6517 East Broad Street, Columbus, OH 43004

OWNER: EG Medical West LLC, Eastglen Exchange LLC, Eastglen Land LLC c/o Donald Plank, Attorney, Plank Law Firm, LPA, 145 East Rich Street, FL 3, Columbus, OH 43215

APPLICANT: Equity, Inc. c/o Donald Plank, Attorney, Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215

DATE OF TEXT: September 13, 2013

APPLICATION NUMBER: Z13-038

INTRODUCTION:

The subject property ("Site") is 11.004 ± acres located on the south side of East Broad Street, abutting and west of Shadymere Lane (private street) and consists of five (5) tax parcels. Three (3) of the parcels are presently located in the City of Columbus and are zoned CPD and L-C-2. The other two (2) parcels (PID's: 170-000181, 170-000829) are being annexed from Jefferson Township and will be zoned R, Rural upon annexation. There are two (2) Sub-areas: Sub-area A (9.887 +/- acres) and Sub-Area B (1.117 +/- acres). Sub-Area A is proposed for commercial development. Sub-Area B is developed with an office building and is included in this rezoning to modify the east parking setback, thereby allowing connection of existing and anticipated parking areas to facilitate internal vehicular circulation. The site plan titled "East Glen - Site Plan", hereafter referred to as "Site Plan", dated 06-18-13, is submitted as the Sub-Area plan and site development plan for the site.

SUB-AREA A

1. PERMITTED USES: All uses permitted in Columbus City Code Chapter 3356, C-4, Commercial District except Automobile and Light Truck Dealers; Automobile Driving Training Facility; Automotive sales, including new or used car sales lot; Blood and Organ Banks; Community Food Pantry; Missions/Temporary Shelters; Motorcycle, Boat and Other Motor Vehicle Dealers; Outdoor Power Equipment Stores; Parking Lots, other than accessory parking, and Parking Garages; Pawn Brokers; Recreational Vehicle Dealers; Truck, Utility Trailer and RV (Recreational Vehicle) Sales, rental and leasing; Vending Machine Operators; Drive-In Motion Picture Theaters; Farm Equipment and Supply Stores; Animal Shelter; Amusement Arcade; Halfway House; Veterinarian with outside runs; Billboards and Off-premise Graphics, other than as permitted by the Graphics Commission, as further restricted by the following:

- A. Within 360 feet of the present north property line, as depicted on the Site Plan, there shall be a maximum of 25,000 square feet of C-4, Commercial uses.
- B. South of a point 360 feet south of the present north property line, as depicted on the Site Plan, permitted uses shall be all uses of the C-2, Commercial District, and fitness and/or hotel use(s).
- C. Accessory parking spaces located north and/or south of the point 360 feet south of the present north property line may be attributed to any on-site use regardless of the delineation of permitted use areas in A and B. and whether the parking spaces are located north or south of the 360 foot use delineation line.

2. DEVELOPMENT STANDARDS: The applicable development standards shall be as specified in Chapter 3356, C-4, Commercial District, Chapter 3312, Off-Street Parking and Loading, and Chapter 3321, General Site Development Standards, except as specifically set forth herein.

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

- 1. The East Broad Street building setback shall be a minimum of fifty (50) feet.
- 2. Storm detention shall be located generally as depicted on the Site Plan.

3. There shall be no required building or parking setback from any future internal property line created by subdividing the property. "Internal" property line means any property line other than the property line(s) that establish the present external perimeter boundary of the area being rezoned.

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

1. A single Right-In/Right Out curbcut shall be permitted on-site on the East Broad Street frontage.

2. Shadymere Lane is a private street in the abutting condominium development (Villas at Broadmere, PUD-8) to the east. Shadymere Lane intersects East Broad Street in approximate alignment with Brice Road, on the north side of East Broad Street. The East Broad Street/Brice Road/Shadymere Lane intersection is signalized. Applicant has submitted Council Variance application CV13-025, addressed as 6633 East Broad Street, to permit the north 212' +/- feet of Shadymere Lane (PUD-8) to be used for access to/from the commercial development and traffic signal for full signalized turning movements at East Broad Street and Shadymere Lane.

3. East Broad Street is designated as a 6-2D arterial on the Columbus Thoroughfare Plan, so 160 feet of right of way or 80 feet from centerline is required. 80 feet or more right of way south of centerline is presently dedicated. No additional right of way dedication is required in conjunction with this rezoning.

4. Applicant shall provide a minimum of two (2) internal vehicular connections to property to the west of the site. A vehicular connection shall mean driveway pavement extended to the west property line of applicant's site, which may be connected to adjacent property to the west if adjacent property to the west at the location of the proposed vehicular connection is owned or controlled by applicant. If the adjacent property to the west of the proposed vehicular connection is not owned or controlled by applicant and the property owner to the west refuses vehicular connection, applicant shall have no further responsibility to provide a connection other than to build an improved surface to the property line for future vehicular connection. Proposed vehicular access points are noted on the Site Plan, but the proposed locations for vehicular indicated are not specifically binding and are subject to change.

5. A public sidewalk with a minimum width of five (5) feet shall be provided along East Broad Street in the East Broad Street right of way.

6. The following specific road improvements shall be required:

a. At the intersection of East Broad Street and Brice Road, the following intersection improvements shall be the responsibility of the developer:

a.1. The northbound and southbound movements at this intersection shall be placed in a split phase operation.

a.2. The northbound lanes at this intersection shall consist of a northbound left turn lane and a northbound left-through-right lane and both lanes shall contain a storage length of 190 feet.

a.3. The southbound lanes at this intersection shall be maintained in the existing condition of a southbound left turn lane and a southbound through-right lane with the southbound right turn overlap phase retained.

a.4. The westbound left turn lane shall be lengthened to a length of 456 feet (includes taper).

b. At the proposed right-in/right-out access point to East Broad Street, an eastbound right turn lane with a length of 225 feet (includes taper) shall be provided by the developer.

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

1. A ten (10) foot wide landscaping strip shall be provided along the east property line, as depicted on the Site Plan. The property owner adjacent to the site's east property line, Villas at Broadmere Condominiums, has granted permission for landscaping to be placed in the west ten (10) feet of the Villas at Broadmere property, where adjacent to the east property line of Sub-Area A, thereby creating a twenty (20) foot wide landscaping strip in total, as depicted on the Site Plan. Buffering within the total 20' foot landscaping strip shall include a board on board fence (min. height 5'), generally located along the property line, and landscaping on both sides of the fence and may also include mounding.

2. A street tree row shall be established along East Broad Street. The street tree row shall require trees at the minimum rate of one (1) tree for every 50 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 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. A ten (10) foot wide landscaping strip shall be provided along the south property line, as depicted on the Site Plan. Buffering within the ten (10) foot landscaping strip shall include a one (1) foot tall mound (3:1 slope), a board on board fence (minimum of 6' and maximum of 8' tall), evergreen trees (15' OC) and a native grass seed mix on the south side of the board on board fence and on the mound. The mound and fence will be joined to the existing mound and fence located in Sub Area B with the understanding that the existing mound and fence located along the west 130' of Sub Area A will be reworked to accommodate the new storm water basin; a jog may be required in the overall continuous fence line; and the top of the new and remaining existing fences will be aligned as close as reasonably possible. The mound and board on board fence will be joined to the new board on board fence located on the adjacent property to the east. Developer will install the mound and fence within 30 working days after starting the storm detention basin earthwork, unless unreasonable weather, such as delays due to rain, delay completion.

4. Headlight screening shall be provided between the south line of the southern most pavement and the storm water detention area. This headlight screening shall comply with development standards contained in Section 3312.21(D.1), Landscaping and Screening.

5. Headlight screening shall be provided on Sub Area A parallel to the south property line of PID: 010-291317, 6511 E Broad Street, as depicted on the Site Plan. This headlight screening shall comply with development standards contained in Section 3312.21(D.1), Landscaping and Screening.

6. Evergreen trees shall be provided along the north side of the storm water detention area at approximately 50' on center, as depicted on the Site Plan.

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

1. Buildings directly fronting East Broad Street, meaning the buildings closest to East Broad Street only, shall be subject to the following building design standards:

a. The buildings shall have the same quality and level of finish on all four (4) exterior sides of the building(s), meaning a consistent level of detailing and finish on all four (4) sides, which is also known as "four-sided architecture".

b. They shall have a front elevation oriented to East Broad Street and have clearly demarcated entries facing East Broad Street.

c. Building surfaces over 20 feet high or over 50 feet in length shall be relieved with a change of wall plane or by other means that provide strong shadow and visual interest.

d. Building design shall incorporate patterns and materials that provide visual interest, which may be accomplished through the use of changes in color, materials, or relief, such as the inclusion of beltlines, pilasters, recesses and popouts (offsetting planes).

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

N/A

F. Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4 Commercial District. Any variance to the applicable requirements of the C-4 District shall be submitted to the Columbus Graphics Commission.

G. Modifications.

1.3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a property line, while total code required maneuvering area shall comply and applicable easements(s) shall be provided.

2. 3312.09, Aisle, to permit an aisle to be divided by a property line, while total code required aisle width shall comply and applicable easements(s) shall be provided.

3.3312.21(B), Landscaping and Screening, to permit 95' +/- of the 110' +/- property line adjacent to the north side of the Villas at Broadmere Condominiums Community Center, shown on the Site Plan, without parking lot screening. Applicant will be building a fence/gate on the Villas at Broadmere Condominium property per agreement with Villas at Broadmere, and to permit three (3) foot tall headlight screening in a ten (10) foot wide parking setback along and parallel to the east side of applicant's parking adjacent to Shadymere Lane instead of five (5) foot high, 75% opaque screening since even though Shadymere Lane is a private street in Villas at Broadmere Condominiums and zoned PUD-8, Shadymere Lane functions as a street for Villas at Broadmere Condominiums and will function as a street for vehicular access to applicant's commercial site.

4. 3312.29, Parking space, to permit parking spaces to be divided by a property line, while total code required dimensions of a parking space shall comply and applicable easements(s) shall be provided.

5. 3312.49, Minimum Number of Parking Spaces Required, which Section establishes various minimum and maximum numbers of parking spaces based on land use, while applicant may split the site into two (2) or more parcels in the future said parcels resulting from lot split(s) shall not be individually required to comply with code required off-street parking within each split parcel, but the sum of parking within Sub-Area A shall comply with total code required minimum parking for all uses within Sub-Area A. No separate parcel established within the overall site shall be subject to any applicable maximum parking standard, but Sub-Area A in total shall comply with maximum parking spaces based on the sum of the maximum permitted parking spaces for the sum of the uses within Sub-Area A.

6. 3356.11(A)(2), C-4 District Setback Lines, to permit a minimum 50' East Broad Street building setback line rather than 80' feet. All right of way required by the Columbus Thoroughfare Plan has previously been dedicated and the distance from centerline of E Broad Street to the north property line of the site is equal to or greater than 80 feet.

7. Subarea A will have three (3) different tax district designations consisting of district 010, 520 and the tax district to be assigned for the two (2) recently annexed parcels. Parcels in different tax districts can't be combined. For all zoning and site plan review purposes, the tax district lines within Sub-area A shall be disregarded in reviewing all proposed development of the property and any subdivision (lot splits) of the property.

H. Other CPD Requirements

1.Natural Environment: The natural environment of the site is flat.

2. Existing Land Use: Sub-Area A is undeveloped.

3. Circulation: Primary access to and from the site shall be via East Broad Street.
4. Visual Form of the Environment: East Broad Street is a five (5) lane arterial right of way heavily developed with commercial uses.
5. Visibility: The site is visible from East Broad Street.
6. Proposed Development: Commercial development.
7. Behavior Patterns: Vehicular access from East Broad Street, future internal circulation with adjacent commercial property to the west and vehicular access to East Broad Street via Shadymere Lane.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

I. Miscellaneous Commitments.

1. Development of the site shall be in accordance with the plan titled "East Glen - Site Plan", dated and signed 06-18-13 by Donald Plank, Attorney. The Site Plan 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 drawing shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. Parkland Dedication Ordinance (PDO) fees at the rate of \$400/acre shall be paid prior to approval of a Site Compliance Plan for the site.

SUB-AREA B (1.117 Acres)

1. **PERMITTED USES:** Those uses permitted in Chapter 3353 (C-2) Commercial District of the Columbus City Code.

2. **DEVELOPMENT STANDARDS:**

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

There shall be a 25' foot building and parking setback from the south property line.

B. Access, Loading, Parking and/or other Traffic related commitments.

Vehicular access to a public street shall be via adjacent property to the west, north and east by internal parking lot connections.

C. Buffering, Landscaping, Open space and/or Screening commitments.

Except for the installation of utilities and fencing the existing tree line within the 25 ft. setback from the south property line shall remain in its natural condition. Dead and diseased trees may however be removed from said setback area subject to sound forestry management practices. An existing six (6) foot board on board wooden fence and berm shall remain with the understanding that the eastern end of the fence and berm will be altered or reinstalled as needed within

the 25 foot setback at the same time as the construction of the Sub Area A south buffer fence (Sub Area A, Section C.3). Existing berms around the existing storm water basin that is partially located in Sub-Area B will be removed and reinstalled based on the new storm water basin plan.

D. Building design and/or Interior-Exterior treatment commitments.

1. Any building within 100 feet of the south property line shall be a maximum of one (1) story in height.
2. The maximum building height shall be 35 feet.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

N/A

F. Graphics and Signage commitments.

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-2, Commercial District, or any variance to those requirements will be submitted to the Columbus Graphics Commission.

G. Modifications.

N/A

H. Other CPD Requirements

- 1.Natural Environment: The natural environment of the site is flat.
2. Existing Land Use: Sub-Area B is developed with an office building and accessory parking.
3. Circulation: Access to and from the site shall be via adjacent commercial property to the west, north and east.
4. Visual Form of the Environment: The site is developed with a commercial use and abuts other commercial uses to the west, north and east (proposed). The property is located along an extensively developed corridor with many commercial uses.
- 5.Visibility: The site is visible from East Broad Street.
- 6.Proposed Development: Commercial development.
- 7.Behavior Patterns: Vehicular access from East Broad Street via adjacent commercial property to the west, north and east (proposed).
- 8.Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

I.Miscellaneous N/A

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.