



## Legislation Details (With Text)

**File #:** 0184-2008      **Version:** 2

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

**File created:** 1/23/2008      **In control:** Zoning Committee

**On agenda:** 3/3/2008      **Final action:** 3/6/2008

**Title:** To rezone 1330 WILSON ROAD (43204), being 2.1± acres located on the east side of Wilson Road, 330± feet north of Twin Creeks Drive, From: R, Rural District, To: L-C-2, Limited Commercial District and to declare an emergency. (Rezoning # Z07-038)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD # 0184-2008 Attachments.pdf, 2. ORD # 0184-2008 Mailing Labels.pdf, 3. ORD # 0184-2008 Data Form.pdf

Date	Ver.	Action By	Action	Result
3/6/2008	2	CITY CLERK	Attest	
3/4/2008	2	MAYOR	Signed	
3/3/2008	2	Zoning Committee	Approved as Amended	Pass
3/3/2008	2	COUNCIL PRESIDENT	Signed	
3/3/2008	1	Zoning Committee	Amended to Emergency	Pass
2/25/2008	1	Columbus City Council	Read for the First Time	
2/6/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
2/5/2008	1	Dev Drafter	Sent for Approval	
2/5/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
2/4/2008	1	Dev Zoning Reviewer	Reviewed and Approved	
2/4/2008	1	Dev Reviewer	Reviewed and Approved	
1/23/2008	1	Dev Drafter	Sent for Approval	

**Rezoning Application Z07-038**

**APPLICANT:** American Commerce Insurance Company; c/o Jackson B. Reynolds, III, Attorney; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** Office development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on October 11, 2007.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 2.1± acre site is undeveloped and zoned in the R, Rural District. The applicant is requesting the L-C-2, Limited Commercial District for office development. The limitation text commits to 50-foot building and 15-foot pavement setbacks from the north, east and south property lines adjacent to residential development. Additional development standards address street trees, headlight screening, a six (6) foot high fence in conjunction with landscaping adjacent to residential uses, and lighting controls. The request, with the specified development standards, is compatible with development in the area.

To rezone **1330 WILSON ROAD (43204)**, being 2.1± acres located on the east side of Wilson Road, 330± feet north of Twin Creeks Drive, **From:** R, Rural District, **To:** L-C-2, Limited Commercial District **and to declare an emergency.** (Rezoning # Z07-038)

**WHEREAS**, application #Z07-038 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.1± acres from R, Rural District to L-C-2, 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 due to start construction on a new building and the passage by emergency would allow the submittal of building plans for all pertinent permits as soon as possible without the 30 day wait under normal circumstances for the immediate preservation of the public peace, property, health and safety; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-C-2, Limited Commercial District would permit office development with appropriate development standards. The request is compatible with development in 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:

**1330 WILSON ROAD (43204)**, being 2.1± acres located on the east side of Wilson Road, 330± feet north of Twin Creeks Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, lying in Survey No. 875, Virginia Military District, being part of the 6.002 acre tract conveyed to American Commerce Insurance Company by deed of record in Instrument Number 200704200069577, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Wilson Road and Twin Creeks Drive;

Thence North 24° 08' 17" West, a distance of 487.01 feet, with the centerline of said Wilson Road, to a point;

Thence North 66° 18' 25" East, a distance of 45.00 feet, across said Wilson Road, to a point in the easterly right-of-way line thereof, at the common corner of said 6.002 acre tract, the 0.192 acre tract conveyed as Parcel 15-WD to Franklin County Commissioners by deed of record in Instrument Number 199803230066229, the 0.906 acre tract conveyed as Parcel 16-WD to Franklin County Commissioners by deed of record in Instrument Number 199802170034116, and Reserve "B" of "Darby Pointe", a subdivision of record in Plat Book 103, Page 64, the TRUE POINT OF BEGINNING;

Thence with the lines common to said 6.002 acre tract and said "Darby Pointe", the following courses and distances:

North 66° 18' 25" East, a distance of 665.00 feet, to a point;

South 23° 38' 04" East, a distance of 137.00 feet, to a point in the northerly line of the 20.500 acre tract conveyed as Parcel One to Cromwell Associates, LLC by deed of record in Instrument Number 199909010223897;

Thence South 66° 18' 25" West, a distance of 663.80 feet, with the line common to said 6.002 and 20.500 acre tracts, and across said 6.002 acre tract, to a point in said easterly right-of-way line;

Thence North 24° 08' 17" West, a distance of 137.00 feet, with said easterly right-of-way line, being the line common to said 6.002 and 0.192 acre tracts, to the TRUE POINT OF BEGINNING, containing 2.090 acres, more or less.

**To Rezone From:** R, Rural District,

**To:** L-C-2, Limited Commercial District.

**SECTION 2.** That a Height District of Sixty (60) feet is hereby established on the L-C-2, 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 plan titled "**SETBACK PLAN**" and text titled, "**LIMITATION TEXT**," both signed by Jackson B. Reynolds, III, attorney for the Applicant and dated February 1, 2008 and January 24, 2008, respectively, and the text reading as follows:

**LIMITATION TEXT**

**PROPOSED DISTRICT: L-C-2, Limited Office Commercial District**

**PROPERTY ADDRESS: 1330 Wilson Road**

**OWNER: American Commerce Insurance Company**

**APPLICANT: American Commerce Insurance Company**

**DATE OF TEXT: 1/24/08**

**APPLICATION NUMBER: Z07- 038**

- 1. INTRODUCTION:** The applicant wants to develop this site in conjunction with office buildings to the south as one building exists and another is proposed. The property was recently annexed to the City of Columbus and as such is zoned Rural and the proposed C-2, office district is appropriate for the property.
- 2. PERMITTED USES;** The following uses are permitted on the subject site: those uses in Section 3353.03, except banking and saving institutions, temporary help services, credit unions, libraries, public fire stations, child care centers, monopole telecommunication antennas.
- 3. DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3353, C-2, Office Commercial District of the Columbus City Code.

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

1. Parking/pavement setback along Wilson Road and the north and the east property line shall be fifteen feet and fifteen feet parking/pavement setback along the portion of the southern property line that abuts residentially zoned property.
2. The maximum building height shall be 60 feet.
3. The building setback along the north, east and south property lines which abuts the residentially zoned property shall be 50'.
4. The building setback along Wilson Road shall be 60' from right-of-way.

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

1. Access plans are to use a shared curbcut with the property to the south to serve the subject site, however should that access be eliminated the owners of the property may request a curbcut from the Transportation Division to provide access to the site.

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

1. Street trees shall be planted evenly spaced along Wilson Road at a ratio of one tree per thirty (30) feet of frontage.
2. Headlight screening in the form of landscaping or a wall, fence or earthen mound (36 inch minimum of installation) shall be installed along Wilson Road adjacent to any parking areas which are within 15 feet of that street.
3. A 6 foot high board-on-board fence or a shadow box fence shall be erected along the north, east and south property lines which abuts the residentially zoned property within the 15' parking setback. An existing tree row will be maintained where feasible within the 15' setback. Consideration shall be given when installing the fence to avoid unnecessarily removing trees. Fence shall be

generally located between the existing tree row (generally located along the property lines along the north and east side of the lot) and 15' parking/pavement setback line. Evergreen trees will be planted to fill in gaps in order to provide a buffer between the residential areas and the fence as shown on the subject setback plan.

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

5. All trees meet the following minimum size at the time of planting:

Shade trees 2 ½" caliper; Ornamental trees 1 ½" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

6. Lot coverage for building and paved areas (excluding sidewalks) shall not exceed 90%.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. 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.

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

1. Light poles shall not exceed 14 feet in height and shall have cutoff fixtures (downlighting) and shall be designed to prevent off-site light spillage.

2. The lighting plan shall be designed to allow for only 1 foot candle of offsite light at the property line of the site.

3. All external outdoor lighting poles and fixtures to be used shall be from the same or similar manufacturer type to insure compatibility.

4. Accent lighting shall be permitted providing such light source is concealed. Any wall-mounted lighting shall be shielded to prevent off-site spillage.

**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-2, Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

1. The developer shall install a sidewalk along the Wilson Road frontage or provide the City with the funds for the cost of installing the sidewalk if the City has a road improvement project planned for said street.

2. The Site shall be developed in accordance with the submitted setback site plan. The setback site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or 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 designee upon submission of the appropriate data regarding the proposed adjustment.

3. A parkland dedication fee of \$840.00 will be paid at the time of zoning compliance submittal.

**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.~~**