



Legislation Details (With Text)

File #: 0986-2003 **Version:** 1

Type: Ordinance **Status:** Defeated

File created: 5/12/2003 **In control:** Zoning Committee

On agenda: 11/19/2018 **Final action:** 11/19/2018

Title: To rezone 44 WILLIAMS ROAD (43207), being 0.404 acres located on the north side of Williams Road, 200± feet east of South High Street, From: R-2, Residential District, To: L-C-4, Limited Commercial District (Z02-035).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0986-2003staffrpt.pdf, 2. ORD0986-2003zonemap.pdf, 3. ORD0986-2003gismap.pdf, 4. ORD0986-2003DCnotes.pdf, 5. ORD0986-2003Disclosure.pdf

Date	Ver.	Action By	Action	Result
11/19/2018	1	Zoning Committee	Taken from the Table	Pass
11/19/2018	1	Zoning Committee	Defeated	Fail
9/9/2003	1	Council Reviewer	Sent to Clerk's Office for Council	
9/8/2003	1	Dev Zoning Drafter	Sent for Approval	
9/4/2003	1	Dev Zoning Drafter	Sent for Approval	
9/4/2003	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
7/30/2003	1	Dev Zoning Drafter	Sent for Approval	
7/30/2003	1	Dev Zoning Reviewer	Reviewed and Approved	
7/29/2003	1	City Clerk's Office	Sent back for Clarification/Correction	
5/12/2003	1	Dev Zoning Drafter	Sent for Approval	

APPLICANT: RF Venture I LLC; c/o Michael T. Shannon, Atty. and Laura MacGregor Comek, Atty.; 500 South Front Street, 12th Floor; Columbus, Ohio 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on August 8, 2002.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-C-4, Limited Commercial District would allow expansion of the adjacent auto sales business located to the west fronting South High Street. The limitation text includes use restrictions and development standards that address parking setbacks, buffering, landscaping, and lighting in consideration of adjacent and nearby residential uses.

To rezone **44 WILLIAMS ROAD (43207)**, being 0.404 acres located on the north side of Williams Road, 200± feet east of South High Street, From: R-2, Residential District, To: L-C-4, Limited Commercial District (Z02-035).

WHEREAS, application #Z02-035 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.404± acres from the R-2, Residential District to L-C-4, Limited Commercial 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 requested L-C-4, Limited Commercial District will allow expansion of the adjacent auto sales business located to the west fronting South High Street. The limitation text includes use restrictions and development standards that address parking setbacks, buffering, landscaping, and lighting in consideration of adjacent and nearby residential uses, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

DESCRIPTION OF 0.404 ACRE TRACT NORTH OF WILLIAMS ROAD, EAST OF HIGH STREET, SOUTH OF COLLINGWOOD ROAD

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Lot 77 of Home Acres Addition of record in Plat Book 16, Page 23, being 0.404 acres of the land conveyed to RF Venture I, LLC. as recorded in Instrument Number 199707180050052 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows:

Beginning for reference at an existing iron pin at the southwesterly corner of said Lot Number 77 on the northerly right of way of Williams Road;

Thence North 19°33'55" East 20.74 feet, along the westerly line of said Lot 77, to a point being the Point of Beginning;

Thence North 19°33'55" East 194.33 feet, along the westerly line of said Lot 77, to a point at the northwesterly corner of said Lot Number 77;

Thence South 85°44'15" East 68.24 feet, along the northerly line of said Lot Number 77, to a point;

Thence South 4°15'45" West 187.42 feet to a point;

Thence North 85°45'00" West 119.53 feet to the Point of Beginning, containing 0.404 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in May of 2002.

Bearings are based upon Home Acres Addition as recorded in Plat Book 16, Page 23 in the Franklin County Recorder's Office, the centerline of Williams Road bearing North 85°45'00" West and all other bearings based upon this meridian.

To Rezone From: R-2, Residential 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, "**LIMITATION TEXT, L-C-4 LIMITED COMMERCIAL DEVELOPMENT .579+ ACRES**," signed by Laura MacGregor Comek, Attorney, dated August 13, 2002 and said text and reading

as follows:

LIMITATION TEXT L-C-4, LIMITED COMMERCIAL DEVELOPMENT, .404+ ACRES

PROPOSED DISTRICT: L-C-4 Limited Commercial

EXISTING DISTRICT: R-2 Residential

PROPERTY ADDRESS: 44 Williams Road, Columbus, Ohio

OWNER/APPLICANT: RF Venture I, LLC c/o Michael T. Shannon, Esq.; Laura MacGregor Comek, Esq.; and Crabbe, Brown & James, LLP 500 South Front Street, Suite 1200, Columbus, OH 43215

DATE OF TEXT: August 13, 2002

APPLICATION NUMBER: Z02-035

The subject property ("Site") is located north of I-270, approximately 200 feet east of U.S. Route 23 on Columbus's south side. The Site is surrounded by a variety of zoning classifications, including: North - L-C-4, Burger King with drive-thru; East - R-4, single family residences; South - RRR, residential; and West - C-4, automobile sales.

The owner of this Site also owns the two parcels located immediately to the West (C-4). This rezoning is proposed in conjunction with a lot split whereby the Site would be divided into two parcels, the Eastern portion of which would remain R-2, residential. It is anticipated that the Western.404+ acres of the Site (portion to be rezoned L-C-4) would be developed consistent with the existing use for property located immediately to the West. Moreover, significant commitments and development standards are proposed herein to adequately define the Site and buffer surrounding properties.

1. PERMITTED USES:

All uses of the C-4, commercial district (§3355.02, CCC) except the following: armory, billboards, church, commercial radio transmitting, television station, appurtenances, dance hall, electric sub-station, monopole telecommunication antenna (free standing, ground mounted), plumbing shop, private club, pool room, poultry killing (killing or dressing for sale at retail on premises), skating rink, stable, tinsmith, funeral parlor, hotel, newspaper printing, fish market, testing or equipment laboratories, frozen food locker, ice house, motion picture theater, bowling alley, book bindery, job printing or millinery.

2. DEVELOPMENT STANDARDS:

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

1. A minimum setback of 25 feet shall be maintained where the Site abuts residential property. A minimum 10-foot landscaped parking setback shall be maintained along Williams Road. A 3-foot setback shall be maintained along the northern boundary of the Site.

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

Curb cuts and access points shall be designated and located to the specifications of the City of Columbus Transportation Division.

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

1. A staggered tree line, 15 feet on center, shall be maintained in the 25-foot setback, where the Site abuts residential property. A combination of deciduous and evergreen trees shall be planted to obtain maximum buffering. Evergreens shall be planted at a minimum 5-foot height at the time of planting.

2. Minimum size of all trees at installation shall be:

a. Shade/deciduous trees at 2½ inches caliper; and

b. Evergreen trees 5 feet in height;

3. Tree caliper is measured 6 inches from the ground.

4. Landscaping, in the form of a continuous 48-inch hedge, shall be provided within the 10-foot setback along Williams Road, and

curbed.

5. Street trees shall be planted along Williams Road, 30 feet on center.

6. All plantings and landscaping shall be well maintained. Dead items shall be replaced with like or similar material/type within 6 months or the next planting season, whichever occurs first.

7. The Applicant will install and maintain a 6-foot wooden board-on-board fence along the eastern boundary of the Site.

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

N/A

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

1. All external outdoor lighting shall be cut-off down style fixtures, designated in place to prevent off-site glare.

2. All external outdoor lighting features shall be from the same or similar manufacturer type/family to ensure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal and of the same color. Light poles in parking lots shall not exceed 14 feet in height.

4. Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

5. No intercom system shall be installed or located on Site.

F. Graphics and/or Signage Commitments.

All signage shall conform to Article 15, Title 33 of the Columbus City Code, as applied to the C-2 commercial district. Any variance from those requirements will be submitted to the City of Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

N/A

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.