



## Legislation Details (With Text)

**File #:** 1818-2016      **Version:** 1

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

**File created:** 6/28/2016      **In control:** Zoning Committee

**On agenda:** 7/18/2016      **Final action:** 7/21/2016

**Title:** To amend Ordinance No. 1705-97, passed July 14, 1997, for property located at 5500 TRABUE ROAD (43228), by repealing Section 3 and replacing it with new Section 3 thereby modifying the CPD text to remove unnecessary traffic-related commitments (Rezoning # Z97-027A).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1818-2016.Attachments

Date	Ver.	Action By	Action	Result
7/21/2016	1	CITY CLERK	Attest	
7/20/2016	1	MAYOR	Signed	
7/18/2016	1	COUNCIL PRESIDENT	Signed	
7/18/2016	1	Zoning Committee	Approved	Pass
7/11/2016	1	Columbus City Council	Read for the First Time	

### Rezoning Amendment Z97-027A

Ordinance No. 1705-97, passed July 14, 1997, rezoned 6.48± acres from the R-1, Residential District to the CPD, Commercial Planned Development District. That legislation permits commercial development having specific development standards in accordance with a registered site plan and development text that included specific traffic-related commitments. This legislation will amend Ordinance No. 1705-97 by modifying the CPD text to remove right-of-way dedication, traffic signal, and site access provisions that the Department of Public Service Division of Traffic Management deems no longer necessary. This amendment does not alter any other requirements established by Ordinance No. 1705-97.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance No. 1705-97, passed July 14, 1997, for property located at **5500 TRABUE ROAD (43228)**, by repealing Section 3 and replacing it with new Section 3 thereby modifying the CPD text to remove unnecessary traffic-related commitments (Rezoning # Z97-027A).

**WHEREAS**, Ordinance No. 1705-97, passed July 14, 1997, rezoned 6.48± acres located at **5500 TRABUE ROAD (43228)** from the R-1, Residential District to the CPD, Commercial Planned Development District; and

**WHEREAS**, that rezoning established specific development standards addressing right-of-way dedication, traffic signal requirements, and site access; and

**WHEREAS**, it is necessary to amend Ordinance No. 1705-97, passed July 14, 1997, to remove traffic-related provisions that the Department of Public Service Division of Traffic Management deems no longer necessary; and

**WHEREAS**, all other aspects of the CPD text and site plan contained in Ordinance No. 1705-97 are unaffected by this amendment and remain in effect; and

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

**SECTION 1.** That Section 3 of Ordinance No. 1705-97, passed July 14, 1997 (Z97-027), be hereby repealed and replaced with new Section 3 reading as follows:

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and he is hereby authorized and directed to make the said changes 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 EXHIBIT**,” signed by Jeffrey L. Brown, dated May 22, 1997; and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT**” signed by Jill Tangeman, Attorney for the Applicant, and dated May 2, 2016, and reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICTS: CPD

PROPERTY ADDRESS: 5500 Trabue Road

**PARCEL NO.: 560-1154598**

OWNER: ~~Elizabeth F. Hunt and Mary L. Flickinger~~ **Magna National Ventures LLC**

APPLICANT: ~~Leslie Development Company~~ **Preferred Real Estate Investments II LLC**

DATE OF TEXT: ~~5/28/97~~ **5/2/2016**

APPLICATION NUMBER: Z97-027A

1. **INTRODUCTION:** The subject property is on the south side of Renner Road east of Hilliard Rome Road. This area is populated by commercial uses which serve both the local residential population as well as the motorist using I-70.

2. **PERMITTED USES:** The following uses shall be permitted: Those uses permitted in Sections ~~3355.02~~ **3356.03** C-4 Commercial and 3357.01 C-5 Commercial of the Columbus City Code with the following exceptions:

- a. Armory
- b. New or used car lot except in connection with a new automobile salesroom
- c. Adult bookstore, adult motion picture theater or adults only entertainment establishment
- d. Poultry killing (not to exclude a poultry shop where killing is not performed on site)
- e. Stable
- f. Tinsmith

3. **DEVELOPMENT STANDARDS:** Except as otherwise noted above and herein, the applicable development standards of Chapter ~~3355~~ **3356**, C-4, Commercial District shall apply to the property.

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

1. Canopy setback shall be twenty-five (25) feet from both Renner and Trabue Roads.

2. If a public street is installed along either the west or east side of the subject property, then the building,

parking, and maneuvering setback from that street shall be zero. On the side that does not have the public street/driveway the building setback shall be twenty-five (25) feet.

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

~~1. The developer shall install along the east side of the subject property a public street to the halfway point on its property between Renner and Trabue Roads and dedicate the balance of the required right-of-way to Trabue Road to the City. When justified the City shall install at its cost a traffic signal at Renner Road for this new street. The width of the right-of-way for the proposed public street along the east side of the site is sixty (60) feet with a thirty-two (32) foot pavement. The developer shall widen the north side of Old Trabue Road along his subject property to create a pavement width of eleven (11) feet from centerline.~~

~~2. The developer shall be permitted one right-in-right-out curbcut on Renner Road designed to the City of Columbus specifications in the area shown in the submitted TIS study prepared by Barton Aschman Associates, Inc.~~

~~3. Additional traffic access may be permitted by the Division of Traffic Engineering. The above listed traffic improvements are the only required improvements for this zoning case.~~

~~4. At the time of development, the property owner shall dedicate to the City of Columbus at no cost, fifty (50) feet from the centerline of Renner Road and thirty (30) feet from the centerline of Trabue Road as additional right-of-way.~~

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

1. Any surface parking lot adjacent to Renner Road or Trabue Road shall be screened from its right-of-way with a minimum 3' high continuous planting hedge, fence, wall or earth mound, individually or in any combination thereof.

2. A street tree row shall be established along Renner Road and Trabue Road containing a minimum of one tree for every 40' of road frontage. Such trees shall be located within the parking setback area unless the City of Columbus approves planting these trees within the right-of-way.

3. All loading docks shall be screened from view from adjacent public streets to a height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination thereof.

4. Minimum size of all trees at installation shall be 2" caliper for deciduous, 4 to 6' high for evergreen and 1" caliper for ornamental.

5. Along the east and west property lines of the subject site, the following screening shall be required: a five foot strip landscaped with a six foot wooden fence on the developer's side of the property and five foot evergreens twenty (20) feet on center along the residential side of the landscaped strip. Along the west property line the evergreen trees shall run the length of the property line twenty (20) feet on center; along the east property line the evergreen trees shall run for a length of one hundred fifty (150) from Trabue Road (Columbus Gas Transmission facility is the east side neighbor).

6. The landscaping required in this section shall count toward satisfying the landscaping requirements contained in Chapter 3342 **3312** of the Columbus City Code.

7. All landscape materials shall be maintained in a healthy fashion and dead materials shall be timely removed and replaced with landscape materials matching the size requirements contained in this text.

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

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

1. All external lighting shall be cutoff type fixtures (down-lighting), and shall provide no light spillage to off-site parcels. However, buildings and landscaping may be uplit or down lit provided that landscaping lighting does not spill over into the public right-of-way.

2. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence.

3. All light poles and standards shall be dark brown, bronze, black or dark green in color and shall be constructed of metal. Parking lot lighting shall be no higher than twenty-eight (28) feet except for those poles within 100 feet of the east and west property lines which shall have a maximum height of eighteen (18) feet. The eighteen (18) feet height restriction will not apply if the respective adjacent property is no longer zoned residential.

F. Graphics and Signage commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District classification. Any variance to those standards shall be submitted to the Columbus Graphics Commission.

2. No signs shall be painted directly on the surface of any building, wall, or fence. No wall murals shall be allowed.

3. No flashing, traveling, animated or intermittently illuminated signs shall be used.

**NATURAL ENVIRONMENT:** The property is located on the south side of Renner Road east of St. James Lutheran Lane and is undeveloped except for one single family house.

**EXISTING LAND USES:** Current zoning of the subject site is R-1. To the north across Renner Road is a large commercial development containing both a Walmart and a movie theater zoned CPD; to the east is a gas utility facility and multi-family development zoned R-1 and ARLD; to the south across Trabue Road are a motel, single family house, undeveloped ground and a COTA park and ride zoned L-C4, R-1, and C-4; to the west are two single family houses zoned R-1.

**TRANSPORTATION AND CIRCULATION:** Subject site would have access to both Renner and Trabue Roads. See additional traffic notes under item 3B of said text.

**VIEW AND VISIBILITY:** In the development of the subject property and in the location of the buildings and access points, consideration will be given to the visibility and safety of the motorist and pedestrian.

**EMISSIONS:** No adverse effect from emissions shall result from the proposed development.

**BEHAVIOR PATTERNS:** The proposed development will service the growing residential and commercial demand along Renner Road and Hilliard-Rome Road corridor.

**OUTDOOR DISPLAY:** The outside display areas for a convenient/store/gas facility shall be limited to the following locations.

A. A front of the building along the sidewalk, four (4) feet in depth and twelve (12) feet in width.

B. At the end of the pump island.

C. The maximum height for any outside storage area shall be three (3) feet.

Exterior propane storage enclosure may be located within the areas identified above for outdoor display or may

be located elsewhere on the site. The outdoor display are shall contain only those items normally and customarily sold by convenience store and other seasonal items and products, including but not limited to, fire wood, mulch, flowers, Christmas wreaths.

**SECTION 2.** That existing Section 3 of Ordinance No. 1705-97, passed July 14, 1997 (Z97-027), be and is hereby repealed.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.