



Legislation Details (With Text)

File #: 1843-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/22/2018 **In control:** Zoning Committee

On agenda: 7/16/2018 **Final action:** 7/18/2018

Title: To rezone 1296 MORSE ROAD (43229), being 1.22± acres located on the north side of Morse Road, 700± feet east of Maize Road, From: C-4, Limited Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z18-028).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1843-2018.Attachments, 2. ORD1843-2018.Labels

Date	Ver.	Action By	Action	Result
7/18/2018	1	CITY CLERK	Attest	
7/17/2018	1	MAYOR	Signed	
7/16/2018	1	COUNCIL PRESIDENT	Signed	
7/16/2018	1	Zoning Committee	Approved	Pass
7/9/2018	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z18-028

APPLICANT: Moo Moo Car Wash; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Car wash.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June14, 2018.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped in the C-4, Commercial District. The applicant is requesting the CPD, Commercial Planned Development District to permit an automatic car wash and C-4 uses. The development text commits to a site plan, landscaping plan, and elevations and includes development standards addressing landscaping, building design, and graphics provisions. Variances to maneuvering, parking space size, stacking area, parking setback lines, and dumpster area are included in this request. The site is subject to the Morse Road Regional Commercial Overlay and is located within the boundaries of the *Northland I Area Plan* (2014), which recommends "Community Commercial" uses at this location. The Plan also recommends that all areas of a development should be landscaped in context to its surroundings and street trees should be planted where space allows. Staff supports this request noting that the proposal is consistent with the land use and landscaping recommendations of the area plan and with the development pattern of the area.

To rezone **1296 MORSE ROAD (43229)**, being 1.22± acres located on the north side of Morse Road, 700± feet east of Maize Road, **From:** C-4, Limited Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning

Z18-028).

WHEREAS, application # Z18-028 is on file with the Department of Building and Zoning Services requesting rezoning of 1.22± acres from C-4, Commercial District, to CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District will allow a car wash that is compatible with the zoning and development standards of adjacent commercial developments; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1296 MORSE ROAD (43229), being 1.22± acres located on the north side of Morse Road, 700± feet east of Maize Road, and being more particularly described as follows:

Being 1.221 acres of land in Reserve 'E' of Woodward Park No. 3, as the same is designated and delineated upon the recorded plat thereof, or record in Plat Book 36, Pages 96 and 97, Recorder's office, Franklin County, Ohio, said 1.221 acre tract being more particularly described as follows:

Beginning at a point in the northerly line of Morse Road and in the southerly line of said Reserve 'E', said point bearing N 88° 06' 45" W, a distance of 175.00 feet from the southeasterly corner of said Reserve 'E', and being the southwesterly corner of the 0.517 acre tract of land conveyed to Howard S. Adams, Trustee, be deed of record in Deed Book 2638, Page 29, Recorder's office, Franklin County, Ohio; thence N 88° 06' 45" west, with the southerly line of said Reserve 'E', the northerly line of said Morse Road, a distance of 364.59 feet to a point; thence N 1° 53' 15" east, at right angle to the previous course, crossing said Reserve 'E', a distance of 180.98 feet to a point in the northerly line of said Reserve 'E', the southerly line of Fenceway Drive (50 feet in width)' thence with the northerly line of said Reserve 'E', the southerly line of said Fenceway Drive and with a curve to the left having a radius of 327.41 feet, the chord of which bears S 73° 21' 21" east, a chord distance of 162.92 feet to the point of tangency; thence S 88° 06' 45" east, continuing with the northerly line of said Fenceway Drive and with a curve to the left having a radius of 870.74 feet, the chord of which bears south 89° 38' 55" east, a chord distance of 46.80 feet to a point said point being the northwest corner of said .517 acre tract conveyed to Howard S. Adams, Trustee, as aforesaid; thence S 1° 53' 15" west, along the westerly line of said .517 acre tract, a distance of 141.25 feet to the point of beginning and containing 1.221 acres of land,, more or less, and

PID: 010-123466

To Rezone From: C-4, Commercial 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 plans being titled, "**MOO MOO EXPRESS CAR WASH, 1296 MORSE ROAD, REZONING SITE PLAN,**" "**MOO MOO EXPRESS CAR WASH, 1296 MORSE ROAD, LANDSCAPE PLAN,**" "**MOO MOO EXPRESS CAR WASH, 1296 MORSE ROAD,**

EXTERIOR ELEVATIONS A2-1,” and “MOO MOO EXPRESS CAR WASH, 1296 MORSE ROAD, EXTERIOR ELEVATIONS A2-2,” and text titled, “COMMERCIAL PLANNED DEVELOPMENT TEXT,” all dated June 18, 2018, and signed by Dave Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

1.22 +/- ACRES

EXISTING ZONING: C-4, Commercial District

PROPOSED ZONING: CPD, Commercial Planned Development

PROPERTY ADDRESS: 1296 Morse Road, Columbus, OH 43229

APPLICANT: Moo Car Express Car Wash LLC c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215.

PROPERTY OWNER: Reese & Company, LLC, et. al., c/o Alicia E. Zambelli, Attorney, Issac Wiles, 2 Miranova Place, Suite 700, Columbus, OH 43215-5098.

DATE OF TEXT: June 18, 2018

APPLICATION NUMBER: Z18-028

1.INTRODUCTION: The 1.22 +/- acre site is located on the north side of Morse Road, 175 +/- feet west of Altmont Drive. The site is zoned C-4, Commercial and is presently undeveloped due to the recent demolition of a restaurant. Applicant proposes to rezone the site to CPD to permit a single bay automatic car wash and C-4 uses, as presently permitted. The plans titled “Moo Moo Express Car Wash, 1296 Morse Road, Rezoning Site Plan”, Sheet 1 of 4, “Moo Moo Express Car Wash, 1296 Morse Road, Landscape Plan”, Sheet 2 of 4, “Moo Moo Express Car Wash, 1296 Morse Road, Exterior Elevations A2-1”, Sheet 3 of 4, and “Moo Moo Express Car Wash, 1296 Morse Road, Exterior Elevations A2-2”, Sheet 4 of 4, all dated June 18, 2018, hereinafter “Site Plan”, “Landscaping Plan” and “Exterior Elevations”, are submitted as the site, landscaping and exterior elevation plans for the automatic car wash. The Northland I Area Plan (2014) recommends Community Commercial uses for the site. The site is a Community Commercial use and a car wash is appropriate for Morse Road as a regional arterial. The property is also in the Morse Road Regional Commercial Overlay (RCO).

2. PERMITTED USES: All uses of Chapter 3356, C-4, Commercial District, as presently permitted, and an automatic car wash, as depicted on the Site Plan, Landscaping Plan and Exterior Elevations, and as regulated herein.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, which shall only be applicable for the proposed car wash, or in this written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

Use of the site as an automatic car wash shall be as depicted on the submitted Site Plan, Landscaping Plan and Exterior Elevations. Development standards of the Zoning Code shall apply to use of the property for uses of the C-4 District.

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

Development of the site with a car wash shall be as depicted on the submitted Site Plan, Landscaping Plan and Exterior Elevations. Development standards of the Zoning Code shall apply to use of the property for uses of the C-4 District.

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

1). Required landscaping for the car wash shall be as depicted on the Landscaping Plan.

2). There is an existing 6’ wood fence parallel to the north property line, along Fenceway Drive. The fence shall be

repaired/maintained as needed to maintain 75% minimum opacity, or the fence, in whole or in part, may be replaced with a new six (6) foot tall wood fence to provide minimum 75% opacity screening.

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

The Exterior Elevations shall be the required building elevations for a car wash. Exterior building materials include cultured stone, hardie-plank board and batten siding and asphalt shingles.

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

The maximum height of parking lot lighting shall be 20', except within the north 50 feet of the site, where the maximum height of parking lot lighting shall be 15'.

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 applies to the C-4, Commercial District and the Morse Road Regional Commercial Overlay. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

G). Other CPD Requirements.

1. Natural Environment: The site is located on the north side of Morse Road, 175 +/- feet west of Altmont Drive. Morse Road is an intense arterial corridor developed with a wide variety of commercial uses.
2. Existing Land Use: A restaurant building was recently razed. The site is presently vacant. Sites in all directions are developed.
3. Circulation: Vehicular access will be from the existing full-turning movement curbcut on Morse Road and a vehicular access easement on the adjacent property to the west.
4. Visual Form of the Environment: The Morse Road corridor is an arterial right of way extensively developed with commercial uses.
5. Visibility: Morse Road is an arterial right of way. The site will be visible from Morse Road.
6. Proposed Development: Automatic car wash.
7. Behavior Patterns: For a car wash, as depicted on the Site Plan, vehicular access shall be via a full-turning movement curbcut on Morse Road and a vehicular access easement on the adjacent property to the west.
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.

H). Modification of Code Standards.

The following code modifications apply to existing site conditions and shall apply to any use of the site.

1. Section 3312.25, Maneuvering, to permit eight (8) existing parking spaces along and divided by the west property line, located partially on-site and partially on the parcel to the west, by reducing maneuvering area from 20' to zero (0) feet, subject to an easement (existing) for maneuvering.
2. Section 3312.29, Parking Space, to reduce dimensions of existing parking spaces along the west property line that are divided by the west property line from 9' x 18' to approximately 9'x13' on-site and 9'x5' off-site, subject to an easement

(existing) to provide for code compliant space dimensions.

The following code modifications apply only to use/development of the site as a car wash. It is the intention of the Site Plan, Landscaping Plan and Elevation Plan and these modifications to permit an automatic car wash, as depicted on the submitted plans.

3. Section 3312.11, Drive-up Stacking Area, to not provide an exclusive by-pass lane for the car wash.
4. Section 3312.27, Parking Setback Line, to reduce the parking setback from ten (10) feet to eight (8) feet along Fenceway Drive.
5. Section 3321.01, Dumpster Area, to permit access to the dumpster for private refuse service to not be exclusive, thereby sharing part of the exit area from the car wash tunnel for dumpster access, as depicted on the Site Plan, when the car wash is closed.
6. Section 3372.804(B), Setback Requirements, to reduce the parking setback from ten (10) feet to eight (8) feet along Fenceway Drive.

I.) Miscellaneous commitments.

Development of the site with an automatic car wash shall be in accordance with the following plans: “Moo Moo Express Car Wash, 1296 Morse Road, Rezoning Site Plan”, Sheet 1 of 4, “Moo Moo Express Car Wash, 1296 Morse Road, Landscape Plan”, Sheet 2 of 4, “Exterior Elevations A2-1, Moo Moo Express Car Wash, 1296 Morse Road”, Sheet 3 of 4, and “Exterior Elevations A2-2, Moo Moo Express Car Wash, 1296 Morse Road”, Sheet 4 of 4, all dated June 18, 2018, Site Plan, all dated and signed June 18, 2018 by David B. Perry, Agent for Applicant, Donald Plank, Attorney for Applicant and Alicia E. Zambelli, Attorney for Property Owner. These plans are not applicable to any use of the property other than an automatic car wash. These plans 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 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.

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