



## Legislation Details (With Text)

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

**File created:** 6/28/2018      **In control:** Zoning Committee

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

**Title:** To rezone 5980 NORTH HAMILTON ROAD (43081), being 38.49± acres located at the southeast corner of North Hamilton Road and State Route 161, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z18-008) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1931-2018\_Attachments, 2. ORD1931-2018\_Labels

Date	Ver.	Action By	Action	Result
7/18/2018	2	CITY CLERK	Attest	
7/17/2018	2	MAYOR	Signed	
7/16/2018	2	COUNCIL PRESIDENT	Signed	
7/16/2018	1	Zoning Committee	Amended as submitted to the Clerk	Pass
7/16/2018	1	Zoning Committee	Amended to Emergency	Pass
7/16/2018	1	Zoning Committee	Approved as Amended	Pass
7/9/2018	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z18-008

**APPLICANT:** Hamilton Crossing LLC; c/o Charlie Fraas, Agent; 250 Civic Center Drive, Suite 500; Columbus, OH 43215.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 10, 2018.

**CITY DEPARTMENTS' RECOMMENDATION:** The site is currently undeveloped and zoned in the CPD, Commercial Planned Development District (portions of Subarea 6 in Z05-054, portions of Subarea G-1 in Z16-038, and portions of Subarea G-2 in Z16-039). The existing CPD districts were approved without a specific use or user being known or identified, and the applicant desires to consolidate the entire subject site into one subarea as a result of property to the north being consolidated into a new subarea for medical facility uses. The proposed CPD district retains permitted uses and clarifies development standards on the subject property. The subject site will be known as Subarea J. The CPD text allows uses permitted in the C-4, Commercial District with several exceptions, and includes provisions for height limits, setback requirements, and development standards that provide compatibility and continuity with adjacent properties. The CPD Plan depicts setbacks and site access, and fence details are included. Variances for reduced setbacks, to allow parking lots to be divided by parcel lines, for increased light pole height, and for sign base requirements are included in the request. The site is located within the boundaries of the *Northland Plan, Volume II* (2002), which

recommends mixed-use development for this location. The permitted uses of this CPD are consistent with this recommendation, and the provisions of the CPD text will ensure that future development is compatible with adjacent properties.

To rezone **5980 NORTH HAMILTON ROAD (43081)**, being 38.49± acres located at the southeast corner of North Hamilton Road and State Route 161, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z18-008) **and to declare an emergency.**

**WHEREAS**, application No. Z18-008 is on file with the Department of Building and Zoning Services requesting rezoning of 38.49± acres from CPD, Commercial Planned Development 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, is consistent with the land use recommendations of the *Northland Plan, Volume II*, for mixed-use development. The requested CPD, Commercial Planned Development District updates development standards in order to provide a uniform development within this newly-defined subarea while remaining consistent with nearby properties that were recently or are being rezoned;

**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:

**5980 NORTH HAMILTON ROAD (43081)**, being 38.49± acres located at the southeast corner of North Hamilton Road and State Route 161, and being more particularly described as follows:

**ZONING DESCRIPTION  
38.49 ACRES**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being all of those 7.483 acre, 1.496 acre and 0.151 acre tracts conveyed to HC Office Sub 6 LLC by deed of record in 201802160022858, all of the remainder of those 26.195 acre and 25.832 acre tracts conveyed to Hamilton Crossing LLC by deeds of record in Instrument Numbers 201510300154503 and 201602110017560, and part of that 12.097 acre tract conveyed to Target Corporation by deed of record in Instrument Number 200711130195580, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (formerly State Route 161) with Hamilton Road, as depicted on State of Ohio Department of Transportation Plan FRA-161-16.75/LIC-161-0.00, being in the southerly line of that 6.851 acre tract conveyed as Parcel 102-WD to the State of Ohio by deed of record in Instrument Number 199905240130003;

Thence North 02° 48' 55" West, with the centerline of said Hamilton Road, a distance of 327.06 feet to a point of curvature;

Thence continuing with said centerline, with the arc of a curve to the left, having a central angle of 07° 09' 20", a radius of 2864.79 feet, an arc length of 357.77 feet, a chord bearing of North 06° 23' 35" West and chord distance of 357.54 feet to a point;

Thence North 80° 01' 45" East, across said Hamilton Road, a distance of 105.23 feet to a point in the easterly right-of-way line of said Hamilton Road, the easterly line of that 6.851 acre tract conveyed as Parcel No. 102-WD to State of Ohio by deed of record in Instrument Number 199905240130003, being a common corner of said 12.097 and 26.195 acre tracts;

Thence North 12° 10' 08" West, with said easterly right-of-way, a distance of 221.84 feet to a point at a southeasterly corner of that 32.168 acre tract conveyed as Parcel 102-WL to State of Ohio by deed of record in Instrument Number 199905240130003, being the southerly terminus of the southerly limited access right-of-way line of State Route 161 (Relocated);

Thence with said southerly limited access right-of-way line, the line common to said 26.195 and 32.168 acre tracts, the following courses and distances:

North 15° 25' 07" West, a distance of 521.88 feet to a point;

North 47° 10' 55" East, a distance of 499.66 feet to a point; and

North 34° 52' 30" East, a distance of 44.65 feet to the northeasterly corner of that 15.646 acre tract conveyed to HC Office Sub 6 LLC by deed of record in Instrument Number 201802160022858;

Thence South 06° 54' 39" East, with the line common to the remainder of said 26.195 acre tract and said 15.646 acre tract, a distance of 662.28 feet to a point;

Thence North 83° 05' 21" East, with the northerly line of the remainder of said 26.195 acre tract, the northerly line of said 1.496 acre tract, the southerly line of said 15.646 acre tract, and across said 12.097 and 7.483 acre tracts, a distance of 1115.64 feet to a point in the westerly line of the remainder of that 102.657 acre tract conveyed to Stephen L. Harper, Trustee, by deed of record in Instrument Number 200404290096691;

Thence with the easterly line of said 12.097, 7.483 and 25.932 acre tracts, the westerly line of the remainder of said 102.657 acre tract, the following courses and distances:

South 06° 54' 39" East, a distance of 135.50 feet to a point of curvature;

with the arc of a curve to the right, having a central angle of 38° 06' 52", a radius of 101.00 feet, an arc length of 67.19 feet, a chord bearing of South 12° 08' 47" West and chord distance of 65.96 feet to a point of reverse curvature;

with the arc of a curve to the left, having a central angle of 38° 06' 52", a radius of 199.00 feet, an arc length of 132.38 feet, a chord bearing of South 12° 08' 47" West and chord distance of 129.95 feet to a point of tangency;

South 06° 54' 39" East, a distance of 553.88 feet to a point;

South 83° 05' 21" West, a distance of 345.10 feet to a point on the arc of a curve;

with the arc of a curve to the right, having a central angle of 30° 44' 03", a radius of 251.00 feet, an arc length of 134.64 feet, a chord bearing of South 10° 04' 01" West and chord distance of 133.03 feet to a point of reverse curvature;

with the arc of a curve to the left, having a central angle of 32° 20' 42", a radius of 199.00 feet, an arc length of 112.34 feet, a chord bearing of South 09° 15' 42" West and chord distance of 110.85 feet to a point of tangency; and

South 06° 54' 39" East, a distance of 57.83 feet to a point in the centerline of said Dublin-Granville Road;

Thence with said centerline, the southerly line of said 25.832 acre tract, the following courses and distances:

South 83° 05' 21" West, a distance of 53.81 feet to a point; and

South 87° 12' 08" West, a distance of 629.36 feet to a point at the common corner of said 25.832 and 6.851 acre tracts;

Thence North 02° 48' 55" West, across the right-of-way of said Dublin-Granville Road, a distance of 30.00 feet to a point at the intersection of the northerly right-of-way line thereof with the easterly right-of-way line of said Hamilton Road;

Thence with said easterly right-of-way line, the line common to said 25.832 and 6.851 acre tracts, the following courses and distances:

North 73° 41' 36" West, a distance of 79.38 feet to a point;

North 81° 30' 19" West, a distance of 219.26 feet to a point;

North 05° 49' 33" West, a distance of 407.58 feet to a point; and

North 12° 10' 08" West, a distance of 193.69 feet to the TRUE POINT OF BEGINNING, containing 38.49 acres, more or less.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of sixty (60) 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, "**EXHIBIT A - CPD PLAN; HAMILTON QUARTER - SUBAREA J,**" "**EXHIBIT B,**" and "**EXHIBIT C,**" and text titled, "**DEVELOPMENT TEXT,**" all signed by Charles Fraas, Agent for the Applicant, and dated June 18, 2018, and the text reading as follows:

### **DEVELOPMENT TEXT**

PROPOSED DISTRICT: CPD  
PROPERTY ADDRESS: 5980 N. Hamilton Road  
OWNER: Hamilton Crossing LLC; Target Corp.  
APPLICANT: Hamilton Crossing LLC  
DATE OF TEXT: June 18, 2018  
APPLICATION NUMBER: Z18-008

**INTRODUCTION:** The purpose of this rezoning is to update the development standards that apply to certain real property that is located to the southeast of the State Route 161/Hamilton Road interchange to ensure that they are consistent with the standards for nearby property that was recently rezoned in Zoning Case Numbers Z16-038 and Z16-039. This rezoning does not propose any changes in permitted uses on the subject property.

The real property that is the subject of this text is 38.49+/- acres in size. It will consist of one subarea, generally described as follows: 38.49+/- acres located to the east of and adjacent to Hamilton Road, to the north of and adjacent to East Dublin-Granville Road, and to the south of contiguous land which is subject to a separate rezoning request (to be referred to herein as the "Adjacent Property"). Prior to the effective date of the approval of this rezoning the property was part of Subarea 6 as identified in Zoning Case No. Z05-054, Subarea G1 as identified in Zoning Case No. Z16-038, and Subarea G2 as identified in Zoning Case No. Z16-039. Upon approval of this rezoning, the property that is subject to this text will be known as Subarea J.

### **SUBAREA J: CPD**

**A. LOCATION:** Subarea J contains 38.49+/- acres and is located to the east of and adjacent to Hamilton Road, to the north of and adjacent to East Dublin-Granville Road, and to the south of and adjacent to the Adjacent Property (as such term is defined above). The CPD plan for this subarea is attached hereto as Exhibit A.

**B. PERMITTED USES:** Permitted uses for Subarea J are contained in Sections ~~3356.02~~ **3356.03** (C-4, Commercial) and 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text. The following uses shall not be permitted in this subarea:

1. Automobile and light truck dealers, except in the portion of the subarea located north of the Hamilton Road entrance
2. Automotive accessories, parts and tire stores (this restriction does not prohibit any user who installs these products on motor vehicles within a building), except in the portion of the subarea located north of the Hamilton Road entrance
3. Automotive sales, leasing and retail except in the portion of the subarea located north of the Hamilton Road entrance
4. Billboards
5. Cabaret
6. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell tower exceeds ten (10) feet above the height of the building.
7. Dance hall
8. Funeral parlor
9. Motor bus terminal (but transit-oriented developments and/or park-and-ride stations are permitted)

10. Motion picture theater
11. Motor vehicles accessories and parts dealers, except in the portion of the subarea located north of the Hamilton Road entrance
12. Nightclub
13. Pawn shop
14. Poolroom
15. Private club
16. Recreational vehicles dealers
17. RV (recreational vehicle), sales, rental and leasing

**C. DEVELOPMENT STANDARDS:** The applicable development standards for this subarea are contained in Chapter 3356 (C-4 Commercial) and 3357 (C-5 Commercial) of the Columbus City Code unless otherwise indicated within this text.

**D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:**

1. The permitted maximum site density for the subject property shall not exceed the ratio of 12,000 gross square feet of building per net acre of the subarea except that office development shall not exceed the ratio of 18,000 gross square feet of building per net acre of the subarea. Net acreage shall be the gross acreage of the property less public right-of-way.
2. Setback from Hamilton Road shall be 20 feet for parking and maneuvering areas and buildings and canopies north of the main entry drive on Hamilton Rd. and 25 feet for parking and maneuvering areas and buildings and canopies south of the main entry drive on Hamilton Rd.
3. Setbacks from East Dublin-Granville Road shall be 20 feet for parking and maneuvering areas and buildings and canopies for the western portion of Dublin-Granville Road frontage as shown on Exhibit A. Setbacks from East Dublin-Granville Road shall be 50 feet for parking and maneuvering areas and buildings and canopies for the eastern portion of Dublin-Granville Road frontage as shown on the Exhibit A.
4. There shall be a zero foot setback requirement for parking and maneuvering areas and buildings and canopies for interior property lines within this subarea and along the shared boundary line between this Subarea J and the Adjacent Property (as such term is defined above).
5. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage.
6. The height district for the subject property shall be 60 feet, provided, however, that buildings within five hundred feet (500') of the right-of-way for East Dublin-Granville Road shall be subject to a thirty-five foot (35') height district exclusive of architectural features, parapets, and/or roof accents.
7. Lot coverage shall not exceed 80%. Internal sidewalks and bikeways shall not be considered as part of the lot coverage.

**E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:**

1. Overnight parking of semi-tractor trailers, box trucks, commercial vehicles or recreational vehicles outside of loading areas shall be prohibited. Trucks located within loading areas shall not be permitted to leave engines running overnight.
2. A traffic study dated July 9, 2015, prepared by Carpenter Marty Transportation, Inc., has been prepared on behalf of the applicant and has been reviewed and approved by the City of Columbus, Department of Public Service as part of Zoning Case Number Z14-044. An update to the original traffic study ~~was completed~~ **is being prepared** by Carpenter Marty Transportation, Inc. ~~dated June 28, 2018, which evaluated~~ **evaluates** the proposed subarea access points. **This traffic**

**study will require review and approval from the City of Columbus, Department of Public Service.** This subarea shall be serviced from access points that are identified in the ~~June 28, 2018~~ **approved** traffic study update. The same traffic study shall apply to this subarea. This subarea shall be serviced from vehicular access points that are identified in the approved traffic study. These access points shall be designed with turn movement commitments and/or restrictions that are identified in the study. The approved traffic studies may be amended from time-to-time in the future to address actual development patterns in the area if agreed upon by both the developer and the Department of Public Service.

3. No more than two rows of parking with one drive aisle between them shall be permitted between the right-of-way for Hamilton Road and/or Dublin Granville Road and buildings located on any outparcel within the subarea that is under two acres in size with frontage on Hamilton Road and/or Dublin Granville Road.

**F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:**

1. Landscaping within the required building setback along Hamilton Road shall contain one or more of the following: a shrubbery screen (minimum 3-foot high), deciduous trees, evergreen trees, shrubbery, decorative walls, decorative fencing, and/or other landscaping features. Landscaping within these areas shall be adequate to meet the screening requirements of City Code Section 3312.21, where applicable.

2. A street tree row shall be established within all publicly dedicated rights-of-way containing 1 tree for every 30-40 feet of street frontage. The spacing and species of street trees shall be subject to the approval of the City of Columbus Forester. Minimum street tree size at installation shall be 2 ½ caliper inches.

3. Deciduous trees shall be planted along both sides of any internal private access road that serves outparcels in this subarea, at a rate that is not less than 1 tree per 50 feet of access road.

4. Dumpsters shall be screened from off-site view by an enclosure consisting of materials comparable to those used on adjacent building(s) except those located behind in-line shops along the eastern half of the property greater than 500 feet from Dublin-Granville Rd.

5. The property owner or its assigns shall maintain the fencing and landscaping permitted or required in this section.

6. All parking spaces which are adjacent to East Dublin Granville Road or Hamilton Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, fence, wall or some combination consistent with City Code Section 3312.21, where applicable. The requirements of this paragraph may be included as part of the landscaping treatment required within the parking setback described in this subarea text so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.

7. The owner(s) of Subarea J shall have the right to continue to drain into the existing ponds and/or creeks located on the east side of Subarea 8 (as such subarea is identified in Zoning Case Number Z05-054) and Subarea 5Z (as such subarea is identified in Zoning Case Number Z10-0130 as such subareas are shown on Exhibit B) for purposes of storm water management and shall have the right to maintain, modify, and alter such ponds to allow for proper storm water management practices to be used and storm water management facilities to be utilized. This shall include the right to install such storm drainage facilities in or across Subarea 9-A (also as such subarea is identified in Zoning Case Number Z05-054) as such subarea is shown on Exhibit B, as may be necessary for the proper storm water management of Subarea J with the exception of the existing delineated mitigation wetland.

8. At the time of development in Subarea J, the developer shall install (if such installation has not already occurred) a four board fence, as shown in Exhibit C, along the west side of Albany Park Drive, and along the south side of the East Dublin-Granville Road frontage in front of the single family homes in the Albany Park subdivision (if the necessary permission is given by the Albany Park Homeowners Association in a timely manner). In addition to the fence the developer shall install along the above referenced street frontages one (1) street tree per thirty (30) feet of frontage if the

necessary permission is given by the Albany Park Homeowners Association in a timely manner. Any existing trees along East Dublin-Granville Road shall count towards meeting these landscape requirements for that frontage area.

9. Automobile body shops shall screen all cars to be repaired within a building or behind a six foot (6') high solid wall or fence.

10. Parkland, green or open space requirements beyond what is included in this Subarea J shall be fulfilled by the open/green space L-R zoning classification labeled as 9-A and 9-B in Zoning Case Number Z05-054.

#### **G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:**

1. The architectural design for buildings in this subarea shall be consistent with the standards set forth in this Section 1.G.1 and shall be coordinated between the various uses and proposed building types. However, these standards shall not apply to buildings in which the primary use is office. For purposes of the immediately preceding sentence, the primary use of a building shall be determined based on the anticipated uses that are to be contained within the building at the time a building permit is issued. The primary use of a building shall be considered office if no more than 20% of the total gross square footage of the building is to contain uses other than office uses. Other uses (such as restaurant or retail uses) in such a building shall be considered accessory uses.

2. Permitted primary building materials for outparcel buildings shall be limited to the following (either alone or in some combination): brick, brick veneer, stone, stone veneer (including manufactured stone), metal, fiber cement siding or comparable material, wood (including synthetic wood products), and/or glass. Nothing herein shall prohibit the use of the aforementioned materials or other materials as secondary or trim materials.

3. Permitted primary building materials for any in-line retail buildings where no individual user is greater than 35,000 square feet shall be limited to the following (either alone or in some combination): brick, brick veneer, stone, stone veneer (including manufactured stone), metal, fiber cement siding or comparable material, EIFS, painted/pigmented CMU (rear and side only), painted/pigmented precast concrete panels (rear and side only), wood (including synthetic wood products), and/or glass. Nothing herein shall prohibit the use of the aforementioned materials or other materials as secondary or trim materials.

4. Permitted primary building materials for users of in-line retail buildings which are greater than 35,000 square feet in size shall be limited to the following (either alone or in some combination): brick, brick veneer, stone, stone veneer (including manufactured stone), metal, fiber cement siding or comparable material, EIFS, painted/pigmented CMU, painted/pigmented precast concrete panels, wood (including synthetic wood products), and/or glass. Nothing herein shall prohibit the use of the aforementioned materials or other materials as secondary or trim materials.

5. Any portion of a building situated within 300 feet of a public street and which is visible from such public street shall utilize materials described in G.2 above and shall be of compatible materials, color, trim, and style as the front facade of the building.

6. In addition to other permitted locations, outdoor seating for restaurants shall be permitted between the front facades of buildings and Hamilton Road and East Dublin-Granville Road.

7. Drive-thrus and pick-up windows shall be prohibited along the front facades of buildings on outparcels with frontage on Hamilton Road.

#### **H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:**

1. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources.

2. Direct lighting fixtures for a ground sign shall be shielded with landscaping and shall be positioned in a manner that

prevents glare.

3. The maximum height of light poles shall not exceed 39 feet in height, except that (i) light poles on outparcels with frontage on a public street and (ii) light poles located within 100 feet of property with a residential zoning classification shall not exceed 18 feet in height.

4. All new or relocated utility lines shall be installed underground.

5. All refuse shall be containerized. Such container and containment area shall be screened as per section 1.F.4.

6. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

7. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products including but not limited to firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five foot (5') wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.

9. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level at a distance of 500 feet from the building by building materials, organized unit placement on the roof, mechanical equipment screens, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be screened from view at ground level by wall, fence, landscape material or a combination thereof to prevent the equipment from being visible from 500 feet from the equipment. If a wall is used it shall match the materials on the adjacent building elevation. Whenever live plants are installed pursuant to this section, alone or in combination with other materials, the plants shall be selected to achieve the height equal to the height of the equipment, and a density not less than 75 percent opacity within three years of installation and shall comply with general landscaping standards set out in Chapter 3321 of the Columbus City Code.

**I. GRAPHICS AND SIGNAGE COMMITMENTS:** Except as provided for in Section J.8. below, all signage and graphics shall conform to the requirements of the Regional Commercial Overlay (RCO) found in Chapter 3372 of the Columbus City Code unless otherwise approved by the Graphics Commission. Electronic changeable copy displaying only fuel pricing shall be omitted from the graphics requirements contained in the RCO.

**J. MODIFICATION OF CODE STANDARDS:** It is anticipated that the property subject to this rezoning (Subarea J) will be split to form separate tax parcels. In anticipation of the split, the following City of Columbus code modifications are requested:

1. Section 3312.09, Aisle, to permit aisle(s) to be divided by a property line, subject to applicable total code required aisle width being provided and applicable easement(s).

2. Section 3312.13, Driveway, to permit driveways to be divided by property lines, subject to applicable total code required driveway width being provided and applicable easement(s).

3. Section 3312.25, Maneuvering, to permit maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easement(s).

4. Section 3312.45, Wheel Stops, to exempt the requirement to install wheel stops where a parking lot extends to a property line, provided that the parking lot extends across the property line.



5. Section 3312.49, Minimum Numbers of Parking Spaces Required, code required parking may occur on separate tax parcels within Subarea J provided that the sum of parking on Subarea J shall be used to determine compliance with core required parking for uses within separate tax parcels located within Subarea J.

6. Section 3321.03, Lighting, to increase the permitted maximum height of light poles from 28 feet to 39 feet, subject to the limitations provided in this text.

7. Section 3321.11, Screening of Mechanical Systems, to define the distance (500 feet) from which rooftop mechanical equipment must be screened.

8. Section 3372.806.E.3., General Standards for all Ground Signs, to allow the base of ground signs to be constructed of (i) brick, (ii) natural, cast, or manufactured stone, and/or (iii) similar building materials as the building(s) they serve.

#### **K. CPD CRITERIA:**

1. Existing land uses: To the north is future commercial; to the east is future office; to the west is future office and commercial and existing office; and to the south is future commercial and existing residential.

2. Transportation and circulation: Access to the site shall be via existing Hamilton Road and East Dublin-Granville Road.

3. Visual form of the development: The site shall be developed in accordance with the zoning text.

4. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.

5. Proposed development: Commercial as permitted under this text.

6. Emissions: No adverse effects from emissions shall result from the proposed development.

7. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161, Hamilton Road and Dublin-Granville Road.

#### **L. MISCELLANEOUS COMMITMENTS:**

1. Exhibit A shall not be utilized as a basis for determining access configurations for this site or the configurations and traffic control of adjacent roadways and intersections. Rather, the access configurations for this site and the configurations and traffic control of adjacent roadways and intersections shall be determined by the approved traffic study referenced in Section E.3 E.2 above, by a future amendment to the approved traffic study or by subsequent engineered design plans approved by the Department of Public Service.

**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.**