



Legislation Details (With Text)

File #: 2940-2018 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 10/17/2018 **In control:** Zoning Committee

On agenda: 11/5/2018 **Final action:** 11/7/2018

Title: To rezone 6335 REFUGEE ROAD (43232), being 0.87± acres located on the west side of Gender Road, 330± feet south of Refugee Road, From: C-4, Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z18-032) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2940-2018.Attachments, 2. ORD2940-2018.Labels

Date	Ver.	Action By	Action	Result
11/7/2018	2	CITY CLERK	Attest	
11/6/2018	2	MAYOR	Signed	
11/5/2018	2	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Zoning Committee	Amended to Emergency	Pass
11/5/2018	1	Zoning Committee	Approved	Pass

Rezoning Application: Z18-032

APPLICANT: Ron Sabatino; c/o Michael Shannon and Eric Zartman, Attys.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Car wash.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on August 9, 2018.

GERATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the C-4, Commercial District. The applicant is requesting the CPD, Commercial Planned Development District for a portion of the parcel to permit an automatic car wash and C-4 uses. The site is located within the boundaries of the recently adopted *South East Land Use Plan* (2018) which recommends mixed use development in accordance with the Community Commercial Overlay (CCO) standards. Additionally, the Plan provides guidelines relative to building placement, materials, design, and landscaping, with further design-related recommendations provided in the *Columbus Citywide Planning Policies* (C2P2). The development text commits to a site plan and includes development standards addressing site access, landscaping, and graphics provisions. Variances to stacking and C-4 District setback lines are included in this request. The proposal is compatible with the development standards of adjacent commercial developments, is consistent with the land use recommendations of the *South East Land Use Plan*, and adheres to the design guidelines of the recently adopted C2P2.

To rezone **6335 REFUGEE ROAD (43232)**, being 0.87± acres located on the west side of Gender Road, 330± feet south of Refugee Road, **From:** C-4, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning # Z18-032) **and to declare an emergency.**

WHEREAS, application # Z18-032 is on file with the Department of Building and Zoning Services requesting rezoning of 0.87± 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 Greater South East Area 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 development that is consistent with the design guidelines of the Columbus Citywide Planning Policies, and with the land use recommendations of the *South East Land Use Plan*;

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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

6335 REFUGEE ROAD (43232), being 0.87± acres located on the west side of Gender Road, 330± feet south of Refugee Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 1, Township 11, Range 21, Congress Lands and being all of the remainder of that original 5.791 acre tract as conveyed to P. Ronald Sabatino, of record in Official Record 15953F10, all deed references refer to the records of the Recorder's Office Franklin County Ohio and described as follows:

BEGINNING, at the northeasterly corner of lot 229 of that plat entitled Country Village section 2 of record in Plat Book 67 Page 89, in the westerly right of way line of Gender Road;

Thence North 86°12'29" West, with the northerly line of said Country Village Section 2 a distance of 333.00 feet to a corner thereof;

Thence across said original 5.791 acre tract the following courses:

North 03°47'31" East, a distance of 140.96 feet to an angle point;

South 86°12'29" East, a distance of 77.75 feet to a point in the easterly line of a 0.888 acre tract as conveyed to Speedway Supramerica LLC of record in Instrument Number 200906180088142;

Thence, with the perimeter of said 0.888 acre tract the following courses:

South 5°21'13" West a distance of 33.93 feet to a corner thereof;

South 86°11'06" East a distance of 183.80 feet to a corner thereof;

South 62°26'08" East a distance of 27.31 feet to a corner thereof;

South 86°11'06" East a distance of 50.00 feet to a corner thereof In the westerly right of way line of said Gender Road:

Thence, South 5°21'13" West with said westerly right of way, a distance of 95.97 feet to the point of being and containing 0.866 acres of land more or less.

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, "**TITLE SHEET**," and "**SITE PLAN**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," all dated October 3, 2018, and signed by Eric Zartman, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT

ADDRESS: 6335 Refugee Road

PARCEL: 530-218695

CURRENT ZONING: C-4

PROPOSED ZONING: CPD

OWNER/APPLICANT: Ron Sabatino

3895 Stoneridge Lane

Dublin, Ohio 43017

ATTORNEY: Michael Shannon, Esq.

8000 Walton Parkway, Suite 260

New Albany, Ohio 43054

DATE: 10/3/2018

APPLICATION: Z18-032

1. INTRODUCTION:

The Site is a +/- 0.8666-acre portion of the larger +/- 2.72-acre property, PID: 530-218695, located south-west of the intersection of Gender Road and Refugee Road. The Site is vacant property zoned C-4. Applicant proposes to rezone the Site for development of a car wash. A Site Plan is submitted as the development plan for the car wash.

2. PERMITTED USES:

All uses of Chapter 3356, C-4, Commercial District and the car wash use shall be permitted.

3. DEVELOPMENT STANDARDS:

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

The Site, if developed as a car wash, shall be developed as depicted on the submitted CPD Plan. Applicable development

standards for the proposed car wash shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code, unless otherwise depicted on the CPD Plan or detailed in this Text. All other permitted uses shall comply with the development standards contained in Chapter 3356 unless otherwise detailed in this Text.

B. Access, Loading, Parking, and/or Traffic commitments:

1. Access to the Site shall be from the existing access points of 6339 Refugee Road, PID 530-219243, and through that parcel.
2. Signage shall be utilized for circulation control if required by the Department of Public Service, Division of Traffic Management during the site compliance review.

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

1. Buffering, landscaping, and screening shall be as depicted on the CPD Plan.
2. Headlights shall be screened with a minimum of 3' tall shrubs with a year-round opacity of no less than 75%.
3. The area along the southern property line is to be screened with large shrubs to prevent the parking lot from view, as well as to prevent headlight glare to the residential lots to the south. Trees along this boundary will be preserved where possible.

D. Building Design and/or Interior-Exterior Treatment commitments: N/A

E. Dumpsters, Lighting, Outdoor Display Areas, and/or Environmental commitments:

Dumpster enclosure is to be screened with landscaping shrubs with the enclosure to be made of solid materials that match building materials or with a fenced-in enclosure area.

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-5, Commercial District, if the site is developed with a car wash, or the C-4 Commercial District, if developed with a C-4, Commercial District Use. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.
2. Applicant shall commit to submission of a Graphics Plan.

G. Other CPD Requirements:

1. Natural Environment: located south-west of the intersection of Gender Road and Refugee Road. The Site is vacant.
2. Existing Land Use: The Site is zoned C-4 and is vacant.
3. Circulation: Access to the Site shall be from the existing access points of 6339 Refugee Road, PID 530-219243, and through that parcel.
4. Visual Form of the Environment: The Site is bounded by commercial on the north, west, and east, and by residential on the south and west.
5. Visibility: The Site will be visible from Gender Road, a 4-2D arterial.
6. Proposed Development: Development of a car wash.

7. Behavior Patterns: Again, Access to the Site shall be from the existing access points of 6339 Refugee Road, PID 530-219243, and through that parcel.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text and with the Zoning Code for light levels, sounds and dust. There will be no objectionable emissions.

H. Modification of Code Standards:

1. Section 3356.11 - C-4 district setback lines. To reduce the Gender Road building setback line from 60 feet to 50 feet.
2. Section 3312.11, Drive-up stacking area. To eliminate the requirement for a by-pass lane for the car wash.

I. Miscellaneous commitments:

Development of the site with a car wash shall be in accordance with the Site Plan. The Site Plan 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 Building and Zoning Services 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.~~ 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