



## Legislation Details (With Text)

**File #:** 1204-2019      **Version:** 2

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

**File created:** 4/24/2019      **In control:** Zoning Committee

**On agenda:** 5/20/2019      **Final action:** 5/22/2019

**Title:** To rezone 6335 REFUGEE ROAD (43232), being 1.31± acres located on the west side of Gender Road, 330± feet south of Refugee Road, From: C-4, Commercial and CPD Commercial Planned Development Districts, To: CPD, Commercial Planned Development District (Rezoning #Z19-015) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1204-2019.Attachments, 2. ORD1204-2019.Labels

Date	Ver.	Action By	Action	Result
5/22/2019	2	CITY CLERK	Attest	
5/21/2019	2	MAYOR	Signed	
5/20/2019	2	COUNCIL PRESIDENT	Signed	
5/20/2019	1	Zoning Committee	Approved	Pass
5/20/2019	1	Zoning Committee	Amended to Emergency	Pass
5/13/2019	1	Columbus City Council	Read for the First Time	

### Rezoning Application: Z19-015

**APPLICANT:** TASKTW Properties, LLC; 2401 Buttonwood Road; Berwyn, PA 19312.

**PROPOSED USE:** Car wash.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on April 11, 2019.

**GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped with an exception of a billboard in the C-4, Commercial and CPD, Commercial Planned Development districts. 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 CPD portion of this site was part of approved rezoning Ordinance # 2940-2018, Z18-032. That rezoning also permitted a car wash; however, the site is under new ownership and requires site plan modifications. The site is located within the boundaries of *South East Land Use Plan* (2018), which recommends "Mixed Use 1" land uses for this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* design guidelines. The development text commits to a site plan and includes development standards addressing site access, landscaping, lighting, and graphics provisions. A variance to drive-up stacking area is 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 *Columbus Citywide Planning Policies* design guidelines.

To rezone **6335 REFUGEE ROAD (43232)**, being 1.31± acres located on the west side of Gender Road, 330± feet south of Refugee Road, **From:** C-4, Commercial and CPD Commercial Planned Development Districts, **To:** CPD, Commercial Planned Development District (Rezoning #Z19-015) **and to declare an emergency.**

**WHEREAS**, application #Z19-015 is on file with the Department of Building and Zoning Services requesting rezoning of 1.31± acres from C-4, Commercial and CPD, Commercial Planned Development Districts, 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 1.31± acres located on the west side of Gender Road, 330± feet south of Refugee Road, and being more particularly described as follows:

Situate in the State of Ohio, County of Franklin, City of Columbus, Section 1, Township 11, Range 21, Congress Lands and being a part of a 2.716 acre tract as conveyed to TASKTW Properties LLC, of record in Instrument Number 201812130168616, 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 North 03°47'31" East, across said original 2.716 acre tract a distance of 396.96 feet to a point on the southerly right of way line of Refugee Road;

Thence South 75°48'52" East, along said southerly right of way a distance of 74.58 feet to the northwesterly corner of a 0.888 acre tract as conveyed to Speedway Superamerica 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 56.00 feet to a corner thereof;

South 18°23'45" East a distance of 27.31 feet to a corner thereof;

South 05°21'13" West a distance of 195.27 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 on 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 beginning and containing 1.311 acres of land more or less.

**To Rezone From:** C-4, Commercial and CPD, Commercial Planned Development Districts

**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**," "**SITE PLAN**," and "**OVERALL SITE PLAN**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," all signed by Jeffrey Lonchor, Agent for Applicant, dated April 23, 2019, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

**ADDRESS: 6335 Refugee Road**

**PARCEL: 530-218695**

**CURRENT ZONING: C-4, CPD**

**PROPOSED ZONING: CPD**

**OWNER/APPLICANT: TaskTW Properties, LLC**

**2401 Buttonwood Road; Berwin, Pennsylvania 19312**

**Agent: Jeffrey Lonchor**

**2800 Corporate Exchange Drive, Suite 160; Columbus, Ohio 43231**

**DATE: 04/23/2019**

**APPLICATION: Z19-015**

**1.     INTRODUCTION:**

The Site is a +/- 1.311-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 and CPD, and the existing CPD proposed a car wash use. Applicant proposes to rezone the Site for development of a car wash with revised site plans. CPD Plans are submitted as the development plans 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:**

Unless otherwise indicated herein or on the Site Plans, the applicable development standards of Chapter 3356, C-4, Commercial District of the Columbus City Codes shall apply.

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

The Site shall be developed as depicted on the submitted plans titled "Title Sheet," "Site Plan," and "Overall Site Plan," hereafter referred to as "CPD Plans". Applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code, unless otherwise depicted on the CPD Plans or detailed in this Text.

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

1. Development of the site with a car wash shall be as depicted on the submitted CPD Plans.
2. Access to the Site shall be from the existing access points of 6339 Refugee Road, PID 530-219243, and through that parcel.
3. Access to the undeveloped residual property west of the subject site shall be generally depicted on the CPD Plans. The final alignment, location, and geometry of that cross-access drive shall be subject to further review and approval by the Department of Public Service, Division of Traffic Management at the time the residual parcel is developed. Removal of some vacuum stations may need to occur in order to accommodate the proposed cross-access drive.

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

1. Buffering, Landscaping, and Screening shall be as depicted on the CPD Plans.
2. Headlights shall be screened with a minimum of 3' tall shrubs with a year-round opacity of no less than 75%.
3. A 5' tall (min.) masonry fence is required for screening along the southern property line. The masonry fence is to be placed from the southwest corner of the building to the southwest corner of the site, and from the southeast corner of the building to the southeast corner of the site.

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

N/A

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

Dumpster enclosure to be screened with landscaping shrubs enclosure to be made of solid materials that match building materials or with 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 for light levels, sounds and dust. There will be no objectionable emissions.

H. Modification of Code Standards:

Section 3312.11, Drive-up stacking area. To eliminate the requirement for a by-pass lane for car wash.

I. Miscellaneous commitments:

Development of the site with a car wash shall be in accordance with the CPD Plans. The CPD 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 Plans 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.**