

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
APRIL 10, 2014**

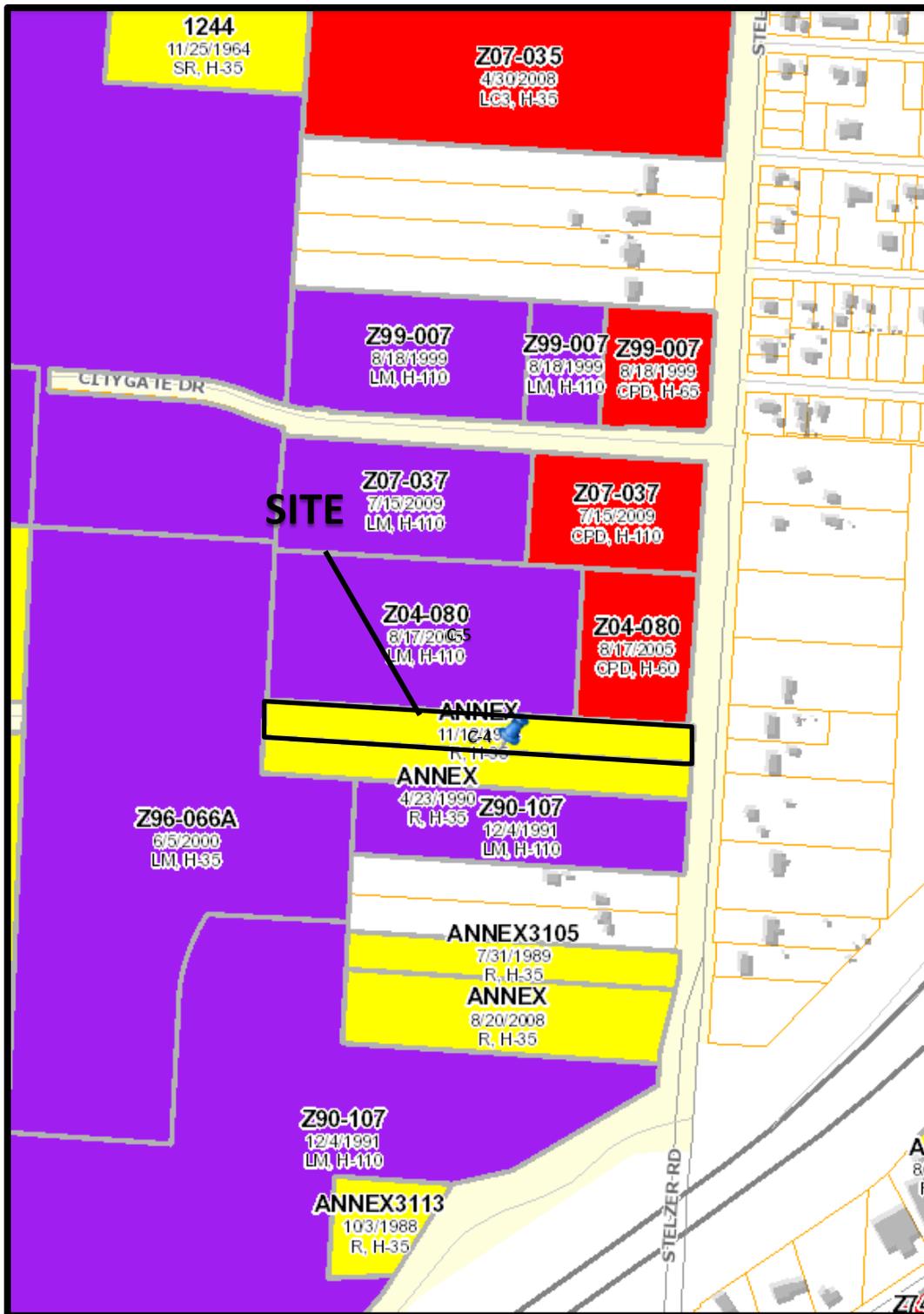
- 2. APPLICATION: Z13-061 (13335-00000-00867)**
Location: **1895 STELZER ROAD (43219)**, being 2.57± acres located on the west side of Stelzer Road, 700± feet south of Citygate (010-200800; Northeast Area Commission).
Existing Zoning: R, Rural District.
Request: L-M, Limited Manufacturing and CPD, Commercial Planned Development Districts.
Proposed Use: Industrial/commercial development.
Applicant(s): Magoo Properties; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.
Property Owner(s): Sean & Barbara Brogan; P.O. Box 9764; Columbus, Ohio 43209.
Planner: Tori Proehl, 645-2749, vjproehl@columbus.gov

BACKGROUND:

- The 2.57± acre site is undeveloped and zoned in the R, Rural District. The applicant requests the L-M, Limited Manufacturing and CPD, Commercial Planned Development Districts to allow industrial and commercial development.
- Surrounding the site is undeveloped land and office warehouse buildings to the north and across Citygate Drive in the L-M, Limited Manufacturing District. To the south and east of the site are single family homes in the L-M, Limited Manufacturing District and in Mifflin Township.
- The limitation text includes development standards for two subareas including height, lot coverage, landscaping and building materials.
- The site is located within the planning area of the *Northeast Area Plan (2007)*, which recommends Mixed Use Regional Retail/Office/Light Industrial for this location.
- The site is located within the boundaries of the Northeast Area Commission, who recommended approval of this application.
- The Planning Division has evaluated this proposal in the context of the Area Plan recommendation and believes that the proposed text should include limitations on commercial development. However, in 2005 and 2009, the neighboring properties to the north of the site underwent a rezoning to the L-M, Limited Manufacturing and CPD, Commercial Planned Development Districts with no limitations in commercial uses. Those rezonings were supported by Staff. Therefore, Staff has determined that this proposal is compatible with the surrounding development, with well-matched development standards.

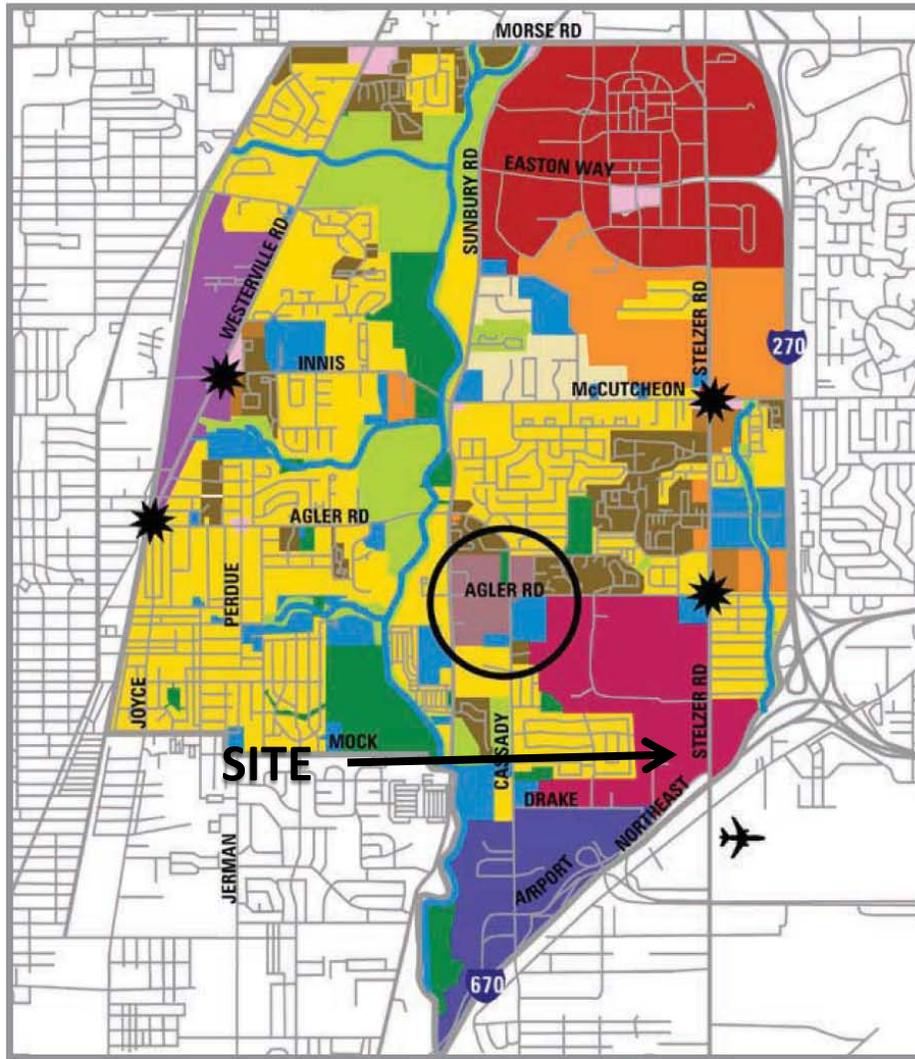
CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested L-M, Limited Manufacturing and CPD, Commercial Planned Development Districts will allow industrial and commercial development. Staff supports the intended use of the property, as the request is consistent with the *Northeast Area Plan* (2007) with respect to land use recommendations, and with the zoning and development patterns of the area.



Z13-061
 1895 Stelzer Road
 Approximately 2.57 acres
 Request: R to L-M & CPD

Figure 5. Land Use Plan



- | | | | |
|------------------------------|---|-------------------------|--------------------------------|
| Open Space | Institutional | Office-Light Industrial | Sub-Neighborhood Centers |
| Parks | Neighborhood Commercial | Airport Related | Agler Cassidy Mixed-Use Center |
| Very Low Density Residential | Mixed Use Neighborhood Center | | |
| Low Density Residential | Mixed Use-Regional Retail/Office/Light Industrial | | |
| Medium Density Residential | Office | | |
| High Density Residential | Office-Commercial-Light Industrial | | |

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Land Use

Z13-061
 1895 Stelzer Road
 Approximately 2.57 acres
 Request: R to L-M & CPD



Z13-061
1895 Stelzer Road
Approximately 2.57 acres
Request: R to L-M & CPD

**L-M, LIMITED MANUFACTURING DISTRICT, AND
CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT TEXTS**

Existing District: Rural, Residential
Proposed District: L-M, Limited Manufacturing and CPD, Commercial Planned Development
Property Address: 1895 Stelzer Road
Owner: Sean and Barbara Brogan
Applicant: Magoo Properties LLC
Application No.: Z13-061
Date of Text: 3/25/14

I. INTRODUCTION:

The applicant has been involved in a series of zoning efforts to the north which establish L-M zoning on the rear portion of the site and CPD zoning on the Stelzer Road frontage. The applicant wants to establish that same zoning pattern on its new property to the south.

II. SUB-AREA "A": L-M, LIMITED MANUFACTURING DISTRICT

1. PERMITTED USES:

All uses of Columbus City Code §3363.01- §3363.08 and § 3363.175 (M, Manufacturing District), except uses as prohibited in Section 2 (Prohibited Uses), below. Additionally, all types of offices; residence(s) for a resident watchman; commercial radio transmitting or television station and appurtenances thereto; rooftop telecommunication installations and all accessory use(s) related to any permitted principal use shall be permitted.

(a) All permitted uses shall be constructed, equipped and operated with such approved devices and methods as to insure against the emission of obnoxious noise, vibrations, smoke, dust, fly ash, or other solid particulate matter, odor, glare, heat, sewage waste, and other obnoxious conditions.

(b) Underground storage tanks shall only be permitted for the purpose of providing distribution of liquid fuels, petroleum products, petroleum, and volatile oils to vehicles of uses in this sub-area. No user shall have more than an aggregate capacity of 20,000 gallons. The location of any such tanks shall be determined under the direction and supervision of the Fire Department.

2. PROHIBITED USES:

Cabarets and nightclubs (with bars being specifically permitted if accessory to a primary use); billboard(s); manufacturing, compounding, processing, assembling, packaging or treatment of goods, materials and products involving operations which are obnoxious or offensive by reason of odor, dust, smoke, gas, fumes, vibration, noise, fly ash, or other solid particulate matter, odor, glare, heat, sewage waste, or obnoxious conditions. Additional prohibited uses: Amusement Arcade, Animal Shelter, Blood & Organ Bank, Check Cashing and Loans, Coin Operated Laundries, Community Food Pantry, Electric Substation, Halfway House, Mission / Temporary Shelters, Pawn Broker, Television and Radio Studio, Repossession Services, Utility Pump Station, Warehouse Club and Super Center.

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the written text, the applicable development standards are contained in Chapter 3363(M) Manufacturing of the Columbus City Code.

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

1. Sub-Area A shall be designated in the H-110 Height District. Buildings and structures shall not exceed an absolute height of 65 feet except for hotel/motel which shall be subject to the H-110 Height District with no height limitation and as permitted in § 3363.175. This absolute height restriction shall not include the additional height associated with building-mounted mechanicals or aerials. Mechanicals shall not exceed 10 additional feet above the

65-foot absolute height. Building-mounted antennas and aerials shall not exceed 20 additional feet above the 65-foot absolute height.

2. Lot coverage for structures and paved areas shall not exceed eighty-five (85%) percent.

3. The total amount of retail for the entire site (both Subareas A & B) shall be limited to a maximum of 20,000 sq. ft. This restriction shall not apply to hotels / motels.

B. Access, Loading, Parking and/or Other Traffic-Related Commitments.

1. Access to the site shall be subject to the review and approval of the Department of Public Service, Planning and Operations Division.

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

1. Trees shall be planted within the front parking setback at the minimum rate of one tree for every 40 linear feet of street frontage along Stelzer Road. Existing trees along Stelzer Road shall satisfy this requirement.

2. A minimum of 1 tree shall be planted for every 10 parking spaces.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. All building exteriors shall be constructed of brick, real or synthetic stone, real or synthetic stucco, glass, vinyl siding, wood shingles, textured or coated metal, concrete, marble, textured concrete, or a combination of these materials. Wood may be used as an accent material not to exceed 25% in area of an individual façade.

2. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from the right-of-way of Stelzer Road, to the height of the equipment, by the same material utilized on the building roof or exterior. Decorative cornices may be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping, or any fence or wall utilizing comparable and compatible materials as the building materials.

3. Any building elevation that faces Stelzer Road shall be the front elevation of that building or have architectural detailing so that elevation does not look like a blank rear elevation.

4. A building frontage that faces a public street and exceeds a width of 50 feet shall incorporate articulation and off sets of the wall plane to inhibit a large expanse of blank wall and add interest to the building. This restriction shall not apply to the hotel/motel buildings or warehouse style buildings.

5. For the primary building frontage of any retail use, a minimum of 40% of the area between the height of the 2 feet and 10 feet above grade shall be a clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4 feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of 10 feet.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. All lighting shall be so positioned as to not be directed toward any residentially-zoned area.

2. Wiring within the subject Site shall be underground.

3. Service area lighting shall be contained within the service yard boundaries and enclosure walls. No light spillover shall occur outside the service area.

4. Building illumination and architectural lighting shall be indirect in character. Architectural lighting should be articulate and provide lighting for the particular building design as well as provide the required functional lighting for safety and clarity of pedestrian movement.

5. Pedestrian lighting is permitted and the maximum height for any pedestrian lighting on the subject Site shall not exceed 16 feet in height. Bollard lighting is permitted and shall not exceed 48 inches in height.
6. There shall be no outdoor public address system, outdoor call system, or other outdoor audible system permitted in this sub-area, except that a paging system shall be allowed for the purpose of paging employees only.
7. The buildings which front along Stelzer Road shall provide an internal sidewalk or pedestrian pathway that would connect the building's front door to a sidewalk along Stelzer Road.

F. Graphics and Signage Commitments.

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission. All freestanding graphics shall be a monument style sign.

G. Miscellaneous Commitments:

1. In accordance with §3318.13 (Parkland Dedication Ordinance), Applicant shall contribute parkland fees in the amount of \$400.00 per acre for this site.
2. With regard to the open watercourse which traverses the Site, Applicant commits to maintain a 25-foot no-build zone on the east and west sides of the watercourse, as measured from the top of the embankment.
3. No more than two (2) points of access shall be constructed over the watercourse.

III. SUB-AREA "B": CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT

1. PERMITTED USES:

All uses permitted in the C-4, Commercial District (C.C.C. §3356.03) and C-5, Commercial District (C.C.C. §3357.01), except as prohibited and restricted below. A convenience store shall be permitted only with a gas use.

2. PROHIBITED USES:

Amusement arcades; Animal shelters; Astrology, fortune telling, and palm reading services; Billboards, Blood and organ banks; Bowling centers; Call centers; Check cashing and loans; Coin-operated laundries; Community food pantry; Convention and visitors bureaus; Crematories; Drive-in motion picture theaters; Electric substation; Halfway houses; Hospitals; Linen and uniform supply; Missions/temporary shelters; Pawn brokers; Repossession services; Spectator sports and related industries; television and radio studio; Tobacconist; Utility pump station; Warehouse clubs and supercenters.

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the text, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code.

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

1. A minimum 60-foot building setback shall be established from Stelzer Road. A 25-foot building setback shall be permitted for the canopy of any gas or service station islands, should the Site be developed with a gas station or service station.
2. A minimum 25-foot parking/maneuvering setback shall be established from Stelzer Road.
3. Sub-Area B shall be designated in the H-110 Height District. Building and structures shall not exceed an absolute height of 55 feet except for hotel/motel which shall be subject to the H-110 Height District with no height limitation. This absolute height restriction shall not include the additional height associated with building-mounted

mechanicals or aerials. Mechanicals shall not exceed 10 additional feet above the absolute height of 55 feet. Building-mounted antennas and aerials shall not exceed 20 additional feet above the absolute height of 55 feet.

4. Lot coverage for structures and paved areas shall not exceed eighty-five (85%) percent.
5. No more than two rows of parking and a drive aisle shall be permitted between Stelzer Road and the building(s).
6. The total amount of retail for the entire site (for both Subareas A & B) shall be limited to 20,000 sq. ft. This restriction shall not apply to hotels/motels.

B. Access, Loading, Parking and/or Other Traffic-Related Commitments.

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

1. Trees shall be planted within the front parking setback at the minimum rate of 1 tree for every 40 lineal feet of street frontage along Stelzer Road. Existing trees along Stelzer Road shall satisfy this requirement as it applies to Stelzer Road.
2. Trees do not have to be equally spaced, but may be grouped. Tree species shall be selected and planted in a manner that does not obstruct motorists' vision.
3. The entryway to the Site may feature landscaping with a compilation of evergreen and/or deciduous shade and/or deciduous evergreen shrubs. Any landscaping shall be integrated into the entry feature without blocking visibility at intersections.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. All building exteriors shall be constructed of brick, real or synthetic stone, real or synthetic stucco, glass, vinyl siding, wood shingles, textured or coated metal, concrete, marble, textured concrete, or a combination of these materials. Wood may be used as an accent material not to exceed 25% in area of an individual façade.
2. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from the right-of-way of Stelzer Road, to the height of the equipment, by the same material utilized on the building roof or exterior. Decorative cornices may be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping, or any fence or wall utilizing comparable and compatible materials as the building materials.
3. Any building elevation that faces Stelzer Road shall be the front elevation of that building or have architectural detailing so that elevation does not look like a blank rear elevation.
4. A building frontage that faces a public street and exceeds a width of 50 feet shall incorporate articulation and off sets of the wall plane to inhibit a large expanse of blank wall and add interest to the building. This restriction shall not apply to the hotel/motel buildings or warehouse style buildings.
5. For the primary building frontage of any retail use, a minimum of 40% of the area between the height of the 2 feet and 10 feet above grade shall be a clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4 feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of 10 feet.
6. If a gas use is developed on this site, then the building shall be located along Stelzer Road with the pump islands to the west of the building. The Stelzer Road building elevation for the gas use shall comply with items D.5. above. In addition there shall be no parking/pavement between Stelzer Road and the gas building setback from Stelzer Road. The gas use shall not have any pay phones outside of the building. The operator of the gas use shall not play music on any outdoor speakers.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. Canopy lighting shall be fully recessed.
2. All lighting shall be so positioned as to not be directed toward any abutting residentially-zoned area.
3. Wiring within the subject Site shall be underground.
4. Outdoor display and/or sales for gas use:
 - a. On sidewalks abutting buildings; only if said sidewalk has a minimum depth of nine (9) feet. At least five (5) feet of said sidewalk shall remain free of display materials to permit pedestrian /A.D.A. transit.
 - b. At the ends of fuel pump islands only if depicted on the zoning clearance site plan; and the maximum footprint of displays at the end of fuel islands shall be four (4) by four (4) feet.
 - c. The maximum height for any outside display and/or sales shall be three feet, except for soda machines, ice chests or other comparable sales devices.
 - d. The outdoor display area shall contain only those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to, firewood, mulch, flowers, Christmas wreaths.
5. The buildings which front along Stelzer Road shall provide or internal sidewalk or pedestrian pathway that would connect the building's front door to a sidewalk along Stelzer Road.

F. Graphics and Signage Commitments.

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission. All freestanding graphics shall be a monument style sign,

G. Other CPD Requirements.

1. **Natural Environment:** The natural environment of Sub-Area B is flat terrain.
2. **Existing Land Use:** The property previously consisted of residential structures, which will or have already been demolished.
3. **Circulation:** Access to and from Sub-Area B will be from Stelzer Road, as approved by the City of Columbus Department of Public Service, Division of Planning and Operations.
4. **Visual Form of the Environment:** The area surrounding Sub-Area B is developed with L-M and CPD uses and/or zonings to the north and south, and L-M on the west. The east side of Stelzer Road is zoned residential.
5. **Visibility:** Sub-Area B fronts on Stelzer Road and will be visible from the street frontage.
6. **Proposed Development:** Commercial and/or light manufacturing development, including retail or service uses, is proposed.
7. **Behavior Patterns:** The Site is located on Stelzer Road, a major arterial, south of the intersection of a major business park and employment center (City Gate). Vehicular access will be the principle means of access through curb cuts approved by the Department of Public Service Division of Planning and Operations. Onsite vehicular and pedestrian circulation will be as approved through the plan review process.
8. **Emissions:** Development on Sub-Area B will conform to development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The use of the CPD mechanism permits a variance to the required Stelzer Road building setback line. Stelzer Road is a 4-2D arterial on the Columbus Thoroughfare Plan, with a designated right-of-way width of 120 feet, thus requiring a 60-foot building setback line rather than the 25-foot building setback line that is proposed herein. The requested 25-foot building setback shall only apply to the canopy of any gas or service station islands, should the Site be developed with a gas station or service station. Otherwise, the Code-required 60-foot building setback line shall be maintained.

H. Miscellaneous Commitments.

1. In accordance with §3318.13 (Parkland Dedication Ordinance), Applicant shall contribute parkland fees in the amount of \$400.00 per acre for this site.

2. Abandonment: The retail filling station use shall be considered abandoned if it has ceased operations or is closed to the public for a minimum of 6 months in any 12 month period. The owner or lessee of the retail filling station and/or related structures shall, within seven (7) days of the beginning of the closure period referred to herein:

a. Install wheel blocks, firmly attached, across the driveway entrance to the fuel area to prohibit unauthorized vehicle parking or abandonment of motor vehicles.

b. Shall remove all signs and pumps.

c. Shall board up all windows, doors and entrances to prevent the breakage of glass and the unauthorized entrance herein.

d. Take appropriate action as required by the City of Columbus Fire Code to treat abandoned underground tanks.

e. Shall during the closure period cut all grass, remove all rubbish and weeds and continue maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

3. Any remaining right-of-way shall be dedicated to the City of Columbus, as necessary, in order to achieve a 60-foot wide right-of-way from centerline of Stelzer Road.

The undersigned, being the owner of the subject property, together with the Applicant in the subject application, or their authorized representatives/attorneys, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

By:

Date:

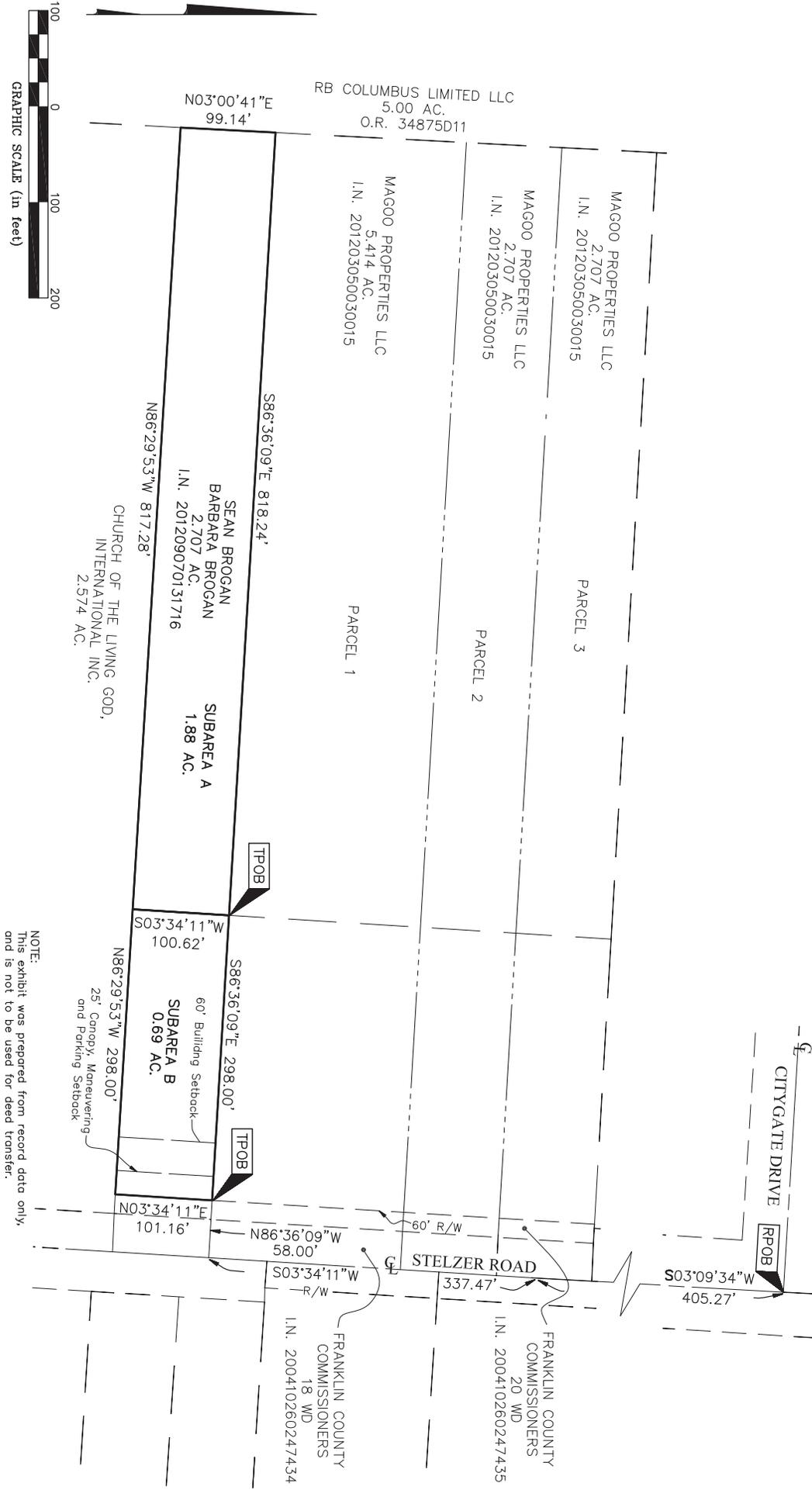
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STELZER ROAD CPD SITE PLAN

QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 17
 UNITED STATES MILITARY LANDS
 CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

Date: November 7, 2013
 Scale: 1" = 100'
 Job No: 2013-1831



NOTE:
 This exhibit was prepared from record data only,
 and is not to be used for deed transfer.



"Together We Can Make a World of Difference"

North East Area Commission

March 11, 2014

Ms. Shannon Pine
Department of Development
Building & Development Services
757 Carolyn Ave
Columbus, OH 43224

Ms. Pine:

Subject: Z13-060/2109 & Z13-061/1895, property known as 2109 Citygate Drive and 1895 Stelzer Road, Columbus, OH 43219. The North East Area Commission at a public meeting on March 6, 2014, voted to approve both applications.

Sincerely,

Alice Porter- Zoning Chair
3130 McCutcheon Place
Columbus, OH 43219

Cc: Elwood Rayford – Chairperson
Jeffery Brown – Agent/Attorney