



VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 38-15

PASSED: _____

AN ORDINANCE TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN AND DEVELOPMENT TEXT FOR PARCEL NUMBERS 153-000037 AND 153-000046 ALSO KNOWN AS 4265 ALUM CREEK DRIVE

WHEREAS, Franklin County Auditor Parcel Numbers 153-000037 and 153-000046 also known as 4265 Alum Creek Drive is zoned Planned Commercial District (PCD); and

WHEREAS, the property was zoned PCD in 2002 by the Village of Obetz; and

WHEREAS, a Preliminary Development Plan and Development Text was not approved at that time; and

WHEREAS, the property owner desires to expand the uses of the property and use buildings that have not been used for several uses; and

WHEREAS, a Preliminary Development Plan and Development Text has been submitted for the property as required in Section 1159.04 of the Codified Ordinances; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Preliminary Development Plan and Development Text at its May 13, 2015 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1. The Preliminary Development Plan and Development Text for Franklin County Auditor Parcel Numbers 153-000037 and 153-000046 also known as 4265 Alum Creek Drive, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

Section 2. This Ordinance is shall take effect at the earliest time permitted by law.

Passed this _____ day of _____, 2015.

ATTESTS:

Stacey Boumis, Clerk of Council

D. Greg Scott, Mayor

ORDINANCE: 38-15

PASSED: _____

Angela Kirk, Council President Pro Tem

APPROVED AS TO FORM

Eve M. Ellinger, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance _____ was duly posted at _____ (time) on the _____ day of _____, 2015, at the Obetz Government Center, as well as on the Obetz website.

Stacey Boumis, Clerk

Date

Exhibit A

4265 ALUM CREEK DRIVE DEVELOPMENT PLAN TEXT

Zoning District: Planned Commercial District (PCD); Both parcels are a part of the Alum Creek Drive Overlay District
Property Address: 4265 Alum Creek Drive
Parcels: 153-000037 and 153-000046
Owner: Lazmosis, Inc.

Introduction: The subject property is approximately 4.8 acres of land, located along the west side of Alum Creek Drive. Parcel 153-000037 is approximately 3.056 acres and parcel 153-000046 is approximately 1.745 acres. Currently parcel 153-000046 is predominately vacant. A small portion of the parcel is used for parking and as an outdoor seating area for the restaurant/bar.

There are four buildings currently on the subject parcels. Building #1 is an eating and drinking establishment; Building #2 and Building #4 are vacant; Building #3 has two tenants, both contractors. The building serves as their offices. Within one (1) year of the date of adoption of the Development Plan Text, Building #2 will be razed.



Permitted Uses: Unless otherwise permitted within this Development Plan Text, the permitted uses for this site are contained in the Codified Ordinances of the Village of Obetz including both permitted and conditional uses associated with Suburban Office and Institution, General Commercial, and Neighborhood Commercial unless otherwise listed as a Prohibited Use.

Temporary Uses: Except as listed above, Chapter 1171 shall regulate all Temporary Uses. The property is poised for redevelopment as the Alum Creek Drive corridor redevelops. In order to preserve the economic vitality of the property, the following Temporary Uses will be permitted for no more than two years from the original adoption date of the Development Text:

1. Trailer storage for no more than ten (10) semi-trailers; limited to the area in blue as shown below:



2. Offices for construction or trades contractors including offices for landscaping professionals limited to Building #3 and Building #4
3. Outdoor storage of materials used by occupants in Building #3 and Building #4

Prohibited Uses: In addition to the following uses, all uses not listed as Permitted Uses are expressly prohibited. The following uses are prohibited:

1. Vehicle or equipment disassembly
2. Automobile service stations
3. Automobile convenience markets
4. Automobile repair, services, and garages
5. Commercial kennel
6. Automobile, semi-truck, or trailer parking lot as a principal use except as permitted above as a temporary use
7. Automobile car wash

Development Standards: All improvements shall meet the provisions of the Codified Ordinances unless otherwise listed in the Development Standards Text.

- A. Maximum Building Height:** Buildings shall not exceed thirty-five (35) feet in height.

- B. Architectural Standards:** Architectural standards shall apply to the construction of new buildings only. The architectural standards shall be the standards of the Alum Creek Drive Overlay District.
- C. Building Setbacks:** No building will be located nearer than thirty (30) feet from the Alum Creek Drive right-of-way line.
- D. Required Yards:**
1. **Minimum Front Yard:** For main structures the minimum front yard shall be no less than the building setbacks established herein. Service and loading areas and parking areas shall not be located in the minimum front yard.
 2. **Minimum Side Yard:** For main and accessory structures, a minimum side yard of fifteen (15) feet shall be required. The parcels shall be treated as one tract and therefore there is no minimum side yard required for the north side of parcel 153-000037 since it abuts parcel 153-000046. For service and loading areas and parking areas, a minimum setback of ten (10) feet from the side lot line shall be required.
 3. **Minimum Rear Yard:** For main and accessory structures, a minimum rear yard of twenty (20) feet is required. For service and loading areas and parking areas, a minimum setback of fifteen (15) feet from the rear lot line shall be required.
- E. Maximum Lot Coverage:** No more than 70% of the property can be covered in buildings and all impervious surfaces unless otherwise approved as a part of a larger development. The remaining 30% shall include grass, required landscaping, trees, and/or storm water retention areas.
- F. Loading Areas:** Loading areas shall be shown on the Final Development Plan and will be provided on-site to ensure that loading and unloading of vehicles does not occur on a public street. Loading areas shall not interfere with the parking areas. Loading areas shall not be permitted in the required front yard. Loading areas may be permitted in the rear or side yards provided the rear or side yards provided exceed the minimum required yard.
- G. Dumpsters:** All trash containers shall be confined to the rear or side of buildings and shall be screened from public roads in accordance with the Codified Ordinances of Obetz. Existing dumpsters located with current buildings that not visible from public roads do not need to meet this requirement. When the parcel is redeveloped, all new dumpsters must meet this requirement. All existing dumpsters that are visible from Alum Creek Drive will meet the screening requirement for dumpsters within six (6) months of approval of these regulations. Containers for the collection of clothes and household items shall be treated as dumpsters.

- H. Parking:** Chapter 1169 of the Codified Ordinances shall regulate parking unless otherwise stated below:
1. Parking shall not be located in the required front yard. Parking may be located in front of a structure provided the required front yard is maintained.
 2. When two or more uses are provided on the same lot, the total number of parking spaces may be reduced by half.
 3. All parking areas will have parking spaces with either wheel blocks or curbs.
 4. All parking and circulation areas will be covered with an asphalt or concrete surface with the exception of the area shown in red below as well as the driveway to Building 4 and any parking and circulation areas around Building 4. These areas may be gravel surfaces for up to two years.



- I. Utilities/Easements:** All new, relocated or upgraded utilities, on-site or off-site, necessary to serve the building site shall be located underground. Developer shall grant reasonable utility easements, the course of which shall be within the reasonable discretion of the Developer, for the purpose of facilitating the construction of utilities to the extent such may traverse Developer-owned or controlled land. The Developer reserves unto itself, its successors and assigns, non-exclusive easements and right-of-way for the erection, installation, construction, maintenance and modification for all utility lines and appurtenances.
- J. Outside Storage:** Outside storage of materials is prohibited except in the areas shown below in yellow and only for up to two years from the date of adoption of the Development Plan Text. If the area shown in yellow is used for outdoor storage, it shall be screened with an 8' chain link fence with slats. All junk including junk vehicles currently stored on the property shall be removed within 6 months of adoption of the development text. The outdoor storage area is limited to the materials needed to operate the businesses in Buildings #3 and #4. Mulch cannot be stored in any of the outdoor storage areas.



- K. **Accessory Structures:** Accessory structures shall meet the requirements of Chapter 1171 and shall require a Conditional Use Permit from the Planning and Zoning Commission prior to construction unless the Accessory Structures are shown on the Final Development Plan.

- L. **Landscaping and Preservation of Existing Trees:** All landscaping shall meet the requirements of Chapters 1167 and 1169 of the Codified Ordinance. Additional landscaping will not be required until the site is redeveloped.

There are several rows of mature trees that serve as visual buffers to surrounding property owners. There is also a small drainage ditch that flows through the site which is also surrounded by trees. The trees along the drainage ditch will be maintained during site redevelopment. The trees along the parcel lines will be maintained until the property is redeveloped. Even during redevelopment, every effort will be made to preserve the existing tree lines and integrate them into the development.



- M. Lighting:** Lighting shall be designed to provide the minimum level of illumination necessary for security, safety, and visual appeal for both pedestrians and motorists. Additional lighting will not be required until the site redevelops, unless the Village of Obetz determines that a safety issue exists. The following standards apply to all new structures or parking areas created.
1. All pole fixtures shall have a maximum height of 30 feet and shall be full cut-off fixtures.
 2. Vertical surfaces shall be illuminated at less than 5.0 footcandles.
 3. All uplighting or downlighting will be done in a way that focuses the light on the area of interest and not beyond.
 4. Parking lot lighting shall be of a consistent light source type and style.
 5. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property and shall provide not less than two and one-half (2 1/2) foot candles at the paved surface.

N. Screening of Rooftop Mechanical Units: Screening of rooftop equipment is required if it is visible from a public right of way.

O. Fencing: All fencing shall meet the requirements of Chapter 1173 unless otherwise indicated below. Fencing shown in the Development Plan Text, or on the Preliminary or Final Development Plan will not require a Conditional Use Permit from the Planning and Zoning Commission. Any new fencing that is not shown on the documents listed above will require a Conditional Use Permit from the Planning and Zoning Commission.

1. Temporary Fencing – New fencing shall be installed as shown with a purple line on the map below. This fencing will be permitted for up to three years. The temporary fencing will be either 6’ chain link with slats or 6’ metal panels.



2. Additional Fencing – Should the parcels to the north or south of the site development, additional fencing, the exact location and style to be determined by the Planning and Zoning Commission prior to installation, will be installed.

- P. Signage:** All signage shall meet the requirements of Chapter 1175 of the Codified Ordinances and the requirements of the Alum Creek Drive Overlay District unless otherwise stated below:
1. Each building on the parcels may have one wall sign.
 2. One freestanding sign shall be permitted for the parcels. The freestanding sign must be setback a minimum of fifteen (15) feet from the right-of-way line.

- Q. Driveways:** Currently there are two driveways at the property. As shown on the map to the right, Driveway #1 is a shared driveway for parcel 153-000037 and the parcel occupied by the Alum Creek Drive Carryout. This is the main access point for the site. Driveway #2 is currently used by the building immediately south of driveway only.

This Development Plan recognize that at a future date as the surrounding parcels development that driveways will need to be consolidated and one or both driveways may need to be abandoned as part of the larger development plan for the Alum Creek Drive corridor. In the short term, Driveway #1 will be the main driveway. Driveway #2 will not be expanded and may only be used to provide deliveries and access to overflow parking for Building #1.

