



Legislation Details (With Text)

File #: 1195-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/5/2021 **In control:** Zoning Committee

On agenda: 6/7/2021 **Final action:** 6/10/2021

Title: To rezone 5770 KARL RD. (43229), being 1.10± acres located at the southeast corner of Karl Road and Karl Court, From: C-2, Commercial District and C-4, Commercial District, To: CPD, Commercial Planned Development District (Rezoning #Z20-112).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1195-2021_Attachments, 2. ORD1195-2021_Labels

Date	Ver.	Action By	Action	Result
6/10/2021	1	CITY CLERK	Attest	
6/8/2021	1	MAYOR	Signed	
6/7/2021	1	COUNCIL PRESIDENT	Signed	
6/7/2021	1	Zoning Committee	Waive the 2nd Reading	Pass
6/7/2021	1	Zoning Committee	Approved	Pass

Rezoning Application Z20-112

APPLICANT: 480 Properties, LLC; c/o David Hodge, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on April 8, 2021.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a medical office and pharmacy and is subject to Council variance Ordinance #1713-00 (CV00-031), which permits a pharmacy of up to 2,000 square feet in the C-2, Commercial District. The requested CPD, Commercial Planned Development District permits all C-3, Commercial District uses, allowing the existing pharmacy to expand within the building. The CPD text establishes appropriate use restrictions and development standards that will maintain the property as it is currently developed, with the addition of screening between the parking lot and southern property line. The proposed CPD district is consistent with the *Northland I Area Plan's* (2015) land use recommendation for "Community Commercial" land uses at this location and is compatible with the zoning and development pattern along this section of Karl Road.

To rezone **5770 KARL RD. (43229)**, being 1.10± acres located at the southeast corner of Karl Road and Karl Court, **From:** C-2, Commercial District and C-4, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning #Z20-112).

WHEREAS, application #Z20-112 is on file with the Department of Building and Zoning Services requesting rezoning of 1.10± acres from C-2, Commercial District and C-4, Commercial 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 *Northland I Area Plan's* land use recommendation, and the existing zoning and development pattern along this section of Karl Road, 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:

5770 KARL RD. (43229), being 1.10± acres located at the southeast corner of Karl Road and Karl Court, and being more particularly described as follows:

Situated in the State of Ohio, in the County of Franklin, and in the City of Columbus;

Being in Section 4, Township 2, Range 18, United States Military Lands, being all of Lot Number Four (4) in Simkins Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 51, Page 35, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING 0.012 ACRE TRACT AS CONVEYED TO THE CITY OF COLUMBUS BY INSTRUMENT NO. 200006270126218, AND BOUNDED AND DESCRIBED AS FOLLOWS:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Section 4, Township 2, Range 18, United States Military Lands, and also being part of Lot 4 of the Simkins Subdivision as recorded in Plat Book 51, Page 35 in the Franklin County Recorder's Office for the Hospital Properties, Inc. in instrument number 199706300035168 and being described as follows:

Beginning at the northwest property corner and the easterly right-of-way line for Karl Road said property corner being 37.50 feet right of the construction centerline Station 13+83.13;

Thence along a curve to the right distance of 109.95 feet, a radius of 11.00 feet, a chord distance of 10.50 feet, on a chord bearing of South 88° 01' 05" East, following the southerly right-of-way of Karl Court (Becky Lane), to a point in the proposed easterly right-of-way line for Karl Road, said point being 48.00 feet right of the construction centerline Station 13+83.39;

Thence South 3° 27' 21" West, a distance of 23.39 feet along the proposed easterly right-of-way line for Karl road to an angle point, said point being 48.00 feet right of the construction centerline Station 13+60.00;

Thence North 86° 32' 39" West, a distance of 8.00 feet along the proposed easterly right-of-way line for Karl Road to an angle point, said point being 40.00 feet right of the construction centerline Station 22+60.00;

Thence South 3° 27' 21" West, a distance of 71.00 feet along the proposed easterly right-of-way of Karl Road to an angle point, said point being 40.00 feet right of the construction centerline Station 12+89.00;

Thence South 05° 48' 48" West, a distance of 60.78 feet along the proposed easterly right-of-way line for Karl Road to a point in the existing easterly right-of way line for Karl Road, said point being 37.50 feet right of the construction centerline Station 12+28.27;

Thence North 03° 27' 21" East, a distance of 154.84 feet along the existing easterly right-of-way line for Karl Road to the POINT OF BEGINNING, containing 0.012 acres more or less.

Taken from Parcel # 010-025380, which is Lot 4 of the aforementioned Simkins Subdivision.

Property Address: 5770 Karl Road, Columbus, OH 43229

Parcel ID: 010-025380

To Rezone From: C-2, Commercial District and 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 site plan being titled, "**EXISTING SITE PLAN - 5770 KARL ROAD**," dated May 14, 2021, signed by Eric Zartman, Attorney for the Applicant, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," dated May 14, 2021, and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

Application: Z20-112

Address: 5770 Karl Road

Parcel(s): 010-025380

Property Size: +/- 1.10 Acres

Current District: C-2 & C-4

Proposed District: CPD

Civic Association: Northland Community Council

Owner(s)/Applicant(s): 480 Properties, LLC

Attorney: David Hodge, Underhill & Hodge, LLC

Date: May 14, 2021

I. Introduction: The subject property ("Site") is approximately 1.10 acres and located on the east side of Karl Road and about 500 feet south of East Dublin-Granville Road. The Site is currently zoned C-2 except a small portion in the northwest corner that is zoned C-4 and operates as a multiple tenant medical office and pharmacy.

The Site is situated within the boundary of the Northland Community Council. The Site is not situated within a commercial overlay or planning overlay and is not a registered historic site or district. The Site is within the boundary of the Northland I Area Plan which recommends Community Mixed Use uses. This category is described as retail, office, hotel, or institutional uses with residential units located either above and/or next to the uses, which serve multiple neighborhoods. Typical Density/Intensity: 12,500 square feet per acre; 10-16 dwelling units per acre.

The Applicant proposes maintaining the site as developed. The purpose of this application is to legitimize the sites existing nonconforming and noncompliant pharmacy use and expand the site's permitted uses to include C-3 Community Scale Commercial uses which are appropriate for the neighborhood and recommended by the Northland I Area Plan.

II. Permitted Uses: The permitted uses shall be those uses contained in Section 3355.03, C-3, Permitted Uses of the Columbus City Code.

III. Development Standards: Except as otherwise listed herein or depicted on the CPD Plan, the development standards shall be those contained in Chapter 3355 of the Columbus City Code.

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

1. The minimum building line shall be 34 feet from Karl Road right-of-way.
2. The minimum parking setback shall be 10 feet from the Karl Road right-of-way.

B. Access, Loading, Parking, and/or other Traffic Related Commitments: The access points shall be as shown on the submitted CPD Site Plan, subject to review and approval by the City of Columbus, Public Service Department, Division of Traffic Management.

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

1. The minimum number of internal parking lot trees shall be one.
2. The Site shall provide a six-foot board on board fence along the south perimeter of the parking lot, as shown on the CPD Site Plan. No other screening for abutting residential property shall be required.

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

N/A

E. Dumpsters, Lighting, Outdoor Areas and/or other Environmental Commitments:

N/A

F. Graphic and Signage Commitments: Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-3 Commercial District. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

G. CPD Criteria:

1. Natural Environment. The Site is approximately 1.10 acres and the east side of Karl Road and about 500 feet south of East Dublin-Granville Road. The site is developed with a 10,225 square foot building and there are no natural features.
2. Existing Land Use. The Site is currently zoned C-2 and operates as a multiple tenant medical office and pharmacy.
3. Transpiration and Circulation. The Site is accessed via Karl Court which is accessed via Karl Road. The access and internal circuitry shall be as shown on the submitted CPD Site Plan.
4. Visual Form of the Environment. The neighborhood is predominantly commercial use and the visual form of the environment is that of a commercial district.
5. View and Visibility. The Site can be viewed from Karl Road.
6. Proposed Development. No new development is proposed. Rezoning is proposed to legitimize existing pharmacy uses and expand permitted uses to appropriate community commercial uses.
7. Behavior Patterns. The development and behavior pattern along Karl Road, off of East Dublin-Granville Road, supports the commercial development.

8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

3312.21(A) - Interior parking lot landscaping - This section shall be modified to reduce the minimum number of required interior landscaping trees to 1.

3312.21(B) - Parking perimeter landscaping - This section shall be modified to eliminate the requirement for perimeter parking lot landscaping.

3321.09 - Screening. This section shall be modified to reduce the requirement for screening of nonresidential districts abutting residential districts and limit this requirement to the south perimeter of the parking lot.

3355.09 - C-3 district setback lines. This section shall be modified to reduce the minimum building setback from 40 feet to 34 feet.

I. Miscellaneous: A development plan titled "EXISTING SITE PLAN - 5770 KARL ROAD" showing lot lines, setbacks, and access is submitted with this text. The CPD Site Plan may be adjusted to reflect engineering, topographical or other site data and changes developed at the time of development and engineering plans for all or a portion of the Site affected by said development. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.