



## Legislation Details (With Text)

**File #:** 0644-2011      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/18/2011      **In control:** Zoning Committee  
**On agenda:** 5/9/2011      **Final action:** 5/12/2011  
**Title:** To rezone 2136 BETHEL ROAD (43220), being 2.41± acres located at the northwest corner of Bethel and Dierker Roads, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z10-026).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0644-2011Attachments.pdf, 2. ORD0644-2011Labels.pdf, 3. ORD0644-2011DataSheet.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
5/12/2011	1	CITY CLERK	Attest	
5/11/2011	1	MAYOR	Signed	
5/9/2011	1	COUNCIL PRESIDENT	Signed	
5/9/2011	1	Zoning Committee	Approved	Pass
5/2/2011	1	Columbus City Council	Read for the First Time	
4/21/2011	1	Building and Zoning Drafter	Sent for Approval	
4/21/2011	1	Building and Zoning Reviewer	Reviewed and Approved	
4/21/2011	1	Building and Zoning Drafter	Sent for Approval	
4/21/2011	1	BUILDING ZONING DIRECTOR	Reviewed and Approved	
4/21/2011	1	Building and Zoning Drafter	Sent to Clerk's Office for Council	

### Rezoning Application Z10-026

**APPLICANT:** Family Dollar; c/o Arthur P. Morris, Architect; AM Architecture, Inc.; 7210 Granby Drive; Hudson, OH 44236.

**PROPOSED USE:** Discount department store.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (7-0) on March 10, 2011.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 2.41± acre site is developed with a vacant building most recently occupied by an appliance store, and is zoned in the CPD, Commercial Planned Development District. The requested CPD, Commercial Planned Development District will allow limited C-2, Commercial District and retail uses. The current CPD District permits the appliance store as the sole retail use. The requested CPD, Commercial Planned Development District will establish appropriate commercial uses for the site to allow for reuse of the existing building. The CPD text maintains the development standards contained within the current CPD District that were established for the previous appliance store use. The request is consistent with the zoning and development patterns of the area.

To rezone **2136 BETHEL ROAD (43220)**, being 2.41± acres located at the northwest corner of Bethel and Dierker Roads, From:

CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z10-026).

**WHEREAS**, application #Z10-026 is on file with the Building and Zoning Services Department requesting rezoning of 2.41± acres from CPD, Commercial Planned Development 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 CPD text maintains the development standards contained within the current CPD District that were established for the previous appliance store use, and adds uses that are consistent with the zoning and development patterns of the area, 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**2136 BETHEL ROAD (43220)**, being 2.41± acres located at the northwest corner of Bethel and Dierker Roads, and being more particularly described as follows:

**To Rezone From:** CPD, Commercial Planned Development 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 changes 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, "**SITE PLAN**," and "**ZONING SITE PLAN**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT DISTRICT TEXT**," all signed by Arthur P. Morris, Architect, dated April 14, 2011, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT DISTRICT TEXT**

**PROPOSED DISTRICT:** CPD  
**PROPERTY ADDRESS:** 2136 Bethel Road  
**OWNER:** Columbus Venture, LLC  
**APPLICANT:** Family Dollar  
**DATE OF TEXT:** 4/14/11  
**APPLICATION NUMBER:** Z10-026

- 1. INTRODUCTION:** The site was previously zoned CPD in 2004 to permit an appliance store to operate on the property and in 1997 a pharmacy / drug store to operate on the property. The applicant is seeking to reuse the existing building and site with only minor modifications to the CPD text. The site is fully developed with a brick building, parking and landscaping to the west and north as detailed in the previous rezoning application Z04-023.
- 2. PERMITTED USES:** The permitted uses shall be retail uses as permitted by the C-3, Commercial District, a discount department store, and all other uses permitted in the C-2, Commercial District of the Columbus Zoning Code excepting the following uses: art studio, post office, public park and recreation centers, radio and television broadcasting stations and studios, and schools. The business shall close by 10:00 p.m. every night.
- 3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the text or the Site Plan, the development standards for C-2 as contained in Chapter 3353 of the Columbus City Code shall apply.

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

1. Minimum building setback is eighty feet 80' from Dierker Road and 130' from Bethel Road.
2. The setback for the parking shall be 10' from Dierker Road and 60' from Bethel Road.

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

1. All circulation, curb cuts and access points shall be maintained in their existing locations as indicated on the attached site plan subject to the approval of the Planning and Operations Division.
2. Loading areas shall be screened by opaque material and/or landscaping to a minimum of height of seven 7' feet. Loading area along the north side of the building is screened by a seeded 8' mound with tree and shrub planting per the attached landscape plan.

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

The existing landscaping per the attached original approved Zoning Clearance plan (EN97-1365) titled "Zoning Site Plan" shall be maintained.

1. Landscaping is provided parallel and adjacent to Bethel Road for a minimum of 50% of the frontage.
2. Existing tree planting will be maintained at the minimum 3" caliper located a minimum of 1 per 40 linear feet of Bethel Road frontage, located a minimum of 70 feet from the Bethel Road centerline (85' max).
3. All existing parking areas along Bethel Road and Dierker Road have headlight screening. Bethel Road screening of 3' continuous seeded earth mounding will be maintained. Continuous existing shrubbery row of minimum 30" height will be maintained along Dierker Road. Height measured from the adjacent parking area.
4. The required screening in this section shall be counted in determining compliance with the required landscaping sections in Chapter 3312 of the Columbus City Code.
5. Dead items will be removed and replaced with identical type and size material. Landscaping will be maintained on an ongoing basis.

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

1. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.
2. Dumpsters and all ground-mounted mechanical equipment shall be located at the rear of the building.

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

1. All accent lighting shall be concealed from the adjacent right of way.
2. Light poles in parking lot shall not exceed 20' in height.

F. Graphics and Signage Requirements

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-4 District and the Regional Commercial Overlay. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
2. The existing monument sign boxes shall be reused to advertise the business and no other freestanding signs shall be installed.

G. Miscellaneous

1. The site shall be developed in general conformance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect

engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

1. The existing drive thru window shall not be utilized for any type of drive thru service.

H. CPD Criteria

1. Natural Environment

The site developed as a vacant appliance store.

2. Existing Land Use

To the west and north are condominiums, to the south and east are commercial developments.

3. Proposed Use: Commercial / Retail Uses

4. Transportation and Circulation

Access will be from Dierker Road and Bethel Road via the existing curb cuts.

5. Visual Form of the Environment

The visual form of the development has been established and will not change.

6. View and Visibility

View and visibility of the development has been determined and will remain as it is now.

7. Emissions

No adverse emissions are expected from this development.

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