



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed
File created: 11/17/2016 **In control:** Zoning Committee
On agenda: 12/12/2016 **Final action:** 12/15/2016
Title: To rezone 2162 HARRISBURG PIKE (43123), being 1.1± acres located at the northeast corner of Harrisburg Pike and Red Rock Boulevard, From: C-4, Commercial District and C-5, Commercial District, To: L-C-4, Limited Commercial District (Rezoning # Z15-063).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3048-2016.Attachments, 2. ORD3048-2016.Labels

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Zoning Committee	Approved	Pass
12/5/2016	1	Columbus City Council	Read for the First Time	

Rezoning Application Z15-063

APPLICANT: Core Resources Inc.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on March 10, 2016.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.1± acre site consists of portions of two parcels, is undeveloped, and zoned C-4 and C-5 Commercial Districts. The requested L-C-4, Limited Commercial District will allow commercial development of the site. The proposed limitation text permits all C-4, Commercial District uses and commits to C-4 development standards with additional buffering and screening. This site is located within the planning area of the *Southwest Area Plan* (2009), which recommends "Medium-Low Density Residential," allowing for a variety of residential uses such as duplexes, townhouses, condominiums and low-density apartments. The proposal is not consistent with the land use recommendations of the *Southwest Area Plan*, but has received recommendations of approval from the Southwest Area Commission and the Planning Division of the Department of Development. Support is warranted due to the of current zoning allowing for more intense uses than proposed, and measures for preservation and enhancement of landscaping that are within the text.

To rezone **2162 HARRISBURG PIKE (43123)**, being 1.1± acres located at the northeast corner of Harrisburg Pike and Red Rock Boulevard, From: C-4, Commercial District and C-5, Commercial District, To: L-C-4, Limited Commercial

District (Rezoning # Z15-063).

WHEREAS, application #Z15-063 is on file with the Department of Building and Zoning Services requesting rezoning of 1.1± acres from C-4, Commercial and C-5, Commercial Districts to L-C-4, Limited Commercial District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Southwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District will allow for commercial development with compatible density and development standards of adjacent commercial and residential areas along the corridor. The request has received recommendations of approval from the Southwest Area Commission and the Planning Division of the Department of Development despite conflict with the *Southwest Area Plan* recommendation. Support is resultant of current zoning allowing for more intense uses than proposed, and measures for preservation and enhancement of landscaping that are within the text; 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. 02-73, passed February 21, 1973, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2162 HARRISBURG PIKE (43123), being 1.1± acres located at the northeast corner of Harrisburg Pike and Red Rock Boulevard, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a part of Virginia Military Survey No. 1454; also being a part of Reserve C and a part of Reserve D as delineated in Stoneridge No. 1 subdivision as recorded in Plat Book 45 Page 13; also being a part of those lands as conveyed Christine E. Smith as described in Instrument No. 201201120005545; being more particularly described as follows:

Commencing at the intersection of the centerline of Harrisburg Pike (U.S. Route 62) and Red Rock Boulevard; thence,

Along the centerline of Harrisburg Pike, *North 29° 25' 34" East, for a distance of 69.85'* to a point; thence,

Along a line perpendicular to the centerline of Harrisburg Pike, *South 60° 34' 26" East, for a distance of 60.00'* to a point along the easterly right-of-way line of Harrisburg Pike, said point also being a southwesterly corner of said Reserve D, said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the easterly right-of-way line of Harrisburg Pike, also being along a westerly line of said Reserve D and then along a portion of a westerly line of said Reserve C, *North 29° 25' 34" East, for a distance of 161.69'* to a point; thence,

Along a line through said Reserve C, *South 60° 35' 11" East, for a distance of 260.00'* to a point; thence,

Along a line through said Reserve C and then through said Reserve D, *South 29° 24' 49" West, for a distance of 187.35'* to a point along the northerly right-of-way line of Red Rock Boulevard; thence,

Along the northerly right-of-way line of Red Rock Boulevard, also being along a portion of a southerly line of said Reserve D, following a curve to the left, non-tangent to the previous course, having a *radius of 1001.00'*, *an arc length of 198.60'*, *a central angle of 11° 22' 03"* and *a chord that bears North 60° 55' 25" West for a distance of 198.27'* to a point of tangency; thence,

Along the northerly right-of-way line of Red Rock Boulevard and a southerly line of said Reserve D, *North 66° 36' 27" West, for a distance of 28.78'* to a point of curvature; thence,

Along the northerly right-of-way line of Red Rock Boulevard and then the easterly right-of-way line of Harrisburg Pike, also being along a southwesterly line of said Reserve D, following a curve to the right having a *radius of 30.00'*, *an arc length of 50.28'*, *a central angle of 96° 02' 01"*, and *a chord that bears North 18° 35'26" West for a distance of 44.60'* to the point of beginning, containing 1.107 acres of land, more or less.

The above-described lands are based on record documents only, and are described for zoning purposes only. A boundary survey and determination were not performed.

Basis of bearings for the herein-described courses is a portion of the centerline of Harrisburg Pike being North 29° 25' 34" East as shown in Stoneridge No. 1 subdivision as recorded in Plat Book 45 Page 13.

To Rezone From: C-4, Commercial District and C-5, Commercial District

To: L-C-4, Limited Commercial District

SECTION 2. That a Height District of 35 feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION TEXT**," signed by Jeffrey L. Brown, Attorney for the Applicant, dated November 8, 2016, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICTS: L-C-4, Limited Commercial

PROPERTY ADDRESS: 2162 Harrisburg Pike

OWNER: Christine E. Smith

APPLICANT: Morning Star Partners, LLC.

DATE OF TEXT: 11/8/16

APPLICATION: Z15-063

1. INTRODUCTION: This site is located at the northeast corner of Harrisburg Pike and Red Rock Blvd. The site is split by two different zoning districts C-5 to the south and C-4 to the north. The proposed application for rezone to subject site to the L-C-4, Limited Commercial District.

2. PERMITTED USES:

Those uses permitted under Chapter 3356, C-4, Commercial District of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the text or submitted drawings the applicable development standards are contained in Chapter 3356 C-4, Commercial District of the Columbus City Code.

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

1. N/A

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

1. The proposed curbcut on Red Rock Boulevard shall have two lanes out and one lane in. A "Do Not Block Driveway" sign shall be installed on Red Rock Boulevard located east of the access drive facing west.

2. The developer shall modify the existing traffic signal at the intersection Alkire Road and Harrisburg Pike to include the site driveway in the traffic signal operation. The signal may operate with separate eastbound and westbound phases due to skewed alignment of those approaches.

3. The developer shall modify the existing lane use signing and pavement markings on the eastbound approach of Alkire Road such that there is one through left shared lane and one right turn only lane.

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

1. The frontage along Harrisburg Pike shall be landscaped as follows: 1 tree per 30 linear feet. Trees may be grouped or evenly spaced.

2. The existing fence along the Red Rock Boulevard property line shall be maintained or replaced with a similar style fence except at any access point to Red Rock Boulevard.

3. The existing landscaping consisting of seven deciduous trees and five evergreen trees within the parking setback along the Red Rock Boulevard property line shall be maintained except at the proposed access point. Dead and diseased landscaping may however, be removed subject to sound landscaping practice. If upon removal of the dead/diseased landscaping materials open areas appear within the parking setback, then new tree and shrubbery shall be installed as follows: one tree or evergreen for every ten feet of new open area.

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

1. N/A

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

1. N/A

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the appropriate C-4, Commercial District.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives does 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.

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