



## Legislation Details (With Text)

**File #:** 1747-2004      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/24/2004      **In control:** Zoning Committee

**On agenda:** 11/15/2004      **Final action:** 11/16/2004

**Title:** To rezone 1150 HARRISBURG PIKE (43223), being 1.36± acres located at the northeast corner of Hopkins Avenue and Harrisburg Pike, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z04-063).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1747-2004Report&Maps.pdf, 2. ORD1747-2004Labels.pdf, 3. ORD1747-2004DataSheet.pdf

Date	Ver.	Action By	Action	Result
11/16/2004	1	MAYOR	Signed	
11/16/2004	1	CITY CLERK	Attest	
11/15/2004	1	Zoning Committee	Approved	Pass
11/15/2004	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/8/2004	1	Columbus City Council	Read for the First Time	
11/1/2004	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
10/15/2004	1	Dev Zoning Drafter	Sent for Approval	
10/15/2004	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/14/2004	1	Dev Zoning Drafter	Sent for Approval	
10/14/2004	1	Dev Zoning Reviewer	Reviewed and Approved	

**Rezoning Application # Z04-063**

**APPLICANT:** Meadwood Development Inc.; c/o Jackson B. Reynolds, III, Atty; 37 West Broad Street; Columbus, Ohio 43215.

**PROPOSED USE:** Pharmacy with a drive-thru.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on September 9, 2004.

**SOUTHWEST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District will allow a pharmacy with a drive-thru. The proposed CPD plan and text contain development standards in consideration of the abutting residential use, and is consistent with the zoning and development patterns of the area.

To rezone **1150 HARRISBURG PIKE (43223)**, being 1.36± acres located at the northeast corner of Hopkins Avenue and Harrisburg Pike, **From:** R, Rural District, **To:** CPD, Commercial Planned Development District (Rezoning # Z04-063).

**WHEREAS**, application #Z04-063 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.36± acres from R, Rural District to CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District will allow a pharmacy with a drive-thru. The proposed CPD plan and text contain development standards in consideration of the abutting residential use, and is 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:

**1150 HARRISBURG PIKE (43223)**, being 1.36± acres located at the northeast corner of Hopkins Avenue and Harrisburg Pike, and being more particularly described as follows:

Description of 1.363 acres

Situated in the State of Ohio, County of Franklin, Township of Franklin, all Lots 351, 352, 353 and 354 of Gibson Park as recorded in Plat Book 19, pg. 33, and being all of Lots 301, 302 and 303 of Gibson Park Addition as recorded in Plat Book 16, Page 9, Franklin County Recorder's Office, containing 1.363 acres and being further described as follows:

Beginning for reference at a found railroad spike at the intersection of the centerlines of Harrisburg Pike (U.S. Route 62, SR. 3) and Hopkins Ave., as shown on said Gibson Park plat;

Thence North 45 degrees 30' 00" East 80.28 feet, along the centerline of said Harrisburg Pike, to a point;

Thence South 44 degrees 30' 00" East 30.00 feet, crossing said Harrisburg Pike, to an iron pin set, said iron pin being the southwesterly corner of said Lot 354 and being the True Place of Beginning for the herein described 1.363 acre tract;

Thence North 45 degrees 30' 00" East 374.50 feet, along the easterly line of said Harrisburg Pike, being the westerly line of said Lots 354, 353, 352, 351, 303, 302 and 301, to an iron pin set at the northwesterly corner of said Lot 301, being the southwesterly corner of Lot 300 of said Gibson Park Addition;

Thence South 44 degrees 36' 00" East 160.00 feet, along the northerly line of said Lot 301 being the southerly line of said Lot 300, to an iron pin set, said iron pin being in the westerly line of a 20 foot wide Alley as shown on said plat, and being the northeasterly corner of said Lot 301 and being the southeasterly corner of said Lot 300;

Thence South 45 degrees 30' 00" West 329.63 feet, along the east line of said Lots 301, 302, 303, 351, 352, 353 and 354, being the easterly line of said 20 foot wide Alley, to an iron pin set in the northerly line of said Hopkins Ave.

Thence along the northerly line of said Hopkins Ave., being the southerly line of said Lot 354 along curve to the right having a delta angle of 04 degrees 47' 35" a radius of 1683.60 feet, a chord bearing and distance of North 72 degrees 57' 13" West 140.80 feet, to an iron pin set;

Thence along the easterly line of said Harrisburg Pike, being a curve to the right having a delta angle of 115 degrees 42' 31" a radius of 25.00 feet, a chord bearing and distance of North 13 degrees 17' 26" West 42.33 feet, to the True Place of Beginning, containing 59391 square feet or 1.363 acres, more or less, subject to all legal easements and right of ways of record.

Bearings are based on the centerline of said Harrisburg Pike. as being North 45 degrees 30' 00" East, as shown on said Gibson Addition plat. Documents referred to are recorded in the Franklin

County Recorder's Office. Iron pins set are 5/8" rebar 30" long with yellow plastic cap stamped.

**To Rezone From:** R, Rural 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 Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**WALGREEN'S DEVELOPMENT PLAN**", and "**WALGREEN'S EXTERIOR ELEVATIONS (SHEETS A-2.1 AND A 2.2)**" and text titled, "**CPD TEXT**", all signed by Jackson B. Reynolds III, Attorney for the Applicant, and dated September 9, 2004, and the text reading as follows:

#### **CPD TEXT**

**PROPOSED DISTRICT:** CPD, Commercial Planned Development  
**PROPERTY ADDRESS:** 1150 Harrisburg Pike  
**OWNER:** Nick Soulas, TR *et al.*  
**APPLICANT:** Meadowood Development  
**DATE OF TEXT:** 09/09/04  
**APPLICATION NUMBER:** Z04-063

**1. INTRODUCTION:** The property was developed with a small strip center, a fast food restaurant, and a single family home. The proposed redevelopment of the site by the applicant is a new drug store that will reduce the number of curbcuts on Harrisburg Pike from four (4) to two (2) and on Hopkins Avenue from one (1) to zero (0).

**2. PERMITTED USES:** Those uses permitted in Sections 3356.03 (C-4 district) of the Columbus City Code. However, none of the following shall be permitted: adult book store, adult motion picture theater, adult-only entertainment establishment, automobile and light truck dealers, automotive sales, leasing and rental, bars, cabarets and nightclubs, motorcycle, boat and other motor vehicle dealers, outdoor power equipment stores, pawn brokers, recreational vehicle dealers, truck utility, trailer and RV sales, rental and leasing, automotive maintenance and repair, drive-in motion picture theaters, motels and hotels, animal shelter, veterinarians.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or the Site Plan, the development standards for C-4, as contained in Chapter 3356 of the Columbus City Code shall apply.

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

1. The minimum building and parking setbacks from Harrisburg Pike shall be 5 and 2 feet, respectively. The minimum building and parking setbacks from Hopkins Avenue shall be 30 feet and 10 feet, respectively. The building setback off Hopkins Avenue, as established by the Zoning Code, is 30 feet from the right-of-way, however the site plan fixes the building setback under this CPD as the applicant is committing to the submitted site plan and therefore any change would require rezoning the property to establish a new building setback.

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

1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.

2. Two (2) of the four (4) curbcuts shall be closed on Harrisburg Pike and the one curbcut on Hopkins Avenue shall be closed as access will come through the existing alley. The curbcut locations are shown on the site plan.

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

1. The developer shall install one tree for each 40 feet of frontage (grouped or spaced), along Harrisburg Pike and Hopkins Avenue.

2. For all parking areas along Harrisburg Pike and Hopkins Avenue, a minimum screening height of 30 inches (60 inches maximum) shall be maintained along this frontage for the shielding of auto headlights as measured from the elevation of the nearest section of an adjacent parking area. Such screening can be accomplished by the use of mounding, brick or stone structures or landscaping material.

3. Lot coverage to include: buildings, parking and service areas shall not exceed 90% of the designated lot (credit shall be given for setback areas if not paved).

4. For all loading areas, screening of opaque wood or brick or planting shall be a minimum of six (6) feet in height and be so designed as to interrupt vision into such areas from adjacent streets and properties. All outdoor storage trash containers shall be fully screened as provided in fire and safety design standards.

5. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

6. All trees meet the following minimum size at the time of planting:

Shade trees 2 ½ caliper; Ornamental trees 1 ½ caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.

7. An eight (8) foot high board on board fence will be installed along the northern property abutting the single family house along the length of the lot from the east and west.

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

1. The building will be constructed of brick materials on all four (4) sides with aluminum accents.

2. Standing seam metal awnings will be placed over the windows and main entrance.

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

1. All external lighting shall utilize cut off type fixtures to minimize offsite spillage.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers type to insure compatibility.

3. Accent lighting shall be permitted provided such light source is concealed from adjacent right-of-way.

4. Any wall-mounted lighting shall be shielded to prevent offsite spillage.

5. Light poles in the parking lot shall not exceed 18 feet in height within 100 feet of residentially used property. Outside of this 100 foot protected residential area the light poles may be 20 feet in height.

**F. Graphics and/or Signage Commitments.**

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 and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

1. Sidewalks shall be added along both the Hopkins Road and Harrisburg Pike roadways.

**2. CPD Criteria**

**a. Natural Environment**

The site currently is developed with a small strip shopping center, a fast food restaurant and a single family home.

**b. Existing Land Use.**

To the south and west are commercial developments and to the east and north is single family housing.

c. Proposed Use: Commercial

d. Transportation and Circulation

Access will be from two (2) curbcuts on Harrisburg Pike and from the existing alley that is located on the east side of the site.

e. Visual Form of the Environment

The visual form of the development has been established by the submitted elevations as the building will be constructed of brick on all four sides with standing seam metal awnings. The building will be an upgrade to the surrounding area, as the buildings to be removed are older and in need of repair. The neighborhood is old and in need of upgrading and the proposed redevelopment will benefit the area by reducing curbcuts, improving building stock and increased landscaping.

f. View and Visibility

View and visibility of the development will enhance the neighborhood as the site will be redeveloped with a new brick building , landscaping and parking areas. The site will be visible from Harrisburg Pike and Hopkins Road and given the submitted building design the result will be a better neighborhood landscape, as the area is primarily older homes and dated commercial structures.

g. Emissions

No adverse emissions are expected from this development.

B. Variances

1. The number of required on-site parking spaces shall be reduced from 60 to 54, a reduction of 6 spaces (CCC 3342.28 (B) (15).)
2. The building setback from Harrisburg Pike shall be reduced to 5 feet from 50 feet, a reduction of 45 feet (CCC 3356.11 (2).)
3. To reduce the aisle width along the drive thru stacking line from 20 feet to 17 feet, a reduction of three feet to accommodate the bypass lane (CCC 3342.06.)
4. To reduce the stacking number from 8 to 6 spaces, a reduction of 2 spaces (CCC 3342.07.)
5. To reduce the loading space requirements from 2 to 1 (CCC 3342.29 (B) (3).)
6. The parking setback off Harrisburg Pike shall be reduced from 10 feet to 2 feet, a reduction of 8 feet. (CCC 3342.18 (d))

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