



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 1930-2005, Version: 1**

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### **Rezoning Application Z05-049**

**APPLICANT:** Giant Eagle Inc.; c/o Jackson B. Reynolds III, Atty., Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** Conform an existing grocery store and add a pharmacy pick-up window.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on September 8, 2005.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District would conform an existing grocery store and allow for a pharmacy pick-up window. Staff supports retention of the existing grocery store configuration use and the proposed drive-through pharmacy. In addition the applicants are committing to a landscape plan which will upgrade the existing landscaping at the site. Staff finds the requested CPD, Commercial Planned Development District to be consistent with the development and zoning patterns of the area.

To rezone **1451 WEST FIFTH AVENUE (43212)**, being 3.19± acres located at the southwest corner of West Fifth Avenue and Grandview Avenue, **From:** C-4 and C-5, Commercial Districts, **To:** CPD, Commercial Planned Development District. (Rezoning # Z05-049)

**WHEREAS**, application #Z05-049 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.19± acres from the C-4 and C-5, Commercial Districts to the CPD, Commercial Planned Development District; and

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

**WHEREAS**, the City Departments recommend approval of the proposed CPD, Commercial Planned Development District, because the requested CPD, Commercial Planned Development District would conform an existing grocery store and allow for a pharmacy pick-up window. Staff supports retention of the existing grocery store configuration use and the proposed drive-through pharmacy. In addition the applicants are committing to a landscape plan which will upgrade the existing landscaping at the site. Staff finds the requested CPD, Commercial Planned Development District to be consistent with the development and zoning 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:

**1451 WEST FIFTH AVENUE (43212)**, being 3.19± acres located at the southwest corner of West Fifth Avenue and Grandview Avenue,, and being more particularly described as follows:

### **ZONING DESCRIPTION**

**3.187 ACRES**

Situate in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 1, 2, 7, and 8 of "Croughton and Denmead's Suburban Subdivision, known as Grandview, and being all of the tracts conveyed to Broadview Partners by deed of record in Official Record 4985D13, and Instrument Number 200303030062576, and all of Parcels 1 and 2 as conveyed to Broadview Partners by deed of record in Official Record 1706H06 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning at a point in the easterly right-of-way line of Broadview Avenue, at the southwesterly corner of the tract conveyed to City of Columbus by deed of record in Deed Book 1368, Page 457;

Thence South 85° 30' 00" East, a distance of 259.96 feet, to a point;

Thence North 04° 32' 12" East, a distance of 20.00 feet, to a point;

Thence South 85° 30' 00" East, a distance of 100.00 feet, to a point;

Thence South 04° 32' 12" West, a distance of 400.12 feet, to a point;

Thence North 85° 30' 00" West, a distance of 359.96 feet, to a point;

Thence North 04° 32' 12" East, a distance of 380.12 feet, to the POINT OF BEGINNING, containing 3.187 acres, more or less.

**To Rezone From:** C-4 and C-5, Commercial Districts,

**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, "**CONCEPT SITE PLAN**" and "**LANDSCAPE PLAN**," both signed by Jackson B. Reynolds III, Attorney for the Applicant, and dated September 22, 2005; and text titled, "**COMMERCIAL PLANNED DEVELOPMENT**," signed by Jackson B. Reynolds III, Attorney for the Applicant, and dated June 30, 2005, and the text reading as follows:

### Commercial Planned Development

**PROPOSED DISTRICT:** CPD

**PROPERTY ADDRESS:** 1451 West 5<sup>th</sup> Avenue

**OWNER:** Broadview Partners

**APPLICANT:** Giant Eagle Inc.

**DATE OF TEXT:** 06/30/05

**APPLICATION NUMBER:** Z05-049

**1. INTRODUCTION:** The site is zoned C-4 and C-5 and is being used as a grocery store. The applicant is seeking to rezone the property to allow a pharmacy drive-thru window and to cement the previously granted variances. The site is fully developed with a brick building, parking and landscaping and a council variance was granted on November 2, 2002 (CV02-046) to allow parking on the corner lot which was previously used as a gasoline station.

**2. PERMITTED USES:** The permitted uses shall be those permitted in the C-4, Chapter 3356.03, Commercial District of the Columbus Zoning Code.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the 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. Minimum building setback is eighty feet 100 feet from West 5<sup>th</sup> Avenue and 80 feet from Grandview Avenue, 0 feet from Broadview Avenue and Ida Avenue.

2. The setback for the parking shall be 0 feet from Broadview, Ida, Grandview and West 5<sup>th</sup> Avenue.

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. Loading areas shall be screened by opaque material and/or landscaping to a minimum of height of six (6) feet.

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

The Landscaping shall be developed in accordance to the submitted Site Plan and Site Plan - notations specifications attached hereto and made part hereof as if fully written herein.

1. The parking lot landscaping shall be as set forth on the site.

2. The landscaping will be maintained and replaced with identical type and size material by the applicant 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 and screened from public view to the height of the dumpster/equipment.

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

1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designated to prevent offsite spillage.

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

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

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

3. Light poles in the parking lot shall not exceed 30 feet 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 and any variance to those requirement will be submitted to the Columbus Graphics Commission for consideration.

G. CPD Criteria

1. Natural Environment

The site developed as a grocery store.

2. Existing Land Use

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

3. Proposed Use: Commercial / Retail Uses

4. Transportation and Circulation

Access will be from Broadview, Ida, Grandview and West 5<sup>th</sup> Avenue.

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.

8. Variance(s) to Section(s):

1. 3342.28 Minimum number of parking spaces required.

To reduce the required number of parking spaces from 187 to 166 (a reduction of 21 spaces).

2. 3342.19 Parking space.

To reduce the required length of a parking space from 18 feet to 16 feet for 14 parking spaces along Ida Avenue.

3. 3342.06 Aisle.

To reduce the minimum width of an aisle from 20 feet to 0 feet for 14 parking spaces along Ida Avenue thereby allowing maneuvering to occur in Ida Avenue (50 feet).

4. 3342.15 Maneuvering.

To permit maneuvering between the street right-of-way line and the parking setback line for 18 " parking spaces.

5. 3342.18 Parking setback line.

To reduce the parking setback line along Ida, Grandview, Broadview and West 5<sup>th</sup> Avenues from 10 feet to 0 feet.

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