



## Legislation Details (With Text)

**File #:** 1406-2019      **Version:** 1

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

**File created:** 5/15/2019      **In control:** Zoning Committee

**On agenda:** 6/3/2019      **Final action:** 6/5/2019

**Title:** To rezone 2555 BETHEL RD (43220), being 2.05± acres located on the south side of Bethel Road at Pickforde Drive, From: L-C-2, Limited Commercial District, To: L-C-4, Limited Commercial District (Rezoning # Z19-027).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1406-2019.Attachments.pdf, 2. ORD1406-2019.Labels.pdf

Date	Ver.	Action By	Action	Result
6/5/2019	1	CITY CLERK	Attest	
6/4/2019	1	ACTING MAYOR	Signed	
6/3/2019	1	COUNCIL PRESIDENT	Signed	
6/3/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
6/3/2019	1	Zoning Committee	Approved	Pass

### Rezoning Application Z19-027

**APPLICANT:** Habitat for Humanity-MidOhio; c/o John A. Gleason, Atty.; 41 S. High St., Suite 3100; Columbus, OH 43215.

**PROPOSED USE:** Retail uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on May 9, 2019.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel developed with an ice cream store and office permitted by Council variance (CV99-035) in the L-C-2, Limited Commercial District. The applicant is requesting the L-C-4, Limited Commercial District to reuse the existing building for expanded retail uses. The site is within the planning area of *The Northwest Plan* (2016), which recommends "Mixed Use 1" land uses at this location. The limitation text maintains previously-established supplemental development standards that address setbacks, building size, height, lot coverage, access, buffering, landscaping and screening, and lighting. Staff supports the requested L-C-4 District as it is consistent with the Plan's land use recommendations and is compatible with the surrounding development and zoning patterns of the area.

To rezone **2555 BETHEL RD (43220)**, being 2.05± acres located on the south side of Bethel Road at Pickforde Drive, **From:** L-C-2, Limited Commercial District, **To:** L-C-4, Limited Commercial District (Rezoning # Z19-027).

**WHEREAS**, application # Z19-027 is on file with the Department of Building and Zoning Services requesting rezoning

of 2.05± acres from L-C-2, Limited Commercial District, to L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District is consistent with *The Northwest Plan's* recommendation for mixed uses at this location, and previously established supplemental development standards are maintained within the request; 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:

**2555 BETHEL RD (43220)**, being 2.05± acres located on the south side of Bethel Road at Pickforde Drive, and being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio and in the Township of Perry:

Being Lot Number Six (6) of C. B. Shoemaker's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 23, Page 41, Recorder's Office, Franklin County, Ohio.

Excepting therefrom:

Parcel 12-WD

Situated in the State of Ohio, County of Franklin, Township of Perry, located in Quarter Township 1, Township 1, Range 19, United States Military Lands and being 0.057 acre of the Antonio and Erlinda C. Borromco property of record in Official Record 4683H04 (said property being Lot 6 of the "C. B. Shoemaker Subdivision", of record in Plat Book 23, Page 41), all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point in the "platted" Southerly right-of-way line of Bethel Road marking the Northeast corner of Lot No. 6, said point also being in the Westerly line of an 11.910 acre tract conveyed to Meadow Park Church of God, Inc. of record in Deed Book 2915, Page 237;

Thence South 2 deg.01' 55" West, along the line common to said tracts, a distance of 20.69 feet to a point;

Thence leaving said common line, North 87 deg. 08' 52" West, along a line parallel to and 50.00 feet Southerly of, as measured at right angles, the centerline of Bethel Road, a distance of 119.12 feet to a point in the Westerly line of Lot 6;

Thence leaving said parallel line, North 2 deg. 01' 55" East, along said Westerly lot line, a distance of 20.64 feet to a point marking the Northwest corner of said lot;

Thence leaving said Westerly line, South 87 deg. 10' 05" East, along the "platted" Southerly right-of-way lines of Bethel Road, a distance of 119.12 feet to a place of beginning and containing 0.057 acre, more or less.

Subject, however, to all legal rights-of-way and/or Easements, if any, of previous record. The bearings in the above description are based upon the centerline of Bethel Road as being North 87 deg. 08' 52" West.

And:

Situated in the State of Ohio, County of Franklin and in the Township of Perry:

Being Lot Number Four (4) and (5) of C.B. Shoemaker Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 23, Page 41, Recorder's Office, Franklin County, Ohio.

Excepting therefrom the following two tracts more fully described as follows:

**Tract One 1:**

Situated in the State of Ohio, County of Franklin, Township of Perry and located in Quarter Township 1, Township 1, Range 19, United States Military Lands and being 0.004 acre (168 Square feet) of the Myron D. Coontz property of record in Deed Book 2567, Page 683 (said property being Lot 4 and Lot 5 of the "C.B. Shoemaker Subdivision" of record in Plat Book 23, Page 41,) all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning for references, at a point in the "platted" Southerly right-of-way line of Bethel Road marking the point where said right-of-way line intersects the Easterly right-of-way line of Henderson Heights (said point marking the point of curvature of a curve concave to the Southeast and bears North 87 deg. 10' 05" West, a distance of 98.92 feet from the Northeast corner of Lot 4);

Thence leaving the Southerly right-of-way line of Bethel Road, Southwesterly along the Easterly right-of-way line of Henderson Heights and along the arc of said curve (Radius = 20.0 feet, Delta = 90 deg. 48' 00"), along a chord of which bears South 47 deg. 25' 54" West, a distance of 28.48 feet to the point of tangency;

Thence South 2 deg. 01' 55" West, continuing along said Easterly right-of-way line, a distance of 15.28 feet to a point and being the true place of beginning of the tract herein intended to be described;

Thence leaving the Easterly right-of-way line of Henderson Heights, South 87 deg. 58' 05" East, a distance of 7.00 feet to a point;

Thence South 2 deg. 01' 55" West, along a line parallel to and 7.00 feet Easterly of, as measured at right angles, said Easterly right-of-way line, a distance of 24.00 feet to a point;

Thence leaving said parallel line, North 87 deg. 58' 05" West, a distance of 7.00 feet to a point in the Easterly right-of-way line of Henderson Heights;

Thence North 2 deg. 01' 55" East, along said right-of-way line, a distance of 24.00 feet to the true place of beginning and containing 0.004 acre, more or less.

Subject, however, to all legal right-of-way and/or easements, if any, of previous record.

The bearings in the above description are based upon the Easterly right-of-way of Henderson Heights as being South 2 deg. 01' 55" West.

**Tract No. 2**

Situated in the State of Ohio, County of Franklin, Township of Perry and located in Quarter Township 1, Township 1, Range 19, United States Military Lands and being 0.110 acre of the Myron D. Coontz property of record in Deed Book 2567, Page 683 (said property being Lot 4 and 5 of the "C.B. Shoemaker Subdivision" of record in Plat Book 23, Page 41), all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point marking the Northeast corner of said Lot 5, said point also being in the "platted" Southerly right-of-way line of Bethel Road;

Thence leaving said right-of way line, South 2 deg. 01' 55" West, along the Easterly line of Lot 5, a distance of 20.64 feet

to a point;

Thence leaving said Easterly line, North 87 deg. 08' 52" West, parallel to and 50.00 feet Southerly of, as measured at right angles, the centerline of Bethel Road, passing through the line common to Lot 4 and Lot 5 at 119.12 feet, a total distance of 238.32 feet to a point in the Westerly line of Lot 4 and in the Easterly right-of-way line of Henderson Heights (50 feet in width);

Thence leaving said parallel line, North 2 deg. 01' 55" East, along said right-of-way line, a distance of 0.28 feet to a point of curvature to the right;

Thence Northeasterly along the arc of said curve (Radius = 20.0 feet, Delta = 90 deg. 48' 00"), along a chord of which bears North 47 deg. 25' 54" East, a distance of 28.48 feet to the point of tangency (said point also being in the "platted" Southerly right-of-way line of Bethel Road);

Thence South 87 deg. 10' 05" East, along said Southerly right-of-way line and the Northerly line of Lot 4 and Lot 5, passing through the line common to Lot 4 and Lot 5 at 98.92 feet, a total distance of 218.04 feet to the place of beginning and containing 0.110 acre (there are 0.0054 acre contained within Lot 4 and 0.056 acre contained within Lot 5).

Subject, however, to all legal right-of-way and/or easements, if any, of previous record. The bearings in the above description are based upon the centerline of Bethel Road as being South 87 deg. 10' 05" East.

**To Rezone From:** L-C-2, Limited Commercial District.

**To:** L-C-4, Limited Commercial District.

**SECTION 2.** That a Height District of thirty-five (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 he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of the Building and Zoning Services 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 John A. Gleason, Attorney for the Applicant, dated May 16, 2012, and the text reading as follows:

#### **LIMITATION TEXT**

**PROPOSED DISTRICT:** L-C-4, Limited Commercial

**PROPERTY ADDRESS:** 2555 Bethel Road

**OWNER:** Hammerhead-Bethel LLC

**APPLICANT:** Habitat for Humanity-MidOhio

**DATE OF TEXT:** May 16, 2019

**APPLICATION:** Z19-027

**1. INTRODUCTION:** This site is located at the intersection of Pickforde Drive and Bethel Road. It is currently zoned L-C-2, with a variance to allow the production, distribution and retail sale of ice cream products. The proposed application is to rezone the 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. The parking setback along Bethel Road shall be twenty-five (25) feet.
2. The parking setback along Henderson Heights Road shall be twenty-five (25) feet.
3. The building setback along Henderson Heights Road shall be ninety-six (96) feet.
4. The parking and building setback along the south property line shall be twenty-five (25) feet.
5. The maximum building square footage for the site shall be 15,608 sq. ft.
6. The maximum lot coverage for structures and paved areas shall not exceed 75% of the subject site.

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

1. The only vehicular access to this site shall be from Bethel Road; no vehicular access shall be permitted from or to Henderson Heights Road.
2. Upon redevelopment of the site, the access point to Bethel Road comprising the south leg of the intersection of Bethel Road and Pickforde Drive shall be modified to a lane configuration that allows for alignment of the northbound and southbound movements that permits their operation on concurrent signal phases.
3. Upon request of the Department of Public Service to complete the access point modification described in 3.B.2 as a public project initiated at the sole discretion of the Department of Public Service prior to redevelopment of the site, right-of-way or easement shall be dedicated as needed. The property owner shall receive no compensation for this right-of-way or easement. The City shall not be responsible for any cost associated with replacement or relocation of the existing signage located west of the access point to Bethel Road as part of such modification.

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

1. Street trees shall be planted within the setback area along both Bethel Road and Henderson Heights Road based on a ratio of 1 tree for every forty (40) feet of street frontage.
2. The south property line shall be screened with a six (6) foot high board on board wood fence with a row of evergreen trees minimum five feet in height at installation, planted on the residential side of the fence at a ratio of one (1) tree for every twenty (20) feet along the property line.

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

The building shall have a flat roof except for a portion of the façade on the north elevation above the entrance of the building.

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

1. Lighting:
  - a. All light poles and standards shall be dark in color.
  - b. Parking lot lighting shall be no higher than fifteen (15) feet.

2. Dumpsters shall be screened on three sides with a wood fence, or wall to a height of seven (7) feet. No dumpsters shall be located south of the south wall of any building on the site.

F. Graphics and Signage Commitments

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

G. Miscellaneous Commitments

N/A

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