



Legislation Text

File #: 1080-2008, **Version:** 3

Rezoning Application Z08-001

APPLICANT: Pontifical College Josephinum; c/o Jill S. Tangeman, Attorney; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on May 8, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 9.33± acre site is undeveloped and zoned in the CPD, Commercial Planned Development District. The site is located within two subareas of the existing CPD, Subarea 7a which allows C-4 uses and Subarea 8 which allows C-2 uses. The applicant is requesting the L-C-4, Limited Commercial District to allow C-1, Neighborhood Commercial District uses and C-2, Office Commercial District uses along with cafes, delicatessens and restaurants without drive-throughs, computer and software stores, exercise and health facilities, caterers and hotels/motels which are C-3 and C-4 uses. The proposed L-C-4, Limited Commercial District, commits to setback, buffers and landscaping, a stream corridor protection zone exceeding the minimum requirements, lighting controls, and street trees. The site is located within the boundaries of the *Far North Plan* (1994) which recommends offices, highway-oriented uses such as hotels/motels and restaurants and retail uses that serve the businesses located in the sub-area for the site. The requested L-C-4, Limited Commercial District would permit neighborhood commercial, office and some highway-oriented uses, which is consistent with the recommendations of *The Far North Plan* (1994). The request, with the development standards in the text, is compatible with development in the area.

To rezone **325 HUTCHINSON AVENUE (43235)**, being 9.33± acres located on the south side of Hutchinson Avenue, 900± feet east of High Cross Boulevard, **From:** CPD, Commercial Planned Development District, **To:** L-C-4, Limited Commercial District **and to declare an emergency** (Rezoning # Z08-001).

WHEREAS, application #Z08-001 is on file with the Building Services Division of the Department of Development requesting rezoning of 9.33± acres from CPD, Commercial Planned Development District to L-C-4, Limited Commercial District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District would permit neighborhood commercial, office and some highway-oriented uses, which is consistent with the recommendations of *The Far North Plan* (1994). The request, with the development standards in the text, is compatible with development in 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:

325 HUTCHINSON AVENUE (43235), being 9.33± acres located on the south side of Hutchinson Avenue, 900± feet east of High Cross Boulevard, and being more particularly described as follows:

DESCRIPTION OF 9.330 ACRE TRACT
EAST OF NORTH HIGH STREET
NORTH OF INTERSTATE I-270
SOUTH OF HUTCHINSON AVENUE

Situated in the State of Ohio, County of Franklin, City of Columbus, being in part of Lots 63 and 64, Section 2, Township 2, Range 18, United States Military lands and being the 9.330 acres of land conveyed to Pontifical College Josephinum as recorded in Official Record Volume 25224 B14 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows:

Beginning for reference at a point in the southerly right of way of Hutchinson Avenue (60') at a common corner of Crosswoods Center Section Three and Section Five as shown of record in Plat Book 62, Page 52 and Plat Book 64, page 100;

Thence South 86°49'53" East a distance of 294.93 feet, along said southerly right of way of Hutchinson Avenue, to an existing ¾" ID pipe being the Point of Beginning;

Thence South 86°49'53" East a distance of 460.05 feet, along the southerly right of way of said Hutchison Avenue, to an existing ¾" ID pipe;

Thence along a curve to the left (delta=22°10'50", radius=380.00 feet, length=147.11 feet) a chord bearing North 82°04'01" East a distance of 146.19 feet, along the southerly right of way of said Hutchison Avenue, to a ¾" ID pipe set with cap stamped "Hockaden & Assoc";

Thence South 41°28'59" East a distance 110.32 feet to a ¾" ID pipe set with cap stamped "Hockaden & Assoc";

Thence South 3°11'15" West a distance of 551.35 feet to a ¾" ID pipe set with cap stamped "Hockaden & Assoc" in a northerly right of way of Interstate 270;

Thence North 86°38'41" West a distance of 514.88 feet, along a northerly right of way of said Interstate 270, to an existing ¾" ID pipe;

Thence North 88°40'35" West a distance of 155.95 feet, along a northerly right of way of said Interstate 270, to a ¾" ID pipe set with cap stamped "Hockaden & Assoc." at a southeasterly property corner of POH I, LLC 4.21 acre tract (IN 200706110101772);

Thence North 3°10'07" East a distance of 345.14 feet, along an easterly property line of said 4.21 acre tract, to an existing ¾" ID pipe;

Thence North 86°49'53" West a distance of 10.10 feet, along a northerly property line of said 4.21 acre tract, to a ¾" ID pipe set with cap stamped "Hockaden and Assoc.";

Thence North 3°10'07" East a distance of 259.88 feet, along an easterly property line of said 4.21 acre tract, to the Point of Beginning containing 9.330 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in February of 2007 and December of 2007.

An assumed bearing of South 86°49'53" East was used on the centerline of Hutchinson Avenue and all other bearings were derived from this meridian.

To Rezone From: CPD, Commercial Planned Development District,

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

SECTION 2. That a Height District of Sixty (60) feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text titled, "**Limited Commercial District Overlay Text**," signed by Jill S. Tangeman, attorney for the Applicant, and dated June 2, 2008, and the text reading as follows:

Limited Commercial District Overlay Text

Proposed District: CPD, Commercial Planned Development District
Existing District: L-C-4, Limited Commercial District
Property Address: 325 Hutchinson Avenue
Owner: Pontifical College Josephinum
Applicant: Same as owner
Date of Text: June 2, 2008
Application Number: Z08-001

1. **Introduction:** This parcel is part of what was originally known as the Josephinum Commercial Complex, now more commonly known as Crosswoods. The site is generally located east of St. Rt. 23 and north of I-270 and west of the Conrail Railroad tracks. The property is compromised of Subarea 7 and Subarea 8 under the original 1981 CPD zoning.

2. **Permitted Uses:** All uses listed in Section 3351.03 (C-1); all uses listed in Section 3353.03 (C-2); the following uses listed in Section 3355.03 (C-3): cafes, delicatessens and restaurants without drive-throughs; computer and software stores; exercise and health facilities; and the following uses listed in Section 3356.03 (C-4): caterers; and hotels/motels. Outdoor, enclosed areas for animals, including but not limited to kennels, dog runs and play areas **and video sales** are specifically prohibited.

3. **Development Standards:** Except as otherwise noted above and therein, the applicable development standards of Chapter 3356, C-4 shall apply.

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

1. Setback along north side of the property adjacent to Hutchinson Avenue shall be twenty-five feet for all buildings, parking, loading and maneuvering areas.
2. Setback along the south side of the property adjacent to I-270 shall be thirty-five feet for all buildings, parking, loading and maneuvering areas.
3. Setback along the west and the east side of the property shall be ten feet for all buildings, parking, loading and maneuvering areas.
4. The height district shall be 60'.

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

1. Access shall be subject to the approval of the Department of Public Service, Transportation Division.
2. A 5' sidewalk shall be installed along the north side of the property adjacent to Hutchinson Avenue.
3. Bike racks shall be provided as part of any proposed development.

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

1. A Stream Corridor Protection Zone over the existing drainage course per the requirements of the City of Columbus shall be established. The Stream Corridor Protection Zone shall be increased over the City of Columbus requirements by a total of 25' for the purpose of preserving trees. All trees within the Stream Corridor Protection Zone shall be preserved.

2. All trees within the setbacks along the east, west and south property lines shall be preserved except where utility connections are necessary.
3. Additional landscaping shall be installed within the setbacks as follows: 20 shade trees with 3" caliper in the setback on the west side of the property; 22 shade trees with 3" caliper in the setback of the east side of the property; and 26 shade trees with 3" caliper in the setback of the south side of the property.
4. Street trees shall be planted evenly spaced along Hutchinson Avenue at a ratio of not less than one tree per thirty-five (35) feet of frontage.
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 shall meet the following minimum size at the time of planting: Shade trees - 3" caliper; Ornamental trees - 1 ½" caliper; Evergreen trees - 5 feet in height. Tree caliper is measured six inches (6") from the ground.

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

1. All external lighting in the area shall be cut-off type (down lighting) or decorative fixtures and shall provide no light spillage to offsite parcels. Buildings and landscaping at entry locations may be up-lit or down-lit provided that landscaping lighting does not spill over into the public right-of-way.
2. All external outdoor lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility. All light poles and standards shall be dark in color and shall either be constructed of dark wood or dark metal.
3. Parking lot lighting shall not exceed sixteen (16) feet in height.
4. All new or relocated utility lines shall be installed underground.
5. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from ground level by the same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical and all other equipment on the ground shall be fully screened from view from ground level by wall, fence or landscape material utilizing the same material or character of the building.

E. Graphics and Signage Commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the C-4, Commercial District classification and any variance to those requirements shall be submitted to the Columbus Graphics Commission.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.