



Legislation Text

File #: 2200-2019, **Version:** 1

Rezoning Application: Z19-042

APPLICANT: HP Hayden Run Enterprises, LLC; c/o Aaron Firstenberger, Atty.; 575 South Third Street; Columbus, OH 43215.

PROPOSED USE: Veterinary clinic or unspecified commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0-1) on August 8, 2019.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single parcel developed with a single-unit dwelling that is zoned R, Rural District as a result of a recent annexation from Washington Township. The applicant proposes the CPD, Commercial Planned Development District to permit a veterinary clinic along with C-4 district uses on the site. The CPD text establishes C-4, Commercial District uses and supplemental development standards that address Community Commercial Overlay setbacks, access, landscaping and buffering, building design, and graphics, as well as a site plan commitment. Variances to building setback and C-4 district development limitations for the separation between veterinarian outdoor therapeutic exercise areas and residential districts are included in the request. The site is within the planning area of the *Interim Hayden Run Corridor Plan* (2004), which recommends "neighborhood center" at this location. Additionally, this site is within a planning area that has adopted the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018) which recommends Community Commercial Overlay standards. Staff finds the proposal is consistent with the recommendations of the Plan and Guidelines, and is compatible with the existing multi-unit residential and proposed commercial developments that are adjacent to the site.

To rezone **6488 HAYDEN RUN RD. (43206)**, being 2.86± acres located on the northeast side of Hayden Run Road, 555± feet south of Hayden Run Boulevard, **From:** R, Rural District, **To:** CPD, Commercial Planned Development District (Rezoning #Z19-042).

WHEREAS, application #Z19-042 is on file with the Department of Building and Zoning Services requesting rezoning of 2.86± acres from R, Rural District, 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 said zoning change because the requested CPD, Commercial Planned Development District is consistent with the land use recommendations of the *Interim Hayden Run Corridor Plan* and C2P2 and is compatible with the existing multi-unit residential and proposed commercial developments that are adjacent to the site; 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:

6488 HAYDEN RUN RD. (43206), being 2.86± acres located on the northeast side of Hayden Run Road, 555± feet

south of Hayden Run Boulevard, and being more particularly described as follows:

SITUATED IN OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF WASHINGTON, AND BEING A PART OF VIRGINIA MILITARY SURVEY NUMBER 6336 AND ALSO BEING A PART OF A 10.662 ACRE TRACT OF LAND CONVEYED TO ANNABELLE HOLT BY CERTIFICATE OF TRANSFER IN OFFICIAL RECORD 845801 OF THE FRANKLIN COUNTY RECORDER'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE ONLY, AT A FOUND CORNER POST AT THE NORTHEAST CORNER OF THE SAID 10.662 ACRE TRACT, THENCE WITH THE EAST LINE OF THE SAID 10.662 ACRE TRACT;

- 1) SOUTH 00 DEG. 02 MIN. 35 SEC. WEST 86.91 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING WITH SAID EAST LINE OF SAID 10.662 ACRE TRACT;
- 2) SOUTH 00 DEG. 02 MIN. 35 SEC. WEST 340.56 FEET TO A POINT; THENCE LEAVING SAID EAST LINE;
- 3) SOUTH 47 DEG. 16 MIN. 22 SEC. WEST 383.06 FEET TO A POINT IN THE CENTER LINE OF HAYDEN RUN ROAD; THENCE WITH SAID CENTERLINE;
- 4) NORTH 42 DEG. 43 MIN. 38 SEC. WEST 250.00 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE;
- 5) NORTH 47 DEG. 16 MIN. 22 SEC. EAST 614.32 FEET TO THE POINT OF BEGINNING, CONTAINING 2.862 ACRES OF LAND.

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 Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**HEALTHY PETS**," and text titled, "**DEVELOPMENT TEXT**," dated October 4, 2019, and signed by Aaron Firstenberger, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 6488 Hayden Run Road

OWNER: Ronald L. Wallace and Jodi L. Wallace

APPLICANT: HP Hayden Run Enterprises, LLC

DATE OF TEXT: October 4, 2019

APPLICATION: Z19-042

1. INTRODUCTION: The site is located on the northeast side of Hayden Run Road 510± feet southeast of Hayden Run Boulevard. Many residential dwelling units have been built in the immediate area around the subject site. There is a need

for small scale commercial businesses to serve that existing residential population.

2. PERMITTED USES: Those uses permitted in Chapter 3356 C-4, Commercial of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as listed on the zoning text, the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

1. Parking setbacks: 10' along Hayden Run Road.
2. Building setbacks: 15' from Hayden Run Road.

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

1. The site shall be accessed by an existing curb cut on Hayden Run Road directly across from Hayden Woods Lane.
2. An access easement will be granted to the adjacent parcel, 010-289814, per the submitted site plan.
3. Applicant has agreed to grant a cross-access easement off the existing entrance to Parcel No. 272-000538 upon redevelopment of that parcel.

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

1. One street tree per 40 feet of frontage shall be installed along Hayden Run Road.
2. 4' to 6' high earthen mounds shall be installed along the easterly property line running north to south, with a mixture of evergreen and deciduous trees, See submitted Phase I site plan.
3. All other landscaping depicted on the site plan shall meet minimum Zoning Code requirements.

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

1. All Buildings shall have pitched roof, dimensional asphalt shingle, brick and/or stucco (EIFS) walls.
2. If a veterinary use is established, the therapeutic exercise area adjacent to the building shall have a minimum 48" high security fence. See submitted Phase I site plan.
3. Any Phase II expansion of the building and parking areas would comply with all setbacks and applicable development standards.

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

1. Exterior Light Poles shall have a maximum height of 18' and be full cutoff fixtures.
2. Any accent lighting shall be directed toward the building, signage or landscaping, and shall not spill off onto adjoining properties or into the right-of-way.

F. Graphics and Signage Commitments

1. The applicable graphics standards shall be those contained in the Community Commercial Overlay. No billboards or off-premise graphics shall be permitted. Any variances shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous

1. Site Plan Revision Allowance. The Property shall be developed in accordance with the Phase I Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. Alteration of the proposed detention pond may result in reconfiguration of the proposed landscaping and pedestrian path. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

2. Building Elevation Revision Allowance. The Property shall be developed in accordance with the Phase I building elevations; however, the building elevations may be slightly adjusted to reflect architectural, engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the building elevations upon submission of the appropriate data regarding the proposed adjustment.

3. Variances

a. Applicant requests a variance from the requirement of Cols. City Code Sec. 3356.11 which requires a 30' building setback, while a 15' building set-back is proposed.

b. Applicant requests a variance to the requirements of Cols. City Code Sec. 3356.05(G) which requires the outdoor exercise area to be located a minimum of 100' from a residentially zoned district, as measured by Section 3356.05(G)(3), while 0' is proposed, noting that the exercise area is 149.22± feet and 79.53+/- feet from the adjacent residential districts.

4. CPD Requirements

A. Natural Environment: The site is on the east side of Hayden Run Road, south of Hayden Run Boulevard. It is developed with a single-family residence and separate garage.

B. Existing Land Use: Surrounding uses includes retention pond, proposed CPD retail development, multi-family development, and a single-family residence.

C. Transportation and Circulation: Access is from Hayden Run Road.

D. Visual Form of the Environment: Building elevations have been submitted as part of the zoning application.

E. View and Visibility: The applicant considered pedestrian and vehicular movement in layout the site. There is a sidewalk along Hayden Run Road which connects with an internal sidewalk.

F. Proposed Development: C-4, Commercial uses.

G. Behavior Patterns: The Property will serve existing traffic in the area as well as pedestrian traffic, generally during daylight hours and early evening.

H. Emissions: No adverse effect from emissions shall result from the proposed development.

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