

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 14, 2015**

- 3. APPLICATION: Z15-021**
- Location:** 4580 ALKIRE ROAD (43228), being 1.23± acres located at the northeast corner of Alkire and Holt Roads (570-163184; Westland Area Commission).
- Existing Zoning:** CPD, Commercial Planned Development District.
- Request:** CPD, Commercial Planned Development District.
- Proposed Use:** Expansion to existing convenience store with fuel sales facility.
- Applicant(s):** Certified Oil Co.; c/o Dave Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.
- Property Owner(s):** The Applicant
- Planner:** Eliza Thrush, 645-1341, ecthrush@columbus.gov

BACKGROUND:

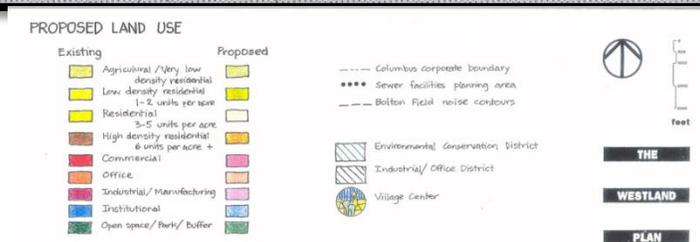
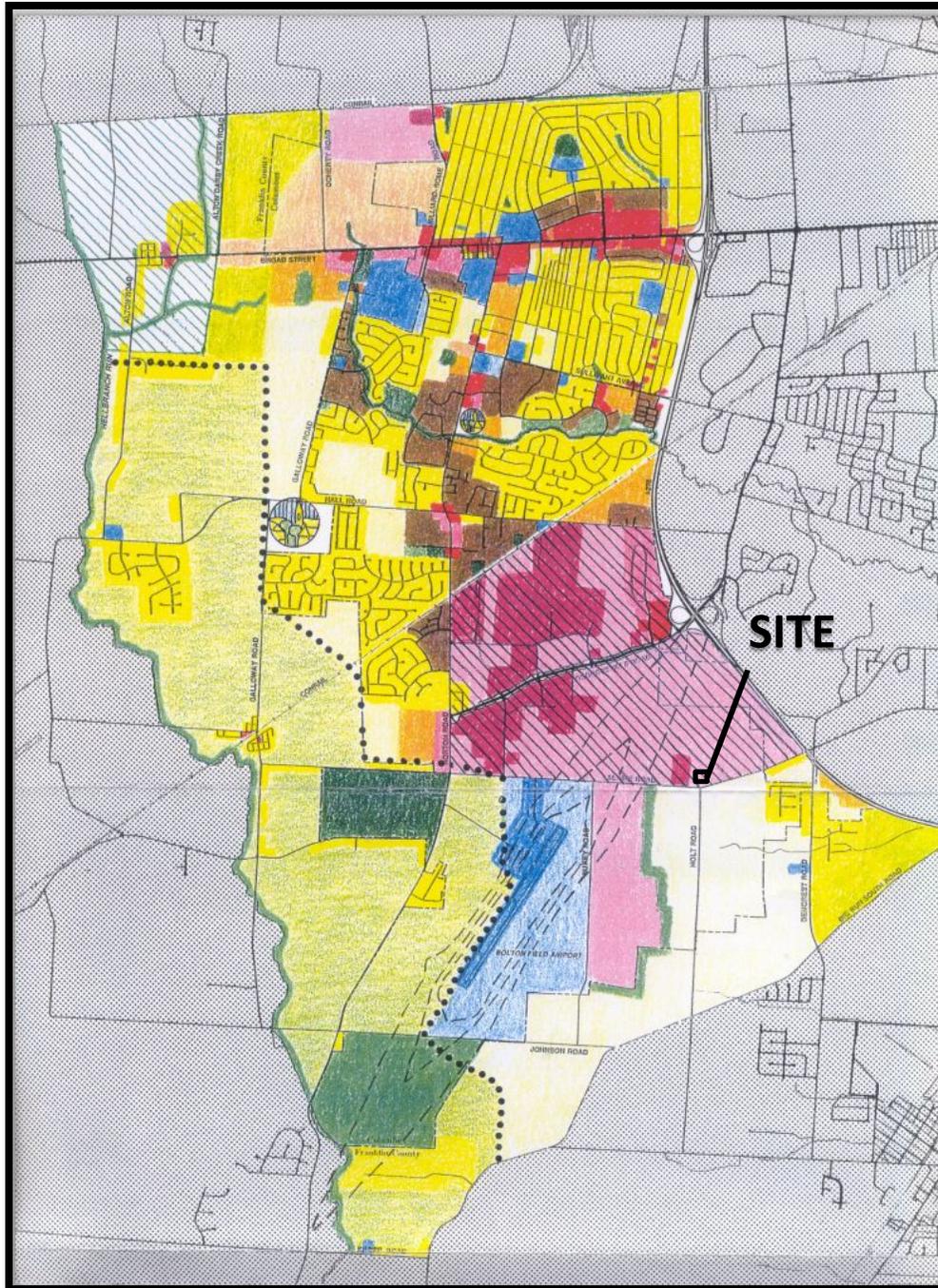
- The 1.23 acre site is developed with convenience store/fuel sales facility and was zoned CPD, Commercial Planned Development District in 2000 (Z99-056) to allow the existing uses with limits on outdoor retail displays, building square footage, hours of operation, lighting, and commitment to a site plan. The applicant proposes to increase the size of the convenience store by 358 square feet to a total of 3,130 square feet and remove the limitation on hours of operation.
- To the north and east is multi-unit residential development in the L-AR12, Limited Apartment Residential District. To the south and southwest are single-unit dwellings in the R-2, Residential and LRR, Limited Residential Districts, respectively. To the west are single-unit dwellings in the L-R-2, Limited Residential District.
- The site is located within the planning area of the *Westland Area Plan* (1994), which recommends industrial/manufacturing uses for the site.
- The proposed CPD allows the existing retail fuel sales with an expanded convenience store, and includes provisions for setbacks, landscaping, maximum building square footage, and canopy height and square footage.
- The site is located within the boundaries of the Westland Area Commission, whose recommendation is for approval of requested CPD District.
- The *Columbus Thoroughfare Plan* identifies Alkire Road as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

CITY DEPARTMENTS RECOMMENDATION: Approval.

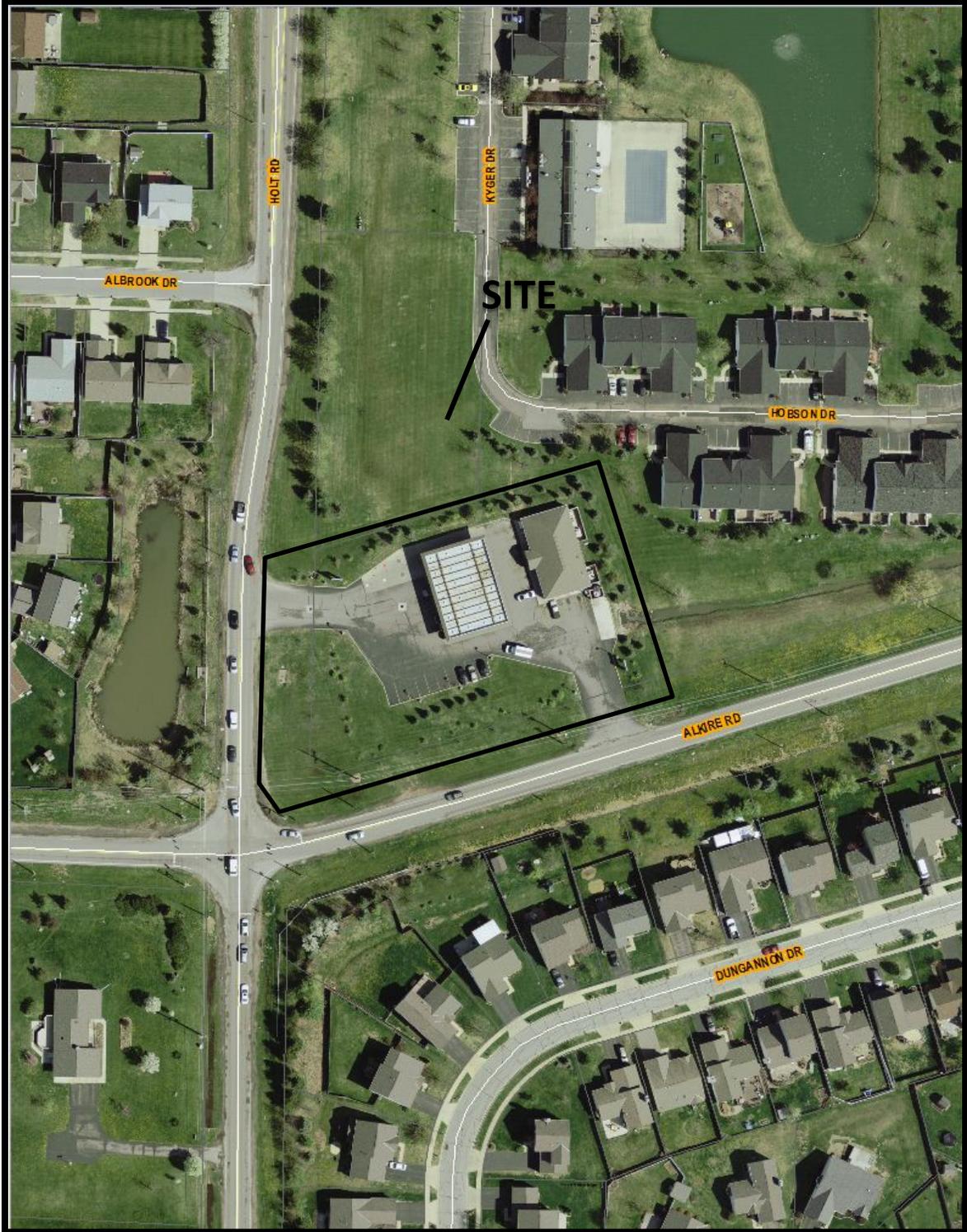
The proposed CPD, Commercial Planned Development District, would permit a small addition to an existing convenience store. While the proposal differs from the land use recommendation of the *Westland Area Plan*, the existing use was established 15 years ago, and is more compatible with the surrounding residential development and less intense than the industrial/manufacturing uses recommended by the Plan. In consideration of the adjacent development, the CPD text prohibits outdoor retail displays, limits canopy and convenience store square footage, contains landscaping provisions, and commits to a site plan.



Z15-021
4580 Alkire Road
Approximately 1.23 acres
CPD to CPD



Z15-021
4580 Alkire Road
 Approximately 1.23 acres
Westland Area Plan (1994)



Z15-021
4580 Alkire Road
Approximately 1.23 acres
CPD to CPD

DEVELOPMENT PLAN
COMMERCIAL PLANNED DEVELOPMENT DISTRICT

PROPERTY ADDRESS: 4580 Alkire Road, Columbus, OH 43123
PID: 570-163184
AREA: 1.229 ac
EXISTING ZONING: CPD (Z99-056)
PROPOSED DISTRICT: CPD, Commercial Planned Development District
APPLICANT/OWNER: Certified Oil Company c/o Dave Perry, David Perry Company, Inc., 145 E. Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Plank Law Firm, LPA, 145 E. Rich Street, FL 3, Columbus, Ohio 43215.
DATE OF TEXT: April 30, 2015
APPLICATION NUMBER: Z15-021

1. **INTRODUCTION:** The subject site is 1.229 acres more particularly identified in the legal description submitted as part of this Rezoning Application. The site is developed with a gas station and convenience store. The 1.229 acre site was rezoned (Z99-056) in 1999 to CPD to permit the development of a gas station and convenience store. The 1999 rezoning is conditioned on a site plan and specifically limits the total area of the convenience store to 2,772 SF. Applicant proposes to build a 350 SF addition on the east side of the building to relocate interior bathrooms. Existing bathroom area in the existing convenience store will be used for remodeling the interior of the store consistent with corporate remodeling and upgrading of the interior of company convenience stores. The addition is a minor addition of SF that remains in compliance with perimeter setbacks established with the 1999 rezoning. The total new store area will be a maximum of 3,130 SF. The Site Plan titled "Site Development Plan, 4580 Alkire Road", hereafter "Site Plan", dated _____, is submitted as the site plan.

2. **PERMITTED USES:** Except as otherwise specified in this CPD Text, the permitted uses shall be a gasoline service station and convenience store, developed in substantial accordance with the submitted Site Plan.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated on the Site Plan, which shall only be applicable for the gas station and convenience store, or in this written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

A.) Density, Height, Lot and/or Setback commitments.

Use of the site as a gas station and convenience store shall be as depicted on the submitted Site Plan. Setbacks are depicted on the Site Plan, and, specifically, there shall be a 25 foot building setback and 20 foot pavement setback along and adjacent to the north and east property lines, as depicted.

B.) Access, Loading, Parking and/or other Traffic related commitments.

1. Vehicular access and parking shall be as depicted on the Site Plan.

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

1. Landscaping shall be as depicted on the Site Plan.
2. A three (3) foot tall landscape mound shall be maintained along the northeast side of this development, as it relates to the building, and will extend around to the north side of the development to screen the canopy. Landscaping shall consist of grass and mulch, Burning Bush, Colorado Blue Spruce and Sugar Tyme Crab trees, or comparable plant material.

D.) Building design and/or Interior-Exterior treatment commitments.

1. The convenience store building shall be a maximum of 3,130 SF.
2. The canopy height shall be restricted to a maximum of twenty-five (25) feet in height. The lighting utilized with the canopy will be recessed lighting. The square footage of the canopy will be no greater than 5,200 square feet.
3. Building height shall be restricted to an absolute maximum of thirty-five (35) feet.

E.) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. The dumpster location is depicted on the Site Plan. The depicted location is the only location a dumpster shall be placed and kept.
2. There shall be no outdoor displays of merchandise.

F.) Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the CPD District. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration. No off-premise graphics shall be permitted on this site.

G.) Other CPD Requirements.

1. Natural Environment: The site is located at the northeast corner of Holt Road and Alkire Road. The site is developed with a gas station and convenience store.
2. Existing Land Use: The site is developed with a gas station and convenience store.
3. Circulation: Vehicular access will be via existing full-turning movement curbcuts on Alkire and Holt Roads, as depicted on the Site Plan.
4. Visual Form of the Environment: Alkire Road is an arterial right of way. There is extensive development in all directions.
5. Visibility: The site is visible from both Alkire Road and Holt Road.
6. Existing and Proposed Development: Retail gas station and convenience store.

7. Behavior Patterns: Behavior patterns are illustrated on the Site Plan.

8. Emissions: Development does and will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

I.) Miscellaneous commitments.

Applicant shall comply with code section 3357.18, Abandoned fuel sales establishments.

Development of the site shall be in accordance with the Site Plan titled "Site Development Plan, 4580 Alkire Road" dated and signed _____ by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes, other than as specified herein.

Signature: _____
David B. Perry, Agent Date

Signature: _____
Donald Plank, Attorney Date

STANDARDIZED RECOMMENDATION FORM

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number 215-021

Address 4580 Aikire Road

Group Name Westland Area Commission

Meeting Date April 15, 2015

Specify Case Type
 BZA Variance / Special Permit
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation
(Check only one)
 Approval
 Disapproval

NOTES:

Vote 14-0

Signature of Authorized Representative Michael J. M. Kay
SIGNATURE
Chairman, Zoning Committee
RECOMMENDING GROUP TITLE
614-745-5452
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at (614) 645-2463
OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.