

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 12, 2011**

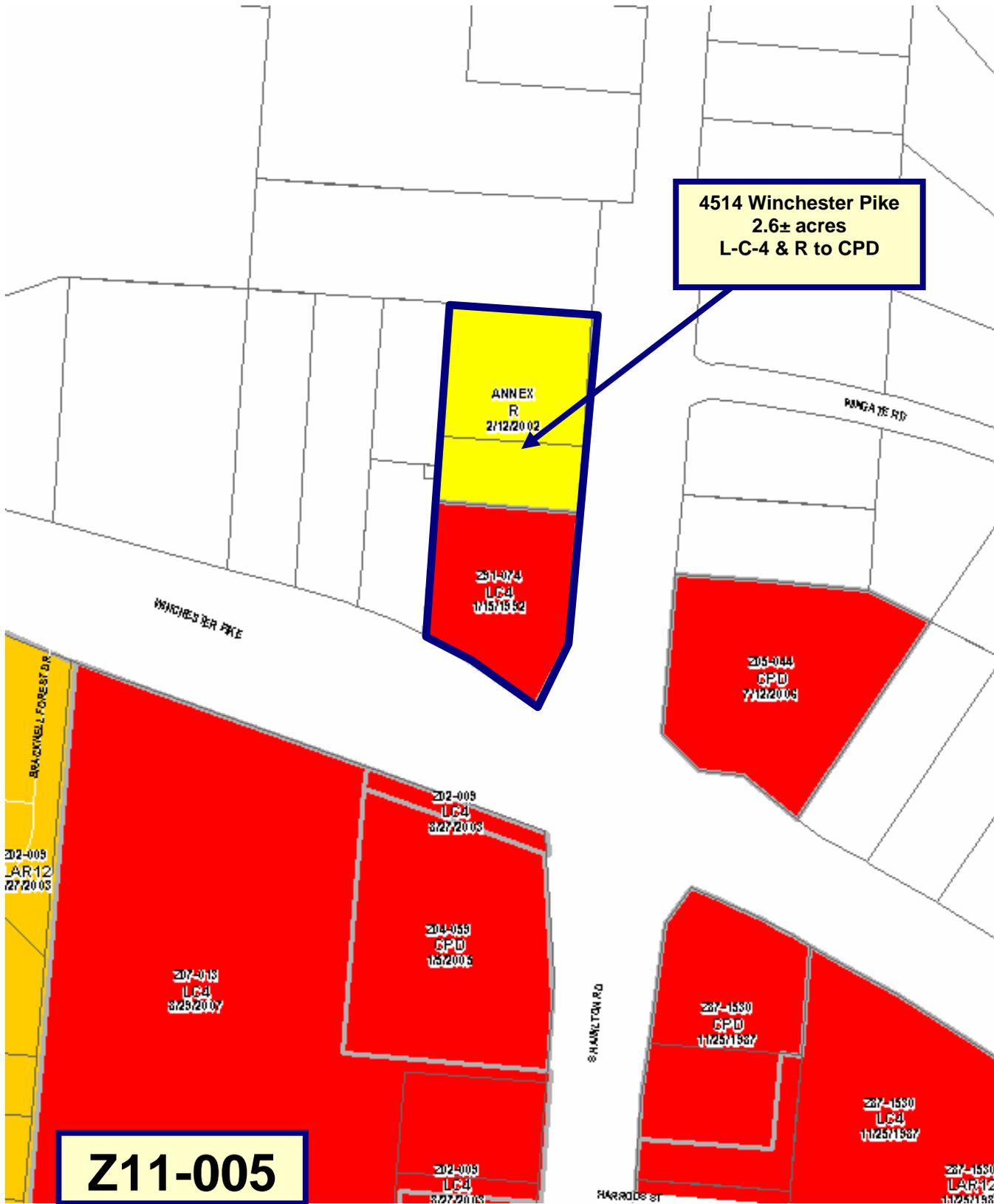
- 4. APPLICATION: Z11-005 (11335-00000-00065)**
Location: **4514 WINCHESTER PIKE (43232)**, being 2.6± acres located at the northwest corner of Hamilton Road and Winchester Pike. (010-221380).
Existing Zoning: L-C-4, Limited Commercial and R, Rural Districts.
Request: CPD, Commercial Planned Development District.
Proposed Use: Commercial development.
Applicant(s): Winham Investments LLC c/o David Perry; David Perry Co. Inc; 145 East Rich Street, 3rd Floor; Columbus, OH 43201.
Property Owner(s): The applicant.
Planner: Dana Hitt, 645-2395; dahitt@columbus.gov

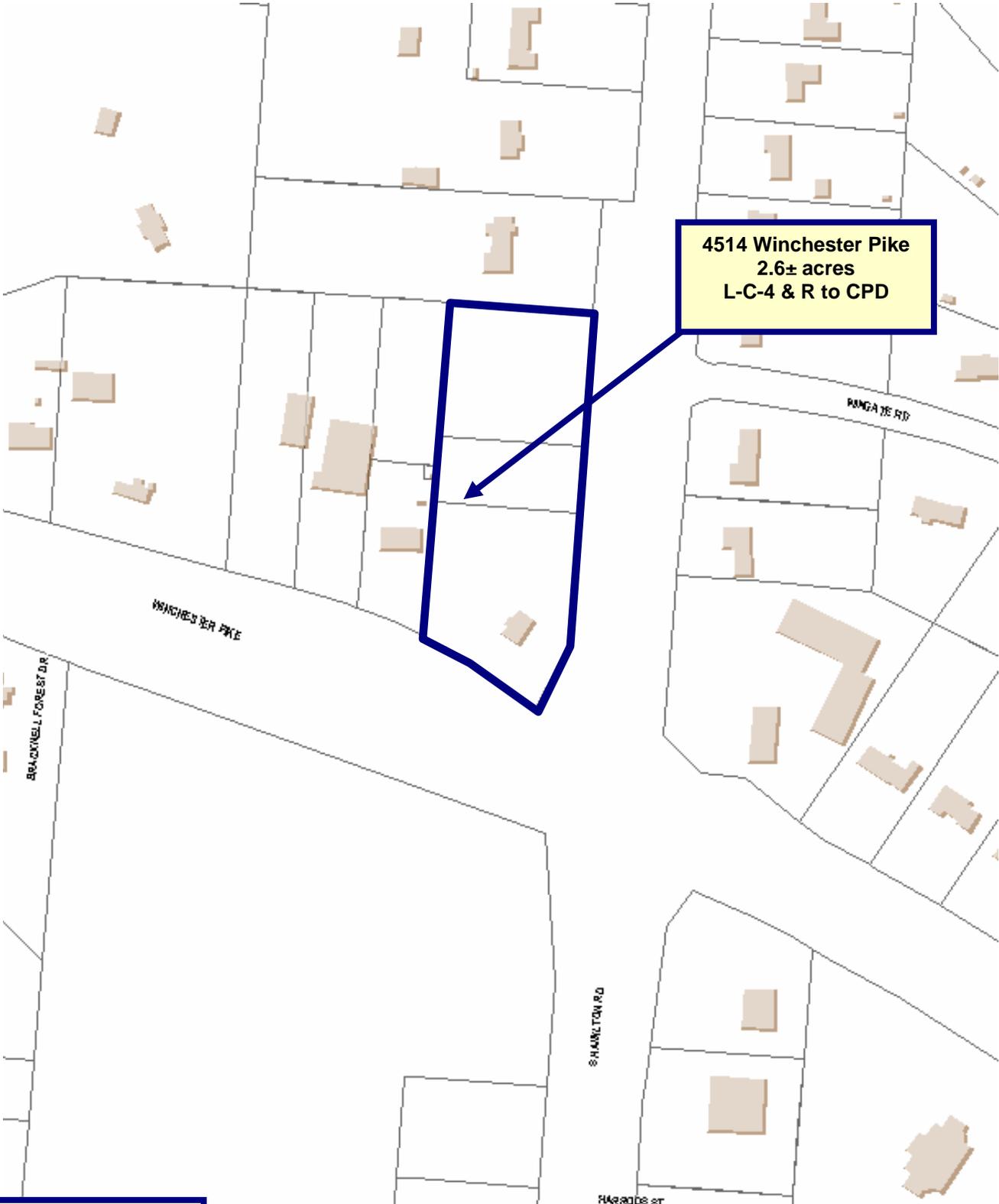
BACKGROUND:

- o The applicant is applying for a rezoning from the L-C-4 Limited Commercial and R, Rural Districts to allow commercial development. The applicant requests setback variances along Hamilton Road and Winchester Pike and variances to allow decreased parking standards due to potential lot splits.
- o To the north is a single-unit dwelling in Franklin County. To the south across Winchester Pike is vacant land zoned in the L-C-4 Limited Commercial District. To the east across Hamilton Road are single-unit dwellings in Franklin County and a gas station zoned in the CPD, Commercial Planned Development District. To the west is an office and former nursery in Franklin County.
- o The L-C-4 text includes use and access limitations, landscaping, and screening provisions. The Division of Planning and Operations supports the requested setback variances. Staff supports the variances to standards caused by the possible splitting of the property and views this as a technicality while in effect the standards being varied will still be met.
- o The Columbus Thoroughfare Plan identifies Hamilton Road as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline and Winchester Pike as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

CITY DEPARTMENTS RECOMMENDATION: Approval.

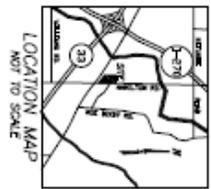
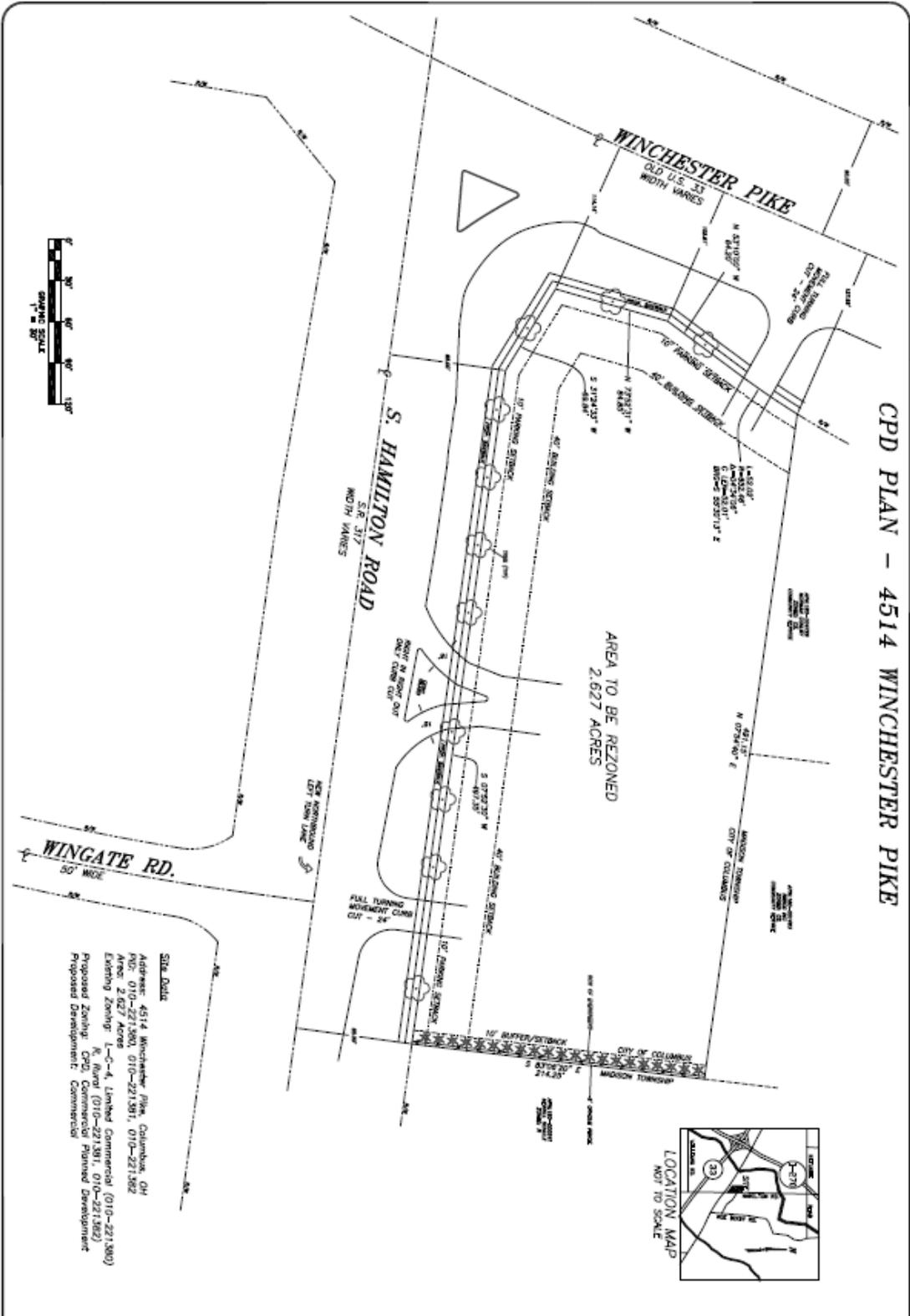
The proposed CPD, Commercial Planned Development District is compatible and consistent with the zoning pattern and development in the area. The Division of Planning and Operations supports the requested setback variances. Staff supports the variances to standards caused by the possible splitting of the property and Staff views this as a technicality while in effect the standards being varied will still be met.





Z11-005

CPD PLAN - 4514 WINCHESTER PIKE



Site Data
 Address: 4514 Winchester Pike, Columbus, OH
 A/C: 010-221300, 010-221301, 010-221302
 Area: 2.627 Acres
 Extending Zoning: L-C-4, Limited Commercial (010-221300)
 Proposed Zoning: CPD Commercial Planned Development
 Requested Development: Commercial

J. & J. SURVEYING SERVICES, INC.
 8515 E. LIVINGSTON AVENUE
 COLUMBUS, OH 43230
 PH (614) 555-5150
 FAX (614) 555-5152
 © 2011 J. & J. SURVEYING SERVICES, INC.

CPD PLAN - 4514 WINCHESTER PIKE

NO.	DATE	DESCRIPTION	BY	APP'D.



**CPD, Commercial Planned Development
4514 Winchester Pike
Columbus, OH 43232**

PROPOSED DISTRICT: CPD, Commercial Planned Development
EXISTING DISTRICT: L-C-4, Limited Commercial District (Z91-074) and
R, Rural District
ACRES: 2.627 +/- acres
PROPERTY ADDRESS: 4514 Winchester Pike, Columbus, OH 43232
OWNER(S): Winham Investments LLC c/o Dave Perry, David
Perry Co., Inc., 145 East Rich Street, 3rd Fl.,
Columbus, OH 43215 and Donald Plank,
Plank Law Firm, 145 East Rich Street, 3rd Fl.
Columbus, OH 43215
APPLICANT: Winham Investments LLC c/o Dave Perry, David
Perry Co., Inc., 145 East Rich Street, 3rd Fl.,
Columbus, OH 43215 and
DATE OF TEXT: May 5, 2011
APPLICATION NUMBER: Z11-005

INTRODUCTION: The site for rezoning is located in the northwest quadrant of the intersection of Winchester Pike and South Hamilton Road. The site has frontage on both Hamilton Road and Winchester Pike. The south parcel (010-221380) is zoned L-C-4, Limited Commercial (Z91-074). The other two (2) parcels are zoned R, Rural. The west property line of the site is also the City of Columbus Corporation line. All property to the west is in Madison Township and is zoned CS, Community Service. The CS District is comparable to C-4. The north property line of the site is also the City of Columbus Corporation line. The property to the north of the site is developed with a single family dwelling and is zoned R, Rural (Franklin County Zoning Resolution). Both Hamilton Road (4-2D) and Winchester Pike (4-2) are arterial right of ways on the Columbus Thoroughfare Plan. Commercial development is appropriate for the site and location. The site plan ("Plan"), titled "CPD Plan – 4514 Winchester Pike", dated _____, is referenced in Section I., Miscellaneous commitments.

1. PERMITTED USES: Permitted uses shall be all uses of Section 3356.03, C-4 Permitted Uses, except Billboards, Bars, Cabarets, Night Clubs, Bowling Centers, Drive-in Motion Picture Theater, Dance halls or dance instruction larger than 3,000 sq. ft. gross floor area, Garage and Tire Repair Shop (but not intended to exclude retail oil change, muffler sales and installation and tire sales and installation or similar retail uses), Motion Picture Theater, Skating Rink and Off-Premise Graphics, except as Off-Premise Graphic(s) may be approved by application for Special Permit to the Columbus Graphics Commission.

2. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

A. Density, Lot and/or Setback Commitments.

1. The building setback from both Hamilton Road and Winchester Pike shall be a minimum of forty (40) feet.
2. The parking setback from both Hamilton Road and Winchester Pike shall be a minimum of ten (10) feet.
3. There shall be a minimum ten (10) foot building and parking setback along the north property line of the site, where adjacent to the abutting Madison Township parcel to the north, as long as the north property line of the 2.627 acre site abuts residentially zoned or used property

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

1. There shall be a total of three (3) vehicular access points to the site, as follows: a) One (1) full-turning access on South Hamilton Road aligned with Wingate Drive. A northbound left turn lane shall be constructed for this access point; b) one (1) right-in/right-out access on South Hamilton Road, located approximately as depicted on the Plan, and 3) one (1) full-turning access point on Winchester Pike. An access study titled "Traffic Impact Study", dated April 13, 2011, prepared by J. Gallagher Group, delineating vehicular access to the site, has been approved by the City of Columbus.
2. Internal pedestrian walkways in the parking lot shall be delineated by pavement striping.

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

1. Street trees shall be provided along South Hamilton Road and Winchester Pike at the rate of one (1) tree for every thirty (30) lineal feet of street frontage.
2. The north ten (10) foot buffer setback shall contain the existing evergreen material, or, if existing plant material along the north property line is removed, a six (6) foot tall opaque fence or wall shall be erected along the north property line, where not in conflict with clear vision requirements, and evergreen plant material shall be planted three (3) feet on center in the buffer strip.
3. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.
4. The minimum size of all trees at installation shall be two (2) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees. Tree caliper shall be measured six (6) inches from the ground.
5. Parkland Dedication Ordinance fees of \$400/acre for the acreage of the site that is

presently zoned R, Rural (1.455 +/- acres) shall be paid in conjunction with the Site Plan Compliance Review process.

6. Opaque screening, six (6) feet tall, shall be provided along the south 170 feet of the west property line, starting 30 feet from the Winchester Pike property line. The opaque screen may be a fence, wall, change in grade and/or combination of same. The six (6) foot height of the opaque screen shall be measured from the established grade at the east property line of 4490 Winchester Pike (Franklin County Auditors Parcel 180-004726).

7. No chain link fence or chain link fence with slats shall be used on the property.

8. All fences shall be maintained in good condition, including repair and cleaning as needed.

D. Building Interior-Exterior Commitments.

1. Mechanical equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment, so the equipment isn't visible from the property lines of the site.

2. Primary building materials shall consist of brick, including face brick, stone, stucco, cast concrete and/or textured block. Primary building material colors shall be earth tones, which shall include, but not be limited to: white, beige, tan, brown, and blue.

3. Primary building materials shall be used on the west elevation of any building adjacent to the east parcel line 4490 Winchester Pike (Franklin County Auditors Parcel 180-004726).

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

1. New wiring within the site shall be underground unless above ground wiring is required by the applicable utility company.

2. Refuse service shall be provided by private hauler.

3. Parking lot lighting shall not exceed eighteen (18) feet in height.

F. Graphics and/or Signage Commitments.

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 Commercial District. Any variance to the Graphics Code or request for Special Permit for Off-Premise Graphic(s) shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements.

1. Natural Environment: The natural environment of the site is flat. The site has some small abandoned buildings that will be removed when the site is developed.

2.Existing Land Use: The site has some small abandoned buildings that will be removed when the site is developed.

3.Circulation: Access to and from the site will be via full turning movement curbcuts on South Hamilton Road (1) and Winchester Pike (1) and one (1) right-in/right-out curbcut on South Hamilton Road

4. Visual Form of the Environment: The site is located at the intersection of two arterial right of ways. Other commercial uses are located at the intersection and along both roads. Property in Madison Township to the west of the site is zoned commercial.

5. Visibility: The site is located on both South Hamilton Road and Winchester Pike. There is good visibility of the site from both streets.

6. Proposed Development: Rezoning to CPD for commercial development.

7. Behavior Patterns: Vehicular access will be from both South Hamilton Road and Winchester Pike.

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

H. Modification of Code Standards.

1. Section 3356.11, C-4 District Setback Lines, which Section requires a 60 foot and 50 foot building setback line on Hamilton Road and Winchester Pike, based on Columbus Thoroughfare Plan designations as 4-2D and 4-2 arterial right of ways, respectively, while existing right of way for both Hamilton Road and Winchester Pike exceeds the 120 foot and 100 foot Thoroughfare Plan designations, while applicant proposes 40 foot building setback lines along both streets.

2.The site may be split for the purpose of having separate parcels for financing and multiple retail store pads. The overall 2.627 acre site and uses shall comply with applicable code required parking, parking stall dimensions, parking and loading space maneuvering area, and required aisle dimensions, but lot splits shall be permitted that establish internal property lines without regard to the number of parking spaces on each resulting parcel, or the dimensions of parking, loading or stacking spaces, maneuvering area and/or aisle widths as long as total dimensional requirements are met, including across internal property lines. Easement(s) shall be provided for vehicle and pedestrian circulation throughout the 2.627 acre parcel and easements shall be provided where applicable for any parking, stack or loading space, aisle, maneuvering area or by-pass lane that functions across property lines. The following code variances are provided:

a.3312.09, Aisle, to permit a property line to divide a parking lot aisle(s), while the total width of the parking lot aisle shall comply with minimum aisle width.

b. 3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a parcel line and/or tax district line and to maneuver across a parcel line and/or tax district line, while total code required maneuvering area shall comply.

c. 3312.29, Parking Space, to permit a parcel line and/or tax district line to divide parking spaces, while the total parking space shall comply with required dimensions.

I. Miscellaneous Commitments.

1. Development of the site shall be in accordance with the site plan titled "CPD Plan – 4514 Winchester Pike", dated _____ and signed by David B. Perry, Agent for Applicant and Property Owner, and Donald Plank, Attorney for Applicant and Property Owner. 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 any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

The undersigned, being the owner and/or applicant in the subject application, does hereby agree singularly and collectively for himself, his 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 Code, except as noted herein.

David B. Perry, Agent
Date

Donald Plank, Attorney

Date

