



**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
MARCH 10, 2022**

- 7. APPLICATION: Z21-106**  
**Location:** **5430 N. HAMILTON RD. (43054)**, being 1.55± acres, located 360± feet east of North Hamilton Road, 800± feet north of Thompson Road (010-295572; Northland Community Council).  
**Existing Zoning:** CPD, Commercial Planned Development District.  
**Request:** CPD, Commercial Planned Development District (H-35).  
**Proposed Use:** Limited commercial uses.  
**Applicant(s):** Equity, Inc.; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, 1<sup>st</sup> Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2<sup>nd</sup> Floor; Columbus, OH 43215.  
**Property Owner(s):** DS Hamilton LLC; c/o Steven Vanslych, Atty.; 147 North High Street; Gahanna, OH 43230.  
**Planner:** Kelsey Priebe; 614-645-1341; [krpriebe@columbus.gov](mailto:krpriebe@columbus.gov)

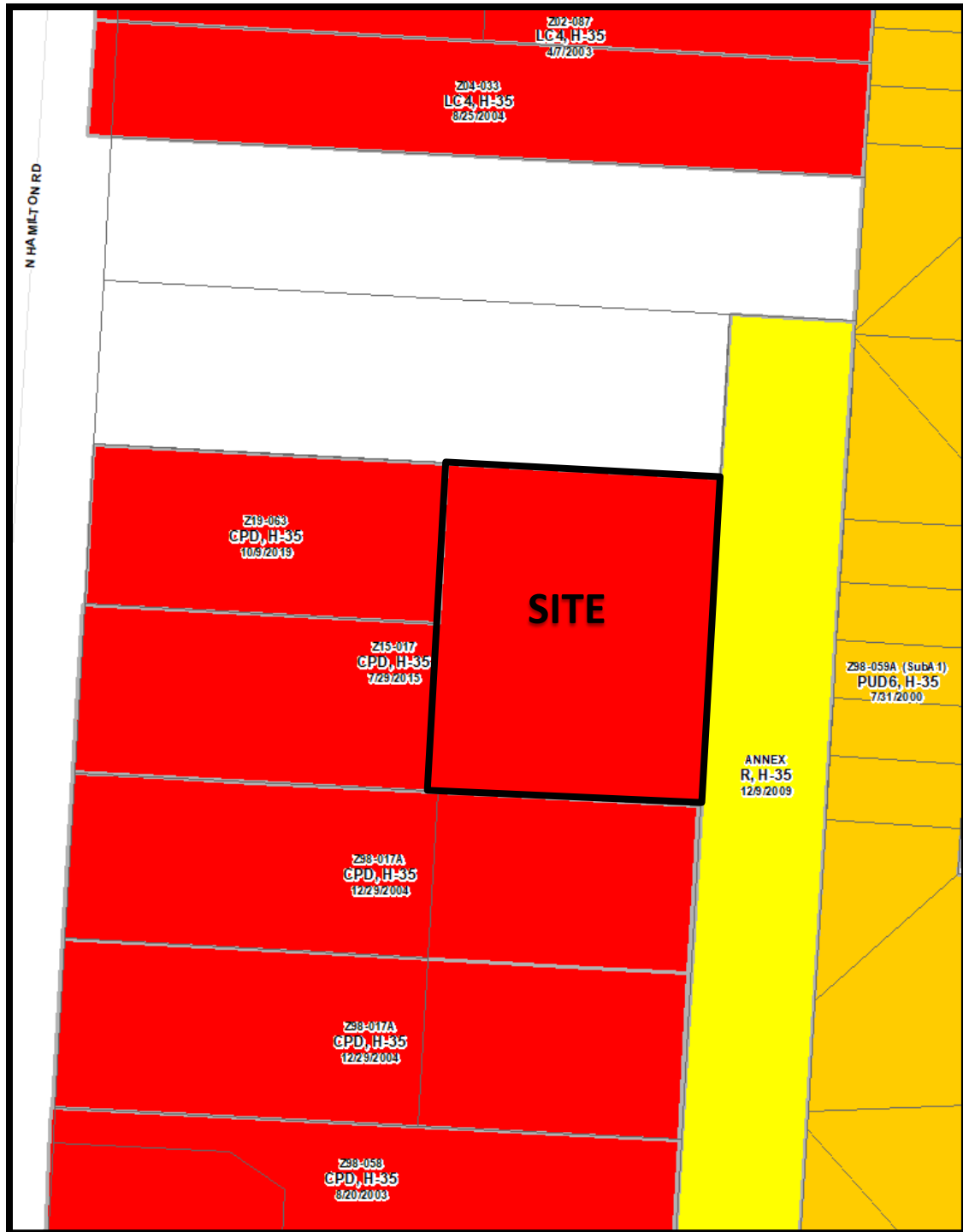
**BACKGROUND:**

- The site is zoned CPD, Commercial Planned Development District as part of Ordinance 1947-2015 (Z15-017). The site has vehicular access by a shared driveway with 5420 N. Hamilton Road (PID: 010-295573) and 5438 N. Hamilton Road (PID: 010-300426). Both 5420 and 5438 N Hamilton Road are zoned in CPD districts, and are developed with a retail fuel center and commercial bank building, respectively. The proposed rezoning from the existing CPD district to a new CPD district is to replace the registered site plan referenced in Ordinance 1947-2015 (Z15-017). The 2015 registered site plan shows this area to be developed with a single 13,400 SF commercial building oriented parallel to the east property line. With this request, two buildings are proposed with Building 1 being 6,300± SF parallel the south property line and Building 2 being 7,500± SF oriented parallel to the east property line. The intended uses, office and preschool, are presently permitted by Ordinance 1947-2015 (Z15-017).
- To the north and east are single-unit dwellings in Plain Township and in the R, Rural District, respectively. To the south is commercial development in the CPD, Commercial Planned Development District. To the west is vacant land and commercial development in the CPD, Commercial Planned Development District.
- The site is within the planning area of the Northland Plan Volume II (2002), which recommends “Preserve District” for this location, calling for a mix of single and multi-unit residential development with some commercial uses. No specific land use guidelines apply to this site.
- The site is located within the boundaries of the Northland Community Council, whose recommendation is for approval.
- The CPD text proposes C-4, Commercial District uses, commits to a site plan, and includes development standards addressing setbacks, site access, landscaping, screening, and building materials. The text also includes code modifications to parking lot aisle and maneuvering.

- The *Columbus Multimodal Thoroughfare Plan* identifies this portion of North Hamilton Road as a Suburban Commuter Corridor requiring 120 feet of right-of-way.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

The requested CPD, Commercial Planned Development District modifies the site plan on the current CPD to facilitate the construction of an office and educational facility. Relevant commitments within the CPD Plan and text are carried over from the existing CPD district, including development standards addressing setbacks, site access, landscaping, screening, and building materials. The request also remains consistent with the North Hamilton Road development pattern.



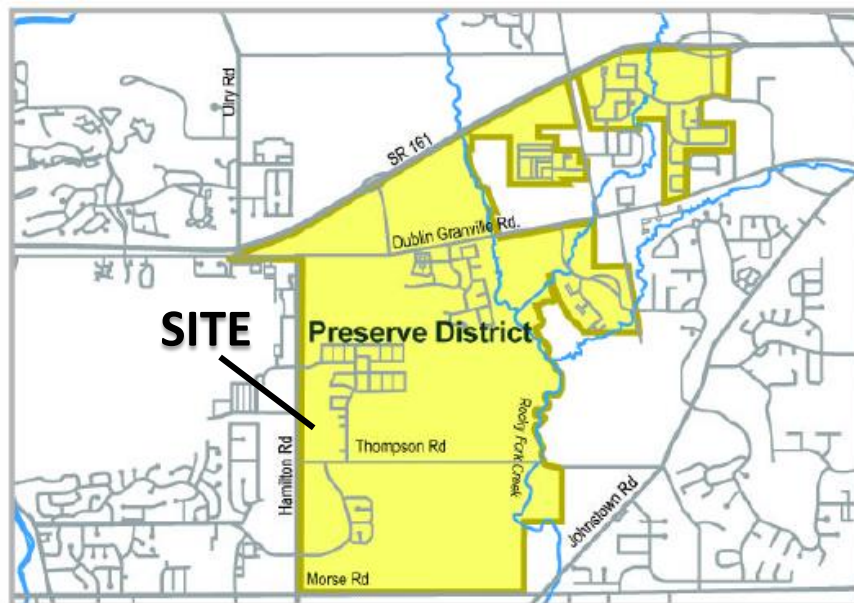
Z21-106  
5430 N. Hamilton Rd.  
Approximately 1.55 acres  
CPD to CPD

*Northland Plan Volume II (2002)***Preserve District**

This district is located east of Hamilton Road, north of Morse Road and follows the Columbus city limits east to the village of New Albany. A significant portion of this district is undeveloped, however, almost the entire district has previously been annexed and zoned in the city of Columbus.

The largest single zoning in the district is the Preserve Master Plan, a nearly 1,000-acre development east of Hamilton Road. This plan will incorporate single and multi-family residences, provisions for open space, portions of a golf course, and some commercial uses. Hamilton Road will eventually be extended in the northwest corner of this district. There is commercial and multi-family zoning in place where this road will be located.

Zoning on several parcels near SR-161, north of Dublin-Granville Road, ranges from LM2, limited manufacturing, to LC4, limited commercial. Preliminary private sector plans for these parcels call for a mixed-use development with retail, single and multi-family residential, and office uses.



Preserve District



Z21-106  
5430 N. Hamilton Rd.  
Approximately 1.55 acres  
CPD to CPD





Z21-106  
5430 N. Hamilton Rd.  
Approximately 1.55 acres  
CPD to CPD



Northland Community Council  
Development Committee

Report

February 23, 2022 6:30 PM  
via Zoom Teleconference

**Meeting Called to Order:** **6:30 pm** by chair **Dave Paul**

Members represented:

*Voting: (13):* Blendon Chase (BCCA), Cooperwoods (CCA), Forest Park (FPCA), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Little Turtle (LTCA), Maize Morse Tri-Area (MMTACA), Northland Alliance (NA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA), Westerwood (WRA).

**Case #1** Application #Z21-076/CV21-093 (Rezone 6.73 AC± from SR Suburban Residential to ~~AR-1~~ ARLD to permit construction of a ~~144-unit~~ 94-unit multi-family residential project at ~~21.65~~ 14± du/AC, and concurrent CV from §3333.255 to reduce the south perimeter yard from 25' to 15' 10' and to reduce the west perimeter yard from 25' to 5'; Tabled December 2021) - TD

Dave Perry/David Perry Co. *representing*

Preferred Living

5555-5591 Sinclair Rd (a/k/a 5567 Sinclair Rd), 43229 (PID 010-110075/010-110076/010-110077)

- The Committee approved (11-0 w/ 2 abstentions) a motion (by SCA, second by LTCA) to **RECOMMEND DISAPPROVAL** of the application.

**Case #2** Application #Z21-106 (Rezone 1.551 AC± from CPD Commercial Planned Development to CPD to revise the CPD site plan to permit 2 buildings totaling 13,800 SF, versus a single 13,400 SF building; no change in permitted or prohibited uses from Z15-017) - SP

Dave Perry/David Perry Co. *representing*

Equity, Inc.

5340 N Hamilton Rd, 43081 (PID 010-295572)

- The Committee approved (11-0 w/ 2 abstentions) a motion (by PCHA, second by FPCA) to **RECOMMEND APPROVAL** of the application.

**Case #3** Application #BZA21-169 (BZA variance from §3321.05(A)(2), *Vision clearance*, to maintain a privacy fence exceeding 2.5' in height and of greater than 25% opacity located in a required yard having vehicular access to a street) - JF

Michele H. West

*Residence*

1800 Hillandale Ave, 43229 (PID 010-160568)

- The Committee approved (10-1 w/ 2 abstentions) a motion (by KWPCA, second by FPCA) to **RECOMMEND APPROVAL WITH ONE (1) CONDITION:**
  - *That the applicant will commit to relocate or reconstruct the privacy fence installed along Hanvey Road to a location at least 12 feet from the Hanvey Road street right-of-way line.*

**Case #4**

Application #GC21-053 (Graphics variance from §3372.806 to permit automatic changeable copy in the form of pre-sell and digital menu boards associated with a drive-through on the north side of the building in a Regional Commercial Overlay (RCO) district) - JF

Steve Moore/Moore Signs *representing*

Rensko Holdings

(Tim Hortons) 1815 Morse Rd, 43229 (PID 010-290497)

- The Committee approved (11-0 w/ 2 abstentions) a motion (by KWPCA, second by PCHA) to **RECOMMEND APPROVAL WITH ONE (1) CONDITION:**
  - *That the applicant will commit to install appropriate landscape screening compliant with the Code along the property's north property line sufficient to minimize the view of the menu boards from the ROW, reducing distraction and visual clutter along the Morse Road corridor.*

**Case #5**

Application #GC21-044 (Graphics variance from §3372.806 to permit automatic changeable copy in the form of 2 digital menu boards associated with a drive-through on the west side of the building in a Regional Commercial Overlay (RCO) district) - MM

Adam Kessler/Kessler Sign Co. *representing*

Dunkin Donuts/GOC Realco LLC

5736 N Hamilton Rd, 43230 (PID 545-297479)

- The Committee approved (11-0 w/ 2 abstentions) a motion (by PCHA, second by KWPCA) to **RECOMMEND APPROVAL** of the application.

**Case #6**

Application #GC21-055 (Graphics variances from §3376.04(A), to maintain the existing setback of 0' rather than 15' from street ROW line and §3376.04(C) to increase permitted graphic area from 64 SF to 91.56 SF for a replacement residential complex sign) - MM

Matthew Lynn/Kessler Sign Co. *representing*

Albany Landings

5500 Billberry Ln, 43081 (PID 010-289278)

- The Committee approved (7-4 w/ 2 abstentions) a motion (by PCHA, second by KWPCA) to **RECOMMEND APPROVAL WITH ONE (1) CONDITION:**
  - *That the design of the replacement sign be modified such that neither face of the sign will be lighted internally or externally.*

**Case #7**

Application #GC22-001 (Graphics variances from §3375.15(B) and §3375.15(C) to allow an extension of 12 months, for the display of temporary banners with increased graphics area from 16SF to 276SF installed on the west and east elevations, normally limited to 30 days in any 12-month period; extending variances previously granted by the Commission in March and July 2021 with a duration of 7 months from July 21, 2021, under application GC20-053) - JF

Mike Shannon/Underhill & Hodge *representing*

The Ohio State University (OSU Medical Center)

6100 N Hamilton Rd, 43081 (PID 010-285960)

- The Committee approved (11-0 w/ 2 abstentions) a motion (by PCHA, second by LTCA) to **RECOMMEND APPROVAL WITH ONE (1) CONDITION:**
  - *That the applicant agree that the variance will expire and the banners will be removed after 12 months or upon the completion of the installation of permanent signage on the west and east elevations that identifies the use, whichever event occurs first.*



## Rezoning Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### PROJECT DISCLOSURE STATEMENT

APPLICATION #: Z21-106

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank

of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215

deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of Business or individual (including contact name and number)

Business or individual's address; City, State, Zip Code

Number of Columbus-based employees

(Limited to 3 lines per box)

1. EQ 5430 N Hamilton LLC; 4653 Trueman Blvd, Suite 100, Hilliard, OH 43026, # Cols-based emps: Zero (0) Contact: Shawn Boysko, (614) 334-7862	2. Equity, Inc.; 4653 Trueman Blvd., Ste. 200; Hilliard, OH 43026; # Cols-based emps: Zero (0) Contact: Shawn Boysko, (614) 334-7862
3. -----	4. -----

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 10<sup>th</sup> day of June, in the year 2022

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires October 24, 2023

*This Project Disclosure Statement expires six (6) months after date of notarization.*