



Date	October 3, 2019
Job No.	19086

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
AUGUST 8, 2019**

- 4. APPLICATION: Z19-044**  
**Location:** **4595 HEATON RD. (43229)**, being 2.17± acres located at the northwest corner of Heaton Road and Morse Road (010-145124 and 010-145125; Northland Community Council).  
**Existing Zoning:** AR-O, Apartment Office District.  
**Request:** L-C-4, Limited Commercial District (H-35).  
**Proposed Use:** Automotive sales.  
**Applicant(s):** Caldwell Automotive.; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 4305.  
**Property Owner(s):** Caldwell Real Estate LLC; 1888 Morse Road; Columbus, OH 43229.  
**Planner:** Kelsey Priebe; 614-645-1341; [krpriebe@columbus.gov](mailto:krpriebe@columbus.gov)

**BACKGROUND:**

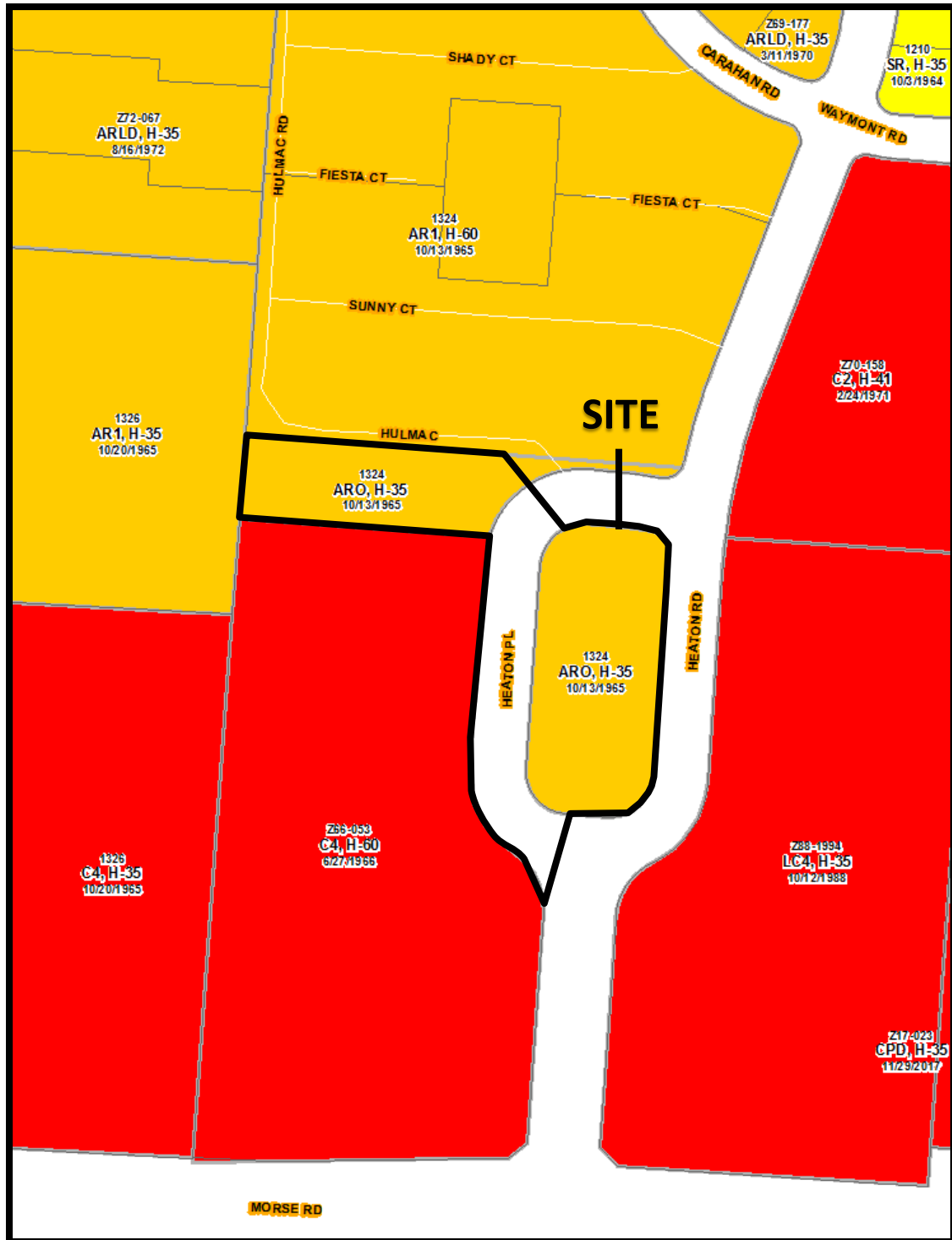
- The site consists of two parcels in the AR-O, Apartment Office District. One parcel is undeveloped and the other is developed as a parking lot for automobile sales. A portion of Heaton Place will be vacated as part of this rezoning request. The applicant is requesting the L-C-4, Limited Commercial District to permit an automotive sales facility.
- To the north and west of the site is a multi-unit residential development in the AR-1, Apartment Residential District. To the southwest of the site is an automotive sales facility in the C-4, Commercial District. To the southeast of the site are commercial uses in the L-C-4, Limited Commercial District.
- The site is located within the boundaries of *Northland 1 Area Plan* (2014), which recommends “Community Mixed Use” land uses for this location. The Plan also includes recommendations that landscaping and screening be utilized to create appropriate corridor landscaping, and minimize the impact of commercial development on adjacent residential uses. This site is located within a High Priority Neighborhood identified by CelebrateOne.
- The site is located within the boundaries of the Northland Community Council, whose recommendation is for approval.
- The limitation text commits to a site and landscape plan with details, has several use restrictions, and includes development standards addressing site access, landscaping, and graphics provisions.

**CITY DEPARTMENTS’ RECOMMENDATION:** ~~Disapproval.~~ \***Approval.**

The requested L-C-4, Limited Commercial District will allow an automotive sales facility that is compatible with the density and development standards of adjacent commercial developments. The request is compatible with the *Northland 1 Area Plan*’s land use recommendation of community mixed use and includes appropriate landscaping commitments. While Staff is in

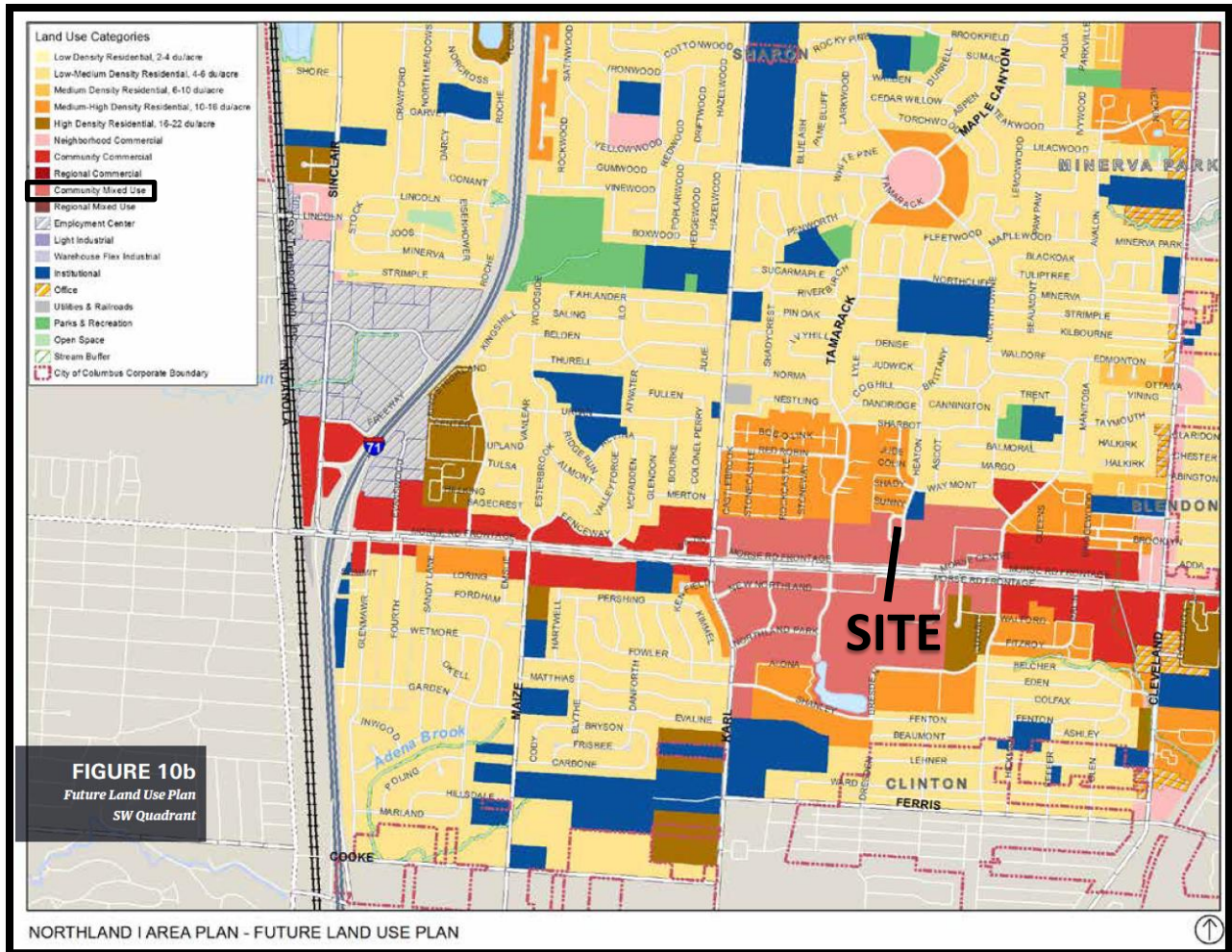
support of the use and landscaping, the Planning Division requests that the applicant incorporate a sidewalk along Heaton Road from Morse Road in the south to the northern property line, as recommended by the *Northland 1 Area Plan*. The Division of Traffic Management supports the Planning Division's request for sidewalks along this site frontage and recommends coordination with the Department of Recreation and Parks to determine whether the existing trees would be endangered by sidewalk construction. Once Planning Division's sidewalk comment is addressed, Staff's recommendation will be updated to approval.

**NOTE:** Planning is in full support as it has been demonstrated that the requested sidewalk would have negative impacts on the root systems of the existing street trees.



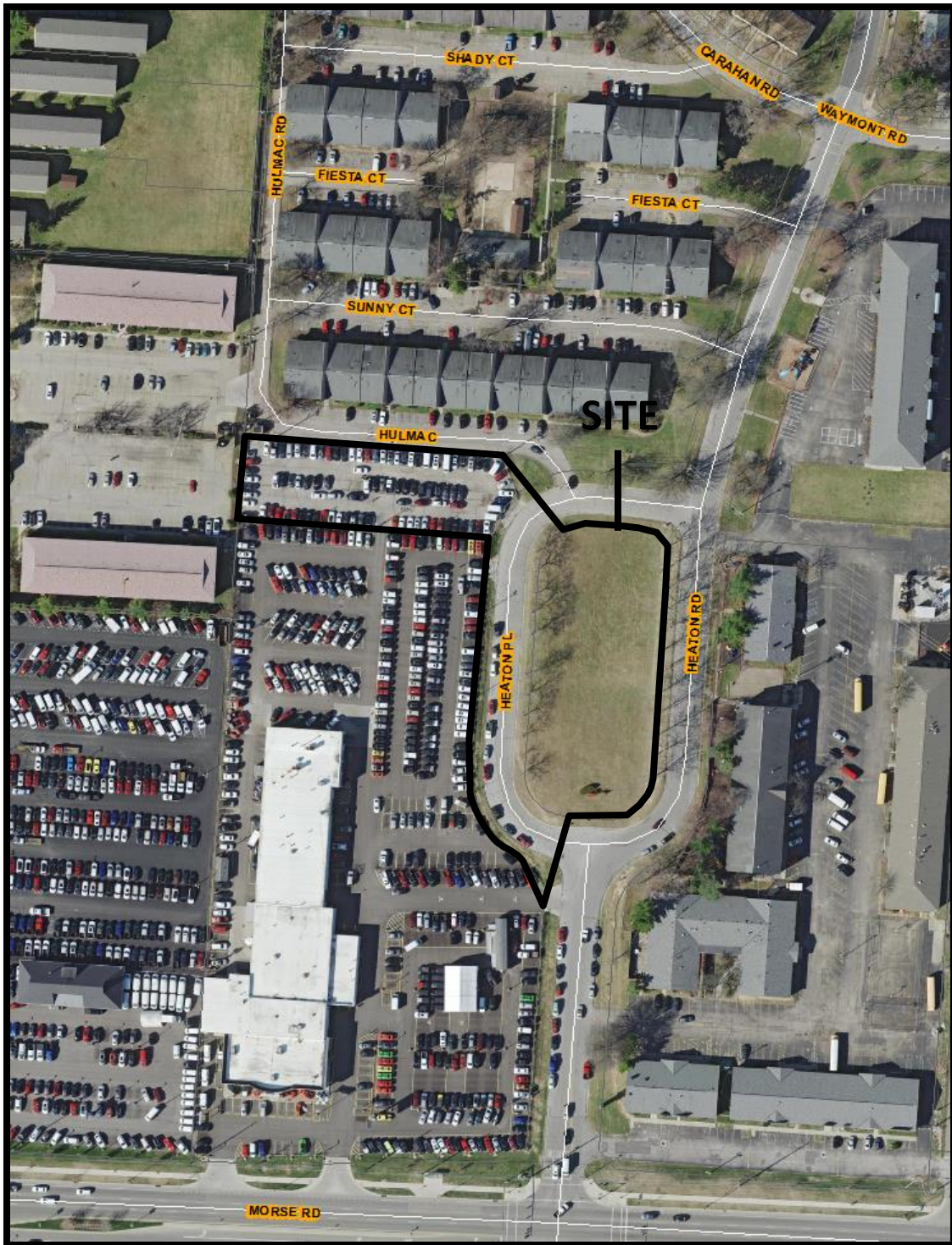
Z19-044  
4595 Heaton Road  
Approximately 2.17 acres  
AR-O to L-C-4





Z19-044  
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Z19-044  
4595 Heaton Road  
Approximately 2.17 acres  
AR-O to L-C-4



Northland Community Council  
Development Committee

Report

July 31, 2019 6:30 PM  
Franklin County Job and Family Services  
(Use south entrance)  
1721 Northland Park Avenue (43229)

**Meeting Called to Order:** **6:35 pm** by chair **Dave Paul**

Members represented:

*Voting: (15):* Asherton Grove (AGCA), Blendon Chase (BCCA), Clinton Estates (CECA), Cooper Woods (CWCA), Devonshire (DCA), Forest Park (FPCA), Friendship Village (FVRA), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Northland Alliance (NA), Northland Area Business Association (NABA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA).

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**Case #1:** Application #Z15-017A (Amend 2015 CPD zoning to allow a two-story structure and 2 drive-through lanes for a bank)  
Brandon Garnett/Nelson Architecture *representing*  
DS Hamilton LLC  
(Bank of America/Merrill Lynch) 5438 N Hamilton Rd, 43230 (PID 010-295572)

- *The Committee approved (14-0 w/ 1 abstention) a motion (by RRSHA, second by BCCA) to **RECOMMEND APPROVAL** of the application.<sup>1</sup>*

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**Case #2:** Application #BZA19-075 (BZA variance from §3312.49 to permit a reduction in required onsite parking allowing the addition of a new express lane and gate to access the rear lumber yard)  
Rodney Wekkin *representing*  
Menard Inc.  
(Menards) 1805 Morse Rd, 43229 (PID 010-286106)

- *The Committee approved (14-0 w/ 1 abstention) a motion (by CECA, second by KWPCA) to **RECOMMEND APPROVAL** of the application.*

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**Case #3:** Application #GC19-018 (Graphics variance from §3372.806 and §3377.10 to permit a second pole sign matching the style of an existing sign and not compliant with requirements of the Morse Road RCO)  
Jeff Brown/Southland Real Estate *representing*  
Gray Gables Realty  
(Twins Buick GMC auto dealership) 960 Morse Rd, 43229 (PID 010-125646)

- *The applicant's representative requested prior to the start of the meeting that the hearing of this case be postponed. Consequently, the agenda was revised to remove this case from this month's agenda and the case was not taken up by the Committee.*
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- Case #4:** Application #Z19-044 (Rezone two parcels, 2.17 AC± combined, from ARO to L-C-4 for expansion of adjacent automobile dealership)  
David Hodge/Underhill and Hodge *representing*  
Caldwell Automotive  
4617 Heaton Pl/4595 Heaton Rd, 43229 (PID 010-145124/010-145125)
- *The Committee approved (14-0 w/ 1 abstention) a motion (by FPCA, second by KWPCA) to **RECOMMEND APPROVAL** of the application.*<sup>2</sup>
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- Case #5:** Application #GC19-033 (Graphics variance from §3372.806(A) to permit automatic changeable copy signs for drive-thru menu boards in the Morse Road RCO)  
Drew Miller/Permit Solutions *representing*  
DaNite Sign Co.  
(McDonalds) 1661 Morse Rd, 43229 (PID 010-291660)
- *The Committee approved (13-0 w/ 2 abstentions) a motion (by RRSHA, second by BCCA) to **RECOMMEND DISAPPROVAL** of the application.*<sup>3</sup>
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- Case #6:** Application #CV19-065 (Council use variance to permit lease of a certain portion of church property zoned SR for the operation of a day care inside the premises)  
John Gleason/Porter Wright *representing*  
Community Montessori School  
(Karl Road Christian Church) 5400 Karl Rd, 43229 (PID 010-041673)
- *The applicant's representative requested that this hearing of this case be converted to an informal "look see." Consequently, the Committee developed **NO RECOMMENDATION**. The case will be rescheduled for formal hearing at a future meeting.*
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**Executive Session**

**10:00 pm**

**Meeting Adjourned**

**10:20 pm**

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<sup>1</sup> The address for this parcel on the original application as shared with the Committee by the applicant and the City is 5420 N Hamilton Road. However, the applicant's representative advises that the site address has changed to 5438 North Hamilton Road (as stated on the Address Plat included in the applicant's packet, generated June 5, 2019, and on the latest site plan dated July 30, 2019). Additionally, we understand that this case may be retitled as a rezoning rather than an amendment to the current zoning. Unless the facts and/or commitments presented in a retitled application should change significantly, it is the intention of the Committee that this recommendation apply also to an application thus retitled, without rehearing.

<sup>2</sup> The applicant's representative advises that the City has requested that the applicant install sidewalks along Heaton Road along the east property line, south to Morse Road. While not within the scope of the Committee's recommendation concerning approval of the application, the Committee feels that the preservation of mature trees along the east property line, to which the applicant has committed in this application, is more beneficial to the community than the installation of sidewalks in this location, and that the construction of sidewalks immediately adjacent to the tree line is likely to damage or destroy these trees. The Committee therefore finds itself in the unusual position of encouraging the City to not pursue the installation of sidewalks in this area.

<sup>3</sup> The Committee is anxious to point out that its recommendation of disapproval does not indicate its opposition to the use of LED or other digital display panels specifically for internally-directed menu boards as proposed by the applicant, except within the Morse RCO. In the absence of any distinction in the Code between menu boards and any other graphic panel or sign element, the Committee feels the approval of LED menu boards in this case will weaken and/or invalidate, through precedent, the prohibition within the RCO district of other forms of automatic changeable copy, especially those that utilize LED or other digital panels. We encourage the City to modernize the Code to include definitions and/or distinctions necessary to permit the limited and specific use of digital panels for this purpose without invalidating the prohibition of less appropriate uses of ACC within the RCO.

## Rezoning Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

### PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

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

APPLICATION #: 219-044

STATE OF OHIO  
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge  
 of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054  
 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  
 Business or individual's address  
 Address of corporate headquarters  
 City, State, Zip  
 Number of Columbus based employees  
 Contact name and number

1. Caldwell Automotive 1888 Morse Road Columbus, Ohio 43229	2. Caldwell Real Estate LLC 1888 Morse Road Columbus, Ohio 43229
3.	4.

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 28th day of May, in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Comm

KIMBERLY R. GRAYSON

Notary Public, State of Ohio

My Commission Expires

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal



**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**Please make all checks payable to the Columbus City Treasurer**