



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1996-2013, **Version:** 1

Rezoning Application Z13-040

APPLICANT: Gregory A. Richards; c/o Jeffrey L. Brown, Atty.; Smith and Hale LLC; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Limited commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on August 8, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-C-3, Limited Commercial District will allow neighborhood commercial development. The site is located within the planning area of the *Trabue/Roberts Area Plan* (2011), which recommends office uses for this location. The Planning Division concurs with this recommendation, but the Zoning Staff finds neighborhood commercial development to be appropriate on a major arterial road that has recently incorporated sidewalks and bike lanes. Staff also notes the high vacancy rate of office space in general, and the close proximity of C-4, Commercial District zoning to the west and north of this location.

To rezone **2410 HILLIARD-ROME ROAD (43026)**, being 0.9± acres located on the east side of Hilliard-Rome Road, 964± feet south of Roberts Road, **From:** L-C-2, Limited Commercial District, **To:** L-C-3, Limited Commercial District (Rezoning # Z13-040).

WHEREAS, application #Z13-040 is on file with the Department of Building and Zoning Services requesting rezoning of 0.9± acres from: L-C-2, Limited Commercial District, to L-C-3, Limited Commercial 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 L-C-3, Limited Commercial District, allows neighborhood commercial development which is appropriate on a major arterial road that has recently incorporated sidewalks and bike lanes. Staff also notes the high vacancy rate of office space in general, and the close proximity of C-4, Commercial District zoning to the west and north of this location.; 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:

Exhibit "A", Parcel #560-168633

0.452 Acres - Tract A

Lot 7 and North Half of 0.046 Acre Tract

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Virginia Military Surveys 6554 and 7029, being all of Lot 7 of Katherine Durban Subdivision, as is numbered and delineated upon the recorded plat thereof, of record in Plat Book 23, Page 35, all records being of the Recorder's Office, Franklin County, Ohio, and being part of a 0.046 Acre tract conveyed to William R. Reader in Official Record Volume 24848 H-03, Parcel 2, and being more particularly described as follows:

Beginning at a set iron pin at the southwest corner of said Lot 7, also being the northwest corner of Lot 8 of said Katherine Durban Subdivision and in the east right-of-way of Hilliard-Rome Road;

Thence along the west line of said Lot 7 and the east right-of-way of Hilliard-Rome Road, North 05 degrees 03 minutes West, 100.00 feet to a found 5/8" rebar at the northwest corner of said Lot 7 and the southwest corner of Lot 6 of said Katherine Durban Subdivision;

Thence, along the north line of said Lot 7 and of said Reader 0.046 Acre tract, and along the south lines of said Lot 6 and a 0.023 Acre tract conveyed to Ben G. Whightsil in Official Record Volume 1514 G-13, South 86 degrees 02 minutes East, 199.50 feet to a set iron pin at the northeast corner of said Reader 0.046 Acre tract and the southeast corner of said Whightsil 0.023 Acre tract and in the west line of an 11.029 Acre tract conveyed to T & R Development, Inc. in Official Record Volume 21462-J-05;

Thence, along part of the east line of said Reader 0.046 Acre tract, and part of the west line of said 11.029 Acre tract, parallel with the west line of said Lot 7, South 05 degrees 03 minutes East, 100.00 feet to a set iron pin;

Thence, across Reader 0.046 Acre tract, and along the south line of said Lot 7 and the north line of said Lot 8, North 86 degrees 02 minutes West, 199.50 feet to the place of beginning CONTAINING 0.452 ACRES, subject, however to all legal easements, restrictions, and rights-of-way of record and of records in the respective utility offices.

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings is South 05 degrees 03 minutes East on the centerline of Hilliard-Rome Road per Plat Book 23, Page 35, Recorder's Office, Franklin County, Ohio.

Exhibit "B", Parcel #560-168634

0.452 Acres - Tract B

Lot 8 and South Half of 0.046 Acre Tract

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Virginia Military Surveys 6554 and 7029, being all of Lot 8 of Katherine Durban Subdivision, as is numbered and delineated upon the recorded plat thereof, of record in Plat Book 23, Page 35, all records being of the Recorder's Office, Franklin County, Ohio, and being part of a 0.046 Acre tract conveyed to William R. Reader in Official Record Volume 24848 H-03, Parcel 2, and being more particularly described as follows:

Beginning at the southwest corner of said Lot 8, also being the northwest corner of Lot 9 of said Katherine Durban Subdivision and in the east right-of-way of Hilliard-Rome Road;

Thence, along the west line of said Lot 8 and the east right-of-way of Hilliard-Rome Road, North 05 degrees 03 minutes West, 100.00 feet to a set iron pin at the northwest corner of said Lot 8 and the southwest corner of Lot 7 of said Katherine Durban Subdivision (passing a set reference iron pin at 4.00 feet);

Thence, along the north line of said Lot 8 and across said Reader 0.046 Acre tract, and along the south line of said Lot 7, South 86 degrees 02 minutes East, 199.50 feet to a set iron pin in the east line of said Reader 0.046 Acre and in the west line of 11.029 Acre tract conveyed to T & R Development, Inc. in Official Record Volume 21462 J-05;

Thence, along part of the east line of said Reader 0.046 Acre tract and part of the west line of said 11.029 Acre tract; parallel with the west line of said Lot 8, South 05 degrees 03 minutes East, 100.00 feet to a set iron pin at the southeast corner of said Reader 0.046 Acre tract and at the northeast corner of a 0.023 Acre tract conveyed to Clinton E. and Melba J. Dalton in Official Record Volume 3810 F-15;

Thence, along the south lines of said Reader 0.046 Acre tract, and Lot 8, and the north lines of said Dalton 0.023 Acre tract and said Lot 9 North 86 degrees 02 minutes West, 199.50 feet to the place of beginning, CONTAINING 0.452 ACRES, passing a set reference iron pin at 195.50 feet, subject, however to all legal easements, restrictions, and rights-of-way of record and of records in the respective utility offices.

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. #6579". Basis of bearings is South 05 degrees 03 minutes East on the centerline of Hilliard-Rome Road per Plat Book 23, Page 35, Recorder's Office, Franklin County, Ohio.

Being known as 2410 Hilliard-Rome Road, Columbus, Ohio
Parcel No. 560-168634

To Rezone From: L-C-2, Limited Commercial District

To: L-C-3, Limited Commercial District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-C-3, Limited Commercial 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 changes on the said original zoning map and shall register a copy of the approved L-C-3, Limited Commercial District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**COMMERCIAL LIMITATION TEXT**," signed by Jeffrey L. Brown, Attorney for the Applicant, dated August 8, 2013, and reading as follows:

COMMERCIAL LIMITATION TEXT

PROPOSED DISTRICTS: L-C-3

PROPERTY ADDRESS: 2410 Hilliard Rome Road

OWNER: Gregory A. Richards

APPLICANT: Gregory A. Richards

DATE OF TEXT: August 8, 2013

APPLICATION: Z13-040

1. **INTRODUCTION:** This site was rezoned in 2005 to permit C-2 Commercial uses. The applicant wants to expand the list of permitted uses to facilitate the redevelopment of the site.

2. **PERMITTED USES:** Those uses permitted in Chapters 3351, C-1 Commercial; 3353, C-2, Commercial and the following C-3, Commercial uses: cafes, delicatessens, and restaurants (unlimited size) and butcher shops, fish, meat, and seafood markets (unlimited size).

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3355 C-3, Commercial of the Columbus City Code.

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

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

The curb cut for the subject site shall be located toward the southern portion of the site to provide room for southbound turning vehicles in the existing two-way left turn lane on Hilliard-Rome Road. The property owner shall grant an access easement to the parcel to the north and south upon the redevelopment of each of the respective parcels. The rationale for these access easements is to create the potential for there to be access to the traffic signal to the north and to create connectivity between adjacent parcels to reduce the amount of access points to Hilliard-Rome Road.

Upon the redevelopment of the parcel to the south, and the provision of a cross access easement to the subject site which will provide access to a new, full access curb cut, the access to the subject site will need to be eliminated or converted to a right in/right out access point. The access easement shall be in a form customary for the area.

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

1. Street trees shall be planted evenly spaced along Hilliard Rome Road at a ratio of one tree per forty (40) feet of footage.

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

1. The building(s) shall have a pitched roof or a parapet wall which screens the rooftop mechanical equipment from being visible from the ground level of the site.

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

F. Graphics and 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-3, Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

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