



## Legislation Details (With Text)

**File #:** 1305-2013      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 5/22/2013      **In control:** Zoning Committee

**On agenda:** 6/10/2013      **Final action:** 6/12/2013

**Title:** To rezone 2470 HILLIARD-ROME ROAD (43026), being 0.38± acres located on the east side of Hilliard-Rome Road, 764± feet south of Roberts Road, From: R, Rural District, To: L-C-2, Limited Commercial District (Rezoning # Z13-011).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1305-2013Attachments, 2. Notice Of Public Hearing - Council Mtg20130610

Date	Ver.	Action By	Action	Result
6/12/2013	2	CITY CLERK	Attest	
6/11/2013	2	MAYOR	Signed	
6/10/2013	2	COUNCIL PRESIDENT	Signed	
6/10/2013	1	Zoning Committee	Approved as Amended	Pass
6/10/2013	1	Zoning Committee	Amended as submitted to the Clerk	Pass
6/3/2013	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z13-011

**APPLICANT:** John W. Gibson; c/o Rickard Alan Sicker; RAS Civil Engineering LLC 4254 Tuller Road; Dublin, OH 43017.

**PROPOSED USE:** Office commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0-1) on May 9, 2013.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-C-2, Limited Commercial District will allow office development. The site is located within the boundaries of the *Trabue/Roberts Area Plan* (2011), which recommends office uses for this location. The limitation text includes access restrictions requested by the Department of Public Service. The request is consistent with the land use recommendations of the *Trabue/Roberts Area Plan*, and with the established zoning and development pattern of the area.

To rezone **2470 HILLIARD-ROME ROAD (43026)**, being 0.38± acres located on the east side of Hilliard-Rome Road, 764± feet south of Roberts Road, **From:** R, Rural District, **To:** L-C-2, Limited Commercial District (Rezoning # Z13-011).

**WHEREAS**, application #Z13-011 is on file with the Department of Building and Zoning Services requesting rezoning of 0.38± acres from: R, Rural District, to L-C-2, 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-2, Limited Commercial District will allow for office development which is consistent with the land use recommendations of the *Trabue/Roberts Area Plan*, and with the established zoning and development pattern of the area; 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:

**2470 HILLIARD-ROME ROAD (43026)**, being 0.38± acres located on the east side of Hilliard-Rome Road, 764± feet south of Roberts Road, and being more particularly described as follows:

**Tract 1**

Situated in the County of Franklin, State of Ohio, and City of Columbus and bounded and described as follows:

Being Lot Number Five (5) of KATHERINE DURBAN SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 23, page 35, Recorder's Office, Franklin County, Ohio.

**Tract 2**

10' Strip of land adjacent to the east end of Lot No. 5 of Katherine Durban Subdivision:

Situated in the State of Ohio, County of Franklin, City of Columbus being in Virginia Military Surveys No. 6554 and 7029, being 0.023 acres out of the 22.01 acre tract conveyed to Rome Hilliard Partnership by deed of record in Deed Book 3268, page 614 (all references to deed books and plat books in this description refer to the records in the Recorder's Office, Franklin County, Ohio), said 0.23 acres being more particularly described as follows:

Beginning at the TRUE POINT OF BEGINNING, said point being the northeast corner of Lot No. 5 of the Katherine Durban Subdivision as recorded in Plat Book 23, Page 35;

thence, easterly S 86° 05'45" E, 10.00 feet to iron pin;

thence, southerly S 5° 03'57" E, parallel with and 10.00 feet easterly from (as measured at right angles) the easterly line of said Lot No. 5, 100.01 feet to an iron pin;

thence, westerly N 86° 05'45" W, 10.00 feet to a point in the southeasterly corner of said Lot No. 5;

thence, northerly along the easterly line of said Lot No. 5, N 5° 03'57" W, 100.01 feet to the TRUE POINT OF BEGINNING, containing 0.023 acres more or less, but subject to all easements, restrictions, and highways of previous records.

**Excepting of the Above**

**PARCEL 51-WD  
FRA-CR3-14.06**

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey 6554-7029, and being 0.050 acres out of a 0.452 acre tract conveyed to Mount Carmel College of Nursing by deed of record in instrument Number 200504060064183 and being part of Lot 5 of Katherine Durban Subdivision of record in Plat Book 23, page 35

(all references to the Recorder's Office, Franklin County, Ohio unless specified otherwise) and also known as Auditor's Parcel Numbers 560-168631 and being more specifically described as follows:

Being a parcel of land lying on the right side of the centerline of survey and construction of FRA-CR3-14.06 (Hilliard Rome Road-variable R/W width) made by the Ohio Department of Transportation and being within the following described points in the boundary thereof:

Commencing for reference at the existing centerline intersection of Hilliard Rome Road (variable R/W width) and Reebok Road (60' R/W dedicated in Plat Book 68, page 04) and being at existing centerline of survey and construction of Hilliard Rome Road station 189 + 01.12;

Thence along the existing centerline of survey and construction of Hilliard Rome Road, North 6° 33'07" West a distance of 200.81 feet to a deflection in Hilliard Rome Road and being at existing centerline of survey and construction of Hilliard Rome Road station 191 + 01.93;

Thence along the existing centerline of survey and construction of Hilliard Rome Road, North 6° 31'55" West a distance of 1314.99 feet to a point being at existing centerline of survey and construction of Hilliard Rome Road station 204 + 16.92;

Thence North 83° 28'05" East a distance of 40.00 feet to the southwesterly corner of the said 0.452 acre tract (Lot 5), the northwesterly corner of a 0.453 acre tract (Lot 6) conveyed to Catherine R. Saporito by deed of record in Official Record 31040, Page D12, on the easterly existing right of way of Hilliard Rome Road, being 40.00 feet right of existing centerline of survey and construction of Hilliard Rome Road station 204 + 16.92 and being the True Point of Beginning;

Thence along the easterly existing right of way of Hilliard Rome Road and the westerly line of the said Lot 5, North 6° 31'55" West a distance of 100.00 feet to the northwesterly corner of the said 0.452 acre tract (Lot 5) and the southwesterly corner of a 20' wide tract conveyed to the City of Columbus, Ohio by deed of record in Official Record 26815G12 and being 40.00 feet right of existing centerline of survey and construction of Hilliard Rome Road station 205 + 16.92;

Thence along the northerly line of said 0.452 acre tract (Lot 5) and the southerly line of the said 20' wide tract conveyed to the City of Columbus, Ohio at first and then along the southerly line of Lot 4 and a 9.293 acre tract conveyed to Sun Life Assurance Company by deed of record in Official Record 31027, Page C12, south 87° 30'55" East a distance of 40.50 feet to an iron pipe set and being 80.00 feet right of existing centerline of survey and construction of Hilliard Rome Road station 205 + 10.57;

Thence crossing thru the said 0.452 acre tract (Lot 5), South 47° 23'16" West a distance of 24.75 feet to an iron pipe set and being 60.00 feet right of existing centerline of survey and construction of Hilliard Rome Road station 204 + 96.00;

Thence crossing thru the said 0.452 acre tract (Lot 5), South 6° 31'55" East a distance of 82.25 feet to an iron pipe set in the southerly line of the said 0.452 acre tract (Lot 5) and the northerly line of the said 0.453 acre tract (Lot 6) and being 60.00 feet right of existing centerline of survey and construction of Hilliard Rome Road station 204 + 13.75;

Thence along the southerly line of the said 0.452 acre tract (Lot 5) and the northerly line of the said 0.453 acre tract (Lot 6), North 87° 30'55" West a distance of 20.25 feet to the true Point of Beginning and containing 0.050 acres of land, more or less.

All iron pipes set are 30" long, ¾" inside diameter and a center punched aluminum cap stamped "ODOT R/W S-6950." All other monumentation is as described:

Grantor claims title by Instrument Number 200504060064183, of the Franklin County Recorder's Office.

The grantor retains the right of ingress and egress to his residual property.

The above described area contains 0.050 acres within the Auditor's Parcel Number 560-168631, including 0.000 acres in the present road occuppies, resulting in a net take of 0.050 acres.

Bearings are based on an adjusted closed traverse between Franklin County monuments 58, 158, 5540, 6655, 7766, and 8854 (1986 adjustment) that sets a bearing of North 72° 12'16'' West for the centerline of Hilliard Rome Road between Westchester Woods Boulevard and Tanglewood Park Boulevard. The coordinates of these monuments are derived from the Ohio State Plane Coordinate System, South Zone, N.A.D. 83.

This description was prepared and reviewed on July 24, 2006 by Robert A. Bosworth, Registered Surveyor No. 7750 and is based on a filed survey made by DLZ Ohio, Inc. under the direction and supervision of Charles H. Murphy, Registered Surveyor No. 6950 in 1993-1999 for the Ohio Department of Transportation.

The stations referred to herein are from plans FRA-CR3-14.06 on file at the Ohio Department of Transportation.

Said property being known as 2470 Hilliard-Rome Road, Columbus, Ohio  
Parcel No. 560-168631

**To Rezone From:** R, Rural District

**To:** L-C-2, Limited Commercial District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-C-2, 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-2, 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 Rickard Allen Sicker, Agent for the Applicant, dated April 4, 2013, and reading as follows:

**COMMERCIAL LIMITATION TEXT**

**PROPOSED DISTRICT:** L-C-2, Limited Commercial District

**PROPERTY ADDRESS:** 2470 Hilliard-Rome Road (43026)

**OWNER(S):** John W. Gibson; P.O. Box 3210; Westerville, OH 43086.

**APPLICANT(s):** John W. Gibson; c/o Rickard Alan Sicker; RAS Civil Engineering LLC; 4254 Tuller Road; Dublin, OH 43017.

**DATE OF TEXT:** 4/4/2013

**APPLICATION NUMBER:** Z13-011

**INTRODUCTION:** The 0.38± acre site is located in a commercial area on the east side of Hilliard-Rome Road, 764± feet south of Roberts Road, and is currently zoned R, Rural District. The applicant proposes to rezone the property to the L-C-2, Limited Commercial District for office uses, which is consistent with the land-use recommendations of the *Trabue/Roberts Area Plan* (2011).

**PERMITTED USES:** Those uses permitted in Chapter 3353 of Columbus City Code (C-2, Commercial).

**DEVELOPMENT STANDARDS:** Unless otherwise indicated herein, the applicable development standards are contained within Chapter 3353 (C-2, Office Commercial District) of the Columbus City Code.

A. Density, Height, Lot Coverage, and Setback Requirements: N/A

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

- ~~1. A cross access easement shall be acquired with the property owner to the north in order for the subject site to have access to the signalized, full access point accessing Hilliard-Rome Road. If attempts to pursue a cross access easement with the property owner to the north are unsuccessful, access to this site shall be limited to right-in/right-out turning movements and would require preparation of a detailed street construction plan (E-Plan) to construct such a limited access driveway. Any direct access point for this development to the public right-of-way would need to be shared with the property owner to the south with a cross access easement. If a cross access easement is obtained for this site from the property owner to the north to access the signalized, full access point accessing Hilliard-Rome Road, a cross access easement will also need to be granted to the property owner to the south upon redevelopment of the property to the south.~~
1. **Access for the site shall be obtained for this site by one of the following options:**
  - a. **By means of an access easement with the property owner to the north in order for the subject site to have access to the signalized, full access point accessing Hilliard-Rome Road. Such a configuration would require a cross access easement to be granted to the property owner to the south upon redevelopment of the property to the south.**
  - b. **By means of a right-in/right-out access point located with its centerline along the south property line of the subject parcel to be shared between the property owner of the subject parcel and the property owner of the parcel to the south with a cross access easement to be granted to the property owner to the south for utilization of the shared access point.**

C. Building design and/or Interior-Exterior treatment commitments: N/A

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments: N/A

E. Graphics and Signage requirements:

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-2, Office 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.