



## Legislation Details (With Text)

**File #:** 0198-2019      **Version:** 1

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

**File created:** 1/8/2019      **In control:** Zoning Committee

**On agenda:** 1/28/2019      **Final action:** 1/31/2019

**Title:** To rezone 2827 BETHEL ROAD (43220), being 1.01± acres located at the southeast corner of Bethel Road and Sawmill Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z18-054).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0198-2019\_Attachments, 2. ORD0198-2019\_Labels

Date	Ver.	Action By	Action	Result
1/31/2019	1	CITY CLERK	Attest	
1/30/2019	1	MAYOR	Signed	
1/28/2019	1	COUNCIL PRESIDENT	Signed	
1/28/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
1/28/2019	1	Zoning Committee	Approved	Pass

### Rezoning Application Z18-054

**APPLICANT:** Gray Gables Realty, Inc.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Auto repair shop.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0-1) on December 13, 2018.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 1.01± acre site was previously developed with a fuel station in the CPD, Commercial Planned Development District (Z01-032). The applicant is proposing a new CPD district to permit the development of an auto body repair shop. The CPD text establishes use restrictions and supplemental development standards that address setbacks, screening, traffic access and circulation, and commitments to a site plan and building elevations. A variance to reduce the building setback line has been included in the CPD text to accommodate an eight foot tall brick screening wall. The site is within the boundaries of *The Northwest Plan* (2016), which recommends "Mixed-use 1" land uses at this location. This site is also within the Bethel Road Regional Commercial Overlay. The updated CPD, Commercial Planned Development District will permit an auto body repair shop and establishes new commitments and development standards. The request is consistent with the Plan's land use recommendation, and is compatible with the development pattern along Bethel Road.

To rezone **2827 BETHEL ROAD (43220)**, being 1.01± acres located at the southeast corner of Bethel Road and Sawmill Road, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District (Rezoning #Z18-054).

**WHEREAS**, application #Z18-054 is on file with the Department of Building and Zoning Services requesting rezoning of 1.01± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District will permit an auto body repair shop with appropriate use restrictions and development standards. The request is consistent with *The Northwest Plan's* recommendation for "Mixed-Use 1" land uses, and is compatible with the development pattern along Bethel Road; 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:

**2827 BETHEL ROAD (43220)**, being 1.01± acres located at the southeast corner of Bethel Road and Sawmill Road, and being more particularly described as follows:

Being a part of Quarter Township 1, Township 1, Range 19, United States Military Lands and a part of Parcel I, O.R. 02067-C15, and a part of Parcel II, O.R. 02067-C15, all-inclusive in the City of Columbus, Franklin County, Ohio, bounded and described as follows:

Commencing at Franklin County Monument number 35 found at the intersection of the centerlines of Bethel Road, so called and Sawmill Road, so called.

Thence South 01 degrees, 57 minutes, 00 seconds West along the centerline of Sawmill Road, as monumented, a distance of 81.37 feet to a point.

Thence South 88 degrees, 29 minutes, 25 seconds East a distance of 59.72 feet to a point on the East right-of-way of Sawmill Road, said point being the true point of beginning, from said point an iron pipe can be found 0.04 feet South and 0.08 feet East.

Thence North 46 degrees, 44 minutes, 21 seconds East a distance of 27.88 feet to a ½ inch galvanized steel pipe set on the South 60 foot right-of-way of Bethel Road.

Thence South 87 degrees, 15 minutes, 00 seconds East along the South 60 foot right-of-way of Bethel Road a distance of 190.51 feet to a ½ inch galvanized steel pipe set.

Thence South 01 degrees, 57 minutes, 00 seconds West a distance of 210.50 feet to a ½ inch galvanized steel pipe set.

Thence North 87 degrees, 15 minutes, 00 seconds West a distance of 210.50 feet to a ½ inch galvanized steel pipe set on the East right-of-way of Sawmill Road.

Thence North 02 degrees, 03 minutes, 12 seconds East along the East right-of-way of Sawmill Road a distance of 190.44 feet to the true point of beginning.

Containing 44,069.26 square feet or 1.012 acres of land. Subject to all easements of record or now in use.

**To Rezone From:** CPD, Commercial Planned Development District

To: CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development 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 change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said site plan and elevations being titled, “**ARCHITECTURAL SITE PLAN,**” and “**ELEVATIONS,**” both dated December 8, 2018 and text titled, “**TEXT,**” dated November 7, 2018, all signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

**TEXT**

**EXISTING DISTRICT:** CPD, Commercial Planned Development District

**PROPOSED DISTRICT:** CPD, Commercial Planned Development District

**PROPERTY ADDRESS:** 2827 Bethel Road

**OWNER:** John W. McKittrick

**APPLICANT:** Gray Gables Realty

**DATE OF TEXT:** 11/7/18

**APPLICATION:** Z18-054

**1. INTRODUCTION:** The site has been a convenience store with gas sales for many years. The current zoning restricted the uses to a convenience store with gas sales and committed to a particular site plan. The convenience store is closed and the gas tanks have been removed. The applicant wants to permit C-4, Commercial Uses on the site and commit to a new site plan.

**2. PERMITTED USES:** Those uses permitted in Chapter 3356 C-4, Commercial of the Columbus City code except for the following uses:

- Cabarets, night clubs, dance halls, pubs, bars or private clubs;
- Poolrooms
- Carry out; restaurants with pick-up units
- Cell towers; and
- Off-site graphics or billboards

**3. DEVELOPMENT STANDARDS:** Except as listed on the zoning text, the applicable development standards are contained in Chapter 3356 C-4, Commercial District and Chapter 3372 Regional Commercial Overlay of the Columbus City Code.

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

The setbacks are shown on the submitted site plan.

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

Access is shown on the submitted site plan.

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

The subject site shall be landscaped in accordance with the submitted site plan.

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

The proposed building shall be designed in accordance with the attached building elevations.

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

N/A

F. Graphics and Signage Commitments:

The applicable graphics standards shall be those contained in Columbus City Code Article 15 as they apply to the C-4, Commercial District and the Regional Commercial Overlay. No billboards or off-premise graphics shall be permitted. Any variances shall be submitted to the Columbus Graphics Commission.

G. CPD Requirements:

1. Natural Environment: The property is a flat lot located at a major intersection in northwest Columbus. The Property is surrounded by commercial uses and much of the surrounding area is covered with impervious surfaces.
2. Existing Land Use: Former BP gas station, convenience store, and car wash.
3. Transportation and Circulation: The Property is located at the intersection of two major arterial streets where a light controls traffic.
4. Visual Form of the Environment: The Property is surrounded by commercial uses including a Shell gas station to the north, a hotel immediately to the east, a Giant Eagle grocery and CVS pharmacy immediately to the west, and restaurants, offices, and general retail to the east and northeast.
5. View and Visibility: The Property is visible from Sawmill Road and Bethel Road.
6. Proposed Development: C-4, Commercial uses.
7. Behavior Patterns: The Property will serve existing traffic traveling home or shopping on Sawmill and Bethel Roads.
8. Emissions: No adverse effect from emissions shall result from the proposed development.

H. Miscellaneous:

1. Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.
2. Building Elevation Revision Allowance. The building shall be developed in accordance with the building elevations; however, the building elevations may be slightly adjusted to reflect architectural, engineering, topographical, or other development data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the building elevations upon submission of the appropriate data regarding the proposed adjustment.
3. Variance: Section 3356.11 C-4 District setback lines: 8' brick wall is subject to building setback lines and is varied to 0' as shown on the site plan.

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