



City of Columbus

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

Legislation Text

File #: 1764-2015, **Version:** 1

Rezoning Application Z14-061

APPLICANT: Custom Built Homes, Inc.; c/o Dave Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, Ohio 43215.

PROPOSED USE: Limited commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on April 9, 2015.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site was annexed to the City of Columbus in 1995 and zoned R, Rural. The commercial use of the property is non-conforming. The applicant proposes to rezone in order to conform the existing development and to address additional non-compliance with code standards created by required dedication of right of way in conformance with the Columbus Thoroughfare Plan. The requested CPD, Commercial Planned Development District, is consistent with the land use recommendations of *The Greater Hilltop Plan Amendment* (2010), which recommends office uses for this location. The proposal would also conform the existing use and physical conditions of the site, while offering future redevelopment of the site that is in accordance with development standards of the C-2, Commercial District. This proposal would permit only office uses as recommended by the area plan. Staff supports the intended use of the property as the request is consistent with the area plan recommendation and with the zoning and development patterns of the area.

To rezone **1151 GEORGESVILLE ROAD (43228)**, being 0.75± acres located at the southwest corner of Georgesville and Hall Roads, **From:** R, Rural District, **To:** CPD, Commercial Planned Development District (Rezoning # Z14-061).

WHEREAS, application #Z14-061 is on file with the Department of Building and Zoning Services requesting rezoning of 0.75± acres from: R, Rural District, to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Greater Hilltop Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the request is consistent with the land use recommendations of the *Greater Hilltop Plan Amendment*, 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:

Situated in Survey No. 13950, Virginia Military Lands, in the Township of Franklin, County of Franklin, State of Ohio,

and being a portion of a 79.50 acre tract of land deeded to Richard B. Reinhard by deed of record in Deed Book 1166, page 375, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a centerpunched railroad spike at the northeast corner of said 79.50 acre tract at the intersection of the centerline of Georgesville Road (60 feet wide) with the centerline of Hall Road (60 feet wide);

thence S. 20° 59' West along the tangent centerline of Georgesville Road and a portion of the east line of said 79.50 acre tract a distance of 239.43 feet to a centerpunched railroad spike;

thence N. 85° 09' West parallel with the centerline of Hall Road and the north line of said 79.50 acre tract a distance of 163.47 feet to an iron pin (passing an iron pin in the tangent west right-of-way line of Georgesville Road at 31.23 feet);

thence N. 4° 51' East perpendicular to the centerline of Hall Road and the north line of said 79.50 acre tract a distance of 230.00 feet to a centerpunched railroad spike in the centerline of Hall Road and the north line of said 79.50 acre tract (passing an iron pin in the south right-of-way line of Hall Road at 200.00 feet);

thence S. 85° 09' East along the centerline of Hall Road and a portion of the north line of said 79.50 acre tract a distance of 230.00 feet to the place of beginning;

containing 1.039 acre of land more or less and being subject to all legal highways and easements of record.

Less that portion deeded to Franklin County by deed dated July 12, 1972, for the purpose of road improvement, more particularly described as follows:

Beginning at a centerpunched railroad spike at the northeast corner of said 1.039 acre tract at the intersection of the centerline of Georgesville Road (60 feet wide) with the centerline of Hall Road (60 feet wide);

thence S. 20° 59' West along the existing centerline of Georgesville Road and the east line of said 1.039 acre tract a distance of 239.43 feet to a centerpunched railroad spike at the southeast corner of said 1.039 acre tract;

thence N. 85° 09' West along the southerly property line of said 1.039 acre tract a distance of 41.64 feet to a point in the proposed westerly right-of-way of Georgesville Road, (passing an iron pin in the existing westerly right-of-way line of Georgesville Road at 31.23 feet);

thence N. 20° 59' East along the proposed westerly right-of-way line of Georgesville Road, said line being 10.00 feet west of and parallel to the existing west right-of-way line of Georgesville Road a distance of 208.20 feet to a point in the existing south right-of-way line of Hall Road;

thence N. 85° 09' W. along the existing south right-of-way line of Hall Road a distance of 98.32 feet to a point;

thence N. 4° 50' 06" E. a distance of 30.00 feet to a point in the centerline of Hall Road and the northerly line of said 1.039 acre tract;

thence S. 85° 09' E. along the centerline of Hall Road and the northerly line of said 1.039 acre tract a distance of 148.65 feet to the place of beginning;

containing 12,657 square feet more or less, of which the present roads occupy 10,575 square feet, more or less.

Parcel ID # 010-234536

Address: 1151 Georgesville Road

To Rezone From: R, Rural 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.

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 plan being titled, “**1151 GEORGESVILLE ROAD, COLUMBUS, OH 43228,**” and text titled, “**CPD, COMMERCIAL PLANNED DEVELOPMENT,**” both signed by Donald Plank, Attorney for the Applicant, and David Perry, Agent for the Applicant, dated June 16, 2015, and the text reading as follows:

CPD, COMMERCIAL PLANNED DEVELOPMENT

EXISTING ZONING: R, Rural (Annexation, 10/22/1995)

PROPOSED ZONING: CPD, Commercial Planned Development

PROPERTY ADDRESS: 1151 Georgesville Road, Columbus, OH 43228

APPLICANT: Custom Built Homes, Inc. c/o Dave Perry, Agent, David Perry Company, Inc., 145 East Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215.

DATE OF TEXT: June 16, 2015

APPLICATION NUMBER: Z14-061

1. INTRODUCTION: The 0.748 +/- acre site is located on the southwest corner of Hall Road and Georgesville Road. The current building was built in 1975 +/- in Franklin Township. The property was annexed to the City of Columbus in 1995 and zoned R, Rural. The commercial use of the property is non-conforming. Applicant submits this application to establish commercial zoning, to conform the existing development to current Zoning Code standards and to address additional non-compliance with code standards created by required dedication of right of way in conformance with the Columbus Thoroughfare Plan. Permitted uses of the property are all C-2, Commercial uses. The Site Plan titled “1151 Georgesville Road, Columbus, OH 43228”, hereafter Site Plan, dated June 16, 2015, is submitted as the development plan depicting existing site development.

2. PERMITTED USES: All uses of Chapter 3353, C-2, Office Commercial District.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3353, C-2, Office Commercial District, of the Columbus City Code.

A) Density, Height, Lot and/or Setback commitments.

Site development/site standards for use(s) located in the existing building shall be as depicted on the submitted Site Plan. Redevelopment of the site shall conform to applicable development standards of the C-2, Commercial District.

B) Access, Loading, Parking and/or other Traffic related commitments.

1. Existing site development is depicted on the submitted Site Plan. Development standards of the C-2, Commercial District shall apply to the property if the property is redeveloped and vehicular access shall be as approved with redevelopment.

2. Right of way totaling 50 feet from centerline of Hall Road and 60 feet from centerline of Georgesville Road shall be dedicated to the City of Columbus. Applicant shall provide an executed deed for right of way to the City of Columbus prior to the ordinance for rezoning being heard by Columbus City Council. The City of Columbus shall not record the executed deed until after the ordinance for rezoning has been passed by Columbus City Council.

3. Twenty-five (25) existing parking spaces are depicted on the Site Plan. To the extent 25 parking spaces exceeds code required parking for a permitted use of the existing building, the property owner may reduce parking spaces.

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

Site landscaping shall be as depicted on the site plan for use of the property with the existing building. Reference to genus/species on the site plan is illustrative only. Other comparable plant material may be substituted.

D) Building design and/or Interior-Exterior treatment commitments.

N/A

E) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

N/A

F) Graphics and Signage commitments.

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, Commercial District, except the existing ground sign. The setback of the existing ground sign from Georgesville Road and Hall Road are made non-conforming because of right of way dedication. The setbacks of the existing ground sign after right of way dedication shall be permitted by this CPD, Commercial Planned Development. See Section 3.H.6. Variances to any other sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G) Other CPD Requirements.

1. Natural Environment: The property is located on southwest corner of Hall Road and Georgesville Road. The site is fully developed with a commercial building and paved accessory parking. Both Georgesville Road and Hall Road are major arterial roads. The site is close to the Georgesville Road/I-270 interchange and many other commercial uses on Georgesville Road.

2. Existing Land Use: The property is improved with a commercial building and accessory parking lot built in Franklin Township and subsequently annexed to the City of Columbus.

3. Circulation: Existing vehicular access is from both Hall Road and Georgesville Road, as depicted on the Site Plan. If the site is redeveloped, vehicular access shall be as approved by the the Division of Traffic Management/Public Service Department.

4. Visual Form of the Environment: Commercial and residential zoning and/or development is located in general proximity to the site.

5. Visibility: The site is visible from both Hall Road and Georgesville Road.

6. Proposed Development: Use of the existing building and site development or future redevelopment of the site, as permitted herein.

7. Behavior Patterns: Vehicular access is presently from existing curbcuts on Hall Road and Georgesville Road.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by the development standards of this development text for light levels, sound and dust. There will be no objectionable emissions.

H) Modification of Code Standards.

All modifications of code standards apply only to the existing site development, which occurred prior to annexation of the property to the City of Columbus and prior to current site development standards of the Columbus Zoning Code. Additionally, dedication of Georgesville Road and Hall Road right of way in conformance with the Columbus Thoroughfare Plan will cause non-compliance with certain development standards cited herein. It is the intention and purpose of Modifications of Code Standards to permit all existing conditions that are non-compliant.

1. Section 3355.09, C-2 District Setback Lines, to reduce the Hall Road building setback line from 50 feet to 34 +/- feet, and the Georgesville Road building setback line from 60 feet to 40 +/- feet, both for the existing building after right of way dedication for both roads in accordance with the Columbus Thoroughfare Plan.

2. Section 3312.09, Aisle, to permit the existing 13 foot aisle for 50 degree angled parking spaces, while 45 degree angled one-way parking is permitted a 13 foot aisle.

3. Section 3312.11, Drive-up Stacking Area, to reduce stacking spaces from 12 spaces to 4 spaces for the existing stack lane, to reduce the required width of a stacking lane from 10 feet to the existing 9 foot wide stacking lane and to reduce the required width of a by-pass lane from 10 feet to the existing 9 foot wide by-pass lane.

4. 3312.21(D)(1), Landscaping, to not require headlight screening of the existing parking lot along Hall Road and Georgesville Road after right of way dedication.

5. 3312.27(4), Parking Setback Line, to reduce the required 10 foot parking setback to zero (0) feet for the existing parking lot pavement on Hall Road and zero (0) to three (3) for the existing parking lot pavement on Georgesville Road, after right of way dedication.

6. 3377.17, Setback Regulations for Permanent On-Premises Ground Signs, to permit the existing ground sign, located on the property near the intersection of Georgesville Road and Hall Road, to be located at a setback of two (2) feet from Georgesville Road and eight (8) feet from Hall Road, due to the dedication of right of way totaling 60 feet and 50 feet, respectively, from centerline of each road.

I) Miscellaneous commitments.

Site development for use of the existing building shall be in accordance with the Site Plan titled "1151 Georgesville Road, Columbus, OH 43228" dated and signed June 16, 2015 by David B. Perry, Agent, and Donald Plank, Attorney. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data provided in conjunction with a Site Compliance Plan as may be applicable for use of the existing building. Any slight adjustment to the Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment. The referenced site plan shall not be applicable to redevelopment of the site. Landscaping depicted on the Site Plan is representative of existing landscaping. In conjunction with this rezoning, right of way is being provided to the City of Columbus. See right of way survey on the Site Plan. Right of way dedication creates non-conforming building, parking and ground sign setback lines along both Georgesville Road and Hall Road. The existing location of the building, parking and ground sign shall be permitted.

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