



City of Columbus

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

Legislation Text

File #: 1891-2016, **Version:** 1

Rezoning Application Z16-020

APPLICANT: Mark Bush, Capital Growth - Buchalter, c/o Travis Munn; 2800 South 11th Street; Kalamazoo, Michigan 49009.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June 9, 2016.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is currently undeveloped and is zoned in the L-C-2, Limited Commercial District. The requested CPD, Commercial Planned Development District, would permit commercial development in two subareas in accordance with a site plan and elevation drawings. While the intended development of Subarea A is a Dollar General retail store, the proposal permits most C-4, Commercial District uses. The site lies within the boundaries of the *Trabue-Roberts Area Plan* (2011), which recommends low to medium density residential uses for this location. At the request of the Planning Division, the proposal has been designed to include building, landscaping, and site design standards that are consistent with the urban design principles outlined in the Plan, ensuring the retail use results in high quality development that complies with Community Commercial Overlay standards. Given the current L-C-2 zoning of the property and the proposed design commitments, deviation from the Plan recommendation is supported. In consideration of abutting residential uses, the applicant has also agreed to install all screening for both subareas as soon as either subarea is developed.

To rezone **3146 HILLIARD-ROME ROAD (43026)**, being 4.56± acres located on the east side of Hilliard-Rome Road, 390± feet east of Tinapple Road, From: L-C-2, Limited Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z16-020).

WHEREAS, application No. Z16-020 is on file with the Department of Building and Zoning Services requesting rezoning of 4.56± acres from L-C-2, Limited Commercial 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, includes a commitment to a site plan, landscape plan, and building elevations as well as provisions in the CPD text that satisfy the design principles of the *Trabue-Roberts Area Plan*; 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:

3146 HILLIARD-ROME ROAD (43026), being 4.56± acres located on the east side of Hilliard-Rome Road, 390± feet east of Tinapple Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio:

Being reserve "C" in Cross Creek Village Section No. 8, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 72, Pages 98, 99, 100 and 101 Recorder's Office, Franklin county, Ohio, including that portion of Tinapple road, which was vacated by the city of Columbus, Ohio by acceptance of the plat.

Tax I.D. Number: 560-218053-00

Being the same property conveyed to BHM Cross Creek Village, LLC, an Ohio limited liability company, grantee, from Bing Bang Boom Development, LLC, an Ohio limited liability company, grantor, by deed recorded 12/10/2010, as instrument no. 201012100168858, of the county records.

To Rezone From: L-C-2, Limited Commercial 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 plans being titled, "**SITE LAYOUT**," "**LANDSCAPE PLAN**," and "**EXTERIOR ELEVATIONS**," and text titled, "**CPD TEXT**," all dated June 28, 2016, and signed by Matt Byrne, Agent for the Owner, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 3146 Hilliard-Rome Road

OWNER: BHM Cross Creek Village LLC

APPLICANT: Hilliard DG, LLC - Mark Bush (Agent)

DATE OF TEXT: 06/22/2016

APPLICATION: Z16-020

INTRODUCTION: The site is located on the east side of Hilliard-Rome Road. There are no existing buildings on the property.

SUBAREA "A":

1. PERMITTED USES: Those uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code, except the following uses, which shall be prohibited: bars, cabarets, nightclubs, blood/organ banks, check cashing/loans, mission/temporary shelters, pawn brokers, used merchandise stores, performing arts, spectator sports and related industries, theaters, dance companies and dinner theaters, and halfway houses.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

1. Parking setback line shall be a minimum of 0 feet from lot lines except:
 - a) at public road right-of-way which a minimum of 25 feet shall apply.
 - b) at lot lines shared by an adjacent residential property which a minimum of 55 feet shall apply.
2. Building setback line shall be a minimum of 0 feet from lot lines except:
 - a) at public road right-of-way which a minimum of 35 feet shall apply.
 - b) at lot lines shared by an adjacent residential property which a minimum of 45 feet shall apply.

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

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

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

1. Street trees shall be planted along public street frontages subject to the review and approval of the City Forester. Evergreen plantings shall be maintained as screening with 90% opacity and minimum 6' height along the property lines abutting residential. Plantings shall be placed along the existing berm as shown on the site plan. A six foot (6') high opaque fence shall be installed along the property lines adjacent to residentially zoned property as shown on the site plan. Additional decorative landscaping will be provided in accordance with the attached Landscape Plan.

D. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

1. Dumpster shall be screened with a brick wall on three sides to the height of the dumpster with a gate on the fourth side.

E. Graphics

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-4 District and the provisions of the CCO and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

F. Miscellaneous

1. Variances.
 - a) Section 3312.49(C), *Table 2*, Parking Requirements for Retail and Other Commercial Uses: to reduce the required number of parking spaces by increasing the square footage per off-street parking spaces for retail use from 250 sq. ft. per space to 350 sq. ft. per space.
 - b) Section 3321.09(B.1) Screening. Screening shall be provided and maintained within 55 feet of all lot lines abutting residential zoning classifications - an increase from 20 feet.
 - c) All required screening for both subareas will be installed upon development of either of the subareas.
2. Site Plan. The subject site shall be developed in accordance with the site plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and

when engineering and architectural drawings are completed. Any slight adjustments of the Site Plan shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. **Building Elevation.** The building shall be developed in accordance with the building elevation drawing. The building elevation may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the building elevation shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment. Signage shown on the elevation drawings is conceptual and shall comply with 2.E. above.

SUBAREA “B”:

1. PERMITTED USES: Those uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code, except the following uses, which shall be prohibited: bars, cabarets, nightclubs, blood/organ banks, check cashing/loans, mission/temporary shelters, pawn brokers, used merchandise stores, performing arts, spectator sports and related industries, theaters, dance companies and dinner theaters, and halfway houses.

2. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

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

1. Parking setback line shall be a minimum of 0 feet from lot lines except:
 - a) at public road right-of-way which a minimum of 25 feet shall apply.
 - b) at lot lines shared by an adjacent residential property which a minimum of 55 feet shall apply.
2. Building setback line shall be a minimum of 0 feet from lot lines except:
 - a) at public road right-of-way which a minimum of 35 feet shall apply.
 - b) at lot lines shared by an adjacent residential property which a minimum of 45 feet shall apply.

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

1. The building shall be designed to follow the theme established by the building elevations for Subarea “A.”

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

1. Street trees shall be planted along public street frontages subject to the review and approval of the City Forester. Evergreen plantings shall be maintained as screening with 90% opacity and minimum 6’ height along the property lines abutting residential. Plantings shall be placed along the existing berm as shown on the site plan. A six foot (6’) high opaque fence shall be installed along the property lines adjacent to residentially zoned property as shown on the site plan.

D. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

1. Dumpster shall be screened with a brick wall on three sides to the height of the dumpster with a gate on the fourth side.

E. Graphics

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-4 District and the provisions of the CCO and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

F. Miscellaneous

1. Variances.
 - a) Section 3312.49(C), *Table 2*, Parking Requirements to be reduced by 25% for all permissible uses.
 - b) Section 3321.09(B.1) Screening. Screening shall be provided and maintained within 55 feet of all lot lines abutting residential zoning classifications - an increase from 20 feet.
 - c) All required screening for both subareas will be installed upon development of either of the subareas.
2. Site Plan. The subject site shall be developed in accordance with, and follow the theme of the site plan of Subarea “A”. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the Site Plan shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.
3. Building Elevation. The building shall be developed to follow the theme established by the building elevations for Subarea “A”. The building elevation may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments of the building elevation shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.
4. Circulation. Upon the development of Subarea “B”, the site circulation shall be reviewed and approved by the City of Columbus, Department of Public Service and the City of Hilliard. The property owner shall be responsible for making any changes necessary to mitigate any site circulation concerns that could affect the right-of-way of Hilliard-Rome Rd.

CPD CRITERIA FOR BOTH SUBAREAS:

1. Natural Environment. The site is currently undeveloped with no buildings. There are power lines along the back of the property.
2. Activities. The proposed development will provide commercial options for the surrounding commercial and residential neighborhoods.
3. Behavior Patterns. The proposed site will have pedestrian access that connects to the existing sidewalk along Hilliard & Rome Road. Vehicular access at Hilliard Rome Road will provide ingress and egress.
4. Circulation. The site will have a singular mutual access point to Hilliard Rome Road.
5. Form of the Environment. The site is subject to the regional scale commercial district (C-4) which contains

building design and site plan review requirements.

6. Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

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