



## Legislation Text

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**File #:** 1958-2020, **Version:** 1

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### **Rezoning Application Z20-023**

**APPLICANT:** GEMCAP Development; c/o David Hodge, Atty.; Underhill & Hodge LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Auto repair facility and tire store.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-1) on August 13, 2020.

**FAR WEST SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Disapproval. The 1.11± acre site consists of two parcels, one undeveloped and one developed with a vacant commercial building, both zoned in the C-2, Commercial District. The requested CPD, Commercial Planned Development District would allow the development of a tire store and auto maintenance and repair facility. The CPD text includes a commitment to a site plan and elevations, and contains development standards that address screening and landscaping, building setbacks, building design, parking, and site access. The site is within the boundaries of the *Trabue/Roberts Area Plan* (2011), which recommends office uses at this location. While the CPD text and site plan reflect efforts to screen and buffer the surrounding residential development, Staff believes that the Plan's land use recommendation and the property's current zoning provides a more appropriate use of the site, especially in consideration of the adjacent residential uses and noise emissions associated with the proposed use.

To rezone **2214 HILLIARD & ROME RD. (43228)**, being 1.11± acres located on the east side of Hilliard & Rome Road, 225± feet south of Avia Drive, **From:** C-2, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning #Z20-023).

**WHEREAS**, application #Z20-023 is on file with the Department of Building and Zoning Services requesting rezoning of 1.11± acres from C-2, Commercial District, to CPD, Commercial Planned Development District; and

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

**WHEREAS**, the Far West Side Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend disapproval of said zoning change because the requested CPD, Commercial Planned Development District is inconsistent with the land use recommendations of the *Trabue/Roberts Area Plan*, and the property's current zoning designation provides a more appropriate use of the site considering the site's adjacent residential uses; 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:

**2214 HILLIARD & ROME RD. (43228)**, being 1.11± acres located on the east side of Hilliard & Rome Road, 225± feet south of Avia Drive, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, VIRGINIA MILITARY SURVEY NO. 6554 AND 7029 AND BEING PART OF AN ORIGINAL 32.5595 ACRE TRACT CONVEYED TO P. RONALD SABATINO AND T&R PROPERTIES, INC., AND RECORDED IN OFFICIAL RECORD NO. 11816G03 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF HILLIARD-ROME ROAD AND NIKE DRIVE AS A POINT OF REFERENCE, THENCE N 08°40'00" W A DISTANCE OF 339.98 FEET TO A POINT; SAID POINT ALSO BEING THE NORTHWEST CORNER OF WALCUTT INDUSTRIAL PARK SUBDIVISION RECORD IN PLAT BOOK 45, PAGES 40-42 OF FRANKLIN COUNTY, OHIO RECORDS;

THENCE N 81°18'39" E A DISTANCE OF 60.00 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF HILLIARD-ROME ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THE TRACT HEREIN DESCRIBED:

THENCE N 08°40'00" W ALONG SAID EASTERLY RIGHT-OF-WAY OF HILLIARD-ROME ROAD AND PASSING A FOUND IRON PIN AT 100.68 FEET, A TOTAL DISTANCE OF 210.68 FEET TO A FOUND IRON PIPE;

THENCE N 81°20'00" E LEAVING SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 158.00 FEET TO A found IRON PIN;

THENCE S 08°40'00" E PARALLEL TO THE CENTERLINE OF HILLIARD-ROME ROAD A DISTANCE OF 26.00 FEET TO A FOUND IRON PIN;

THENCE N 81°20'00" E A DISTANCE OF 82.00 FEET TO A FOUND IRON PIN;

THENCE S 08°40'00" E PARALLEL TO THE CENTERLINE OF HILLIARD-ROME ROAD A DISTANCE OF 184.58 FEET TO A FOUND IRON PIN;

THENCE S 81°18'34" W A DISTANCE OF 240.00 FEET TO A SET IRON PIN AND THE TRUE POINT OF BEGINNING;

SAID PARCEL OF LAND CONTAINING 1.111 ACRES, MORE OR LESS SUBJECT HOWEVER TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, AND EASEMENTS CONTAINING IN ANY INSTRUMENT OF RECORD PERTAINING TO THE ABOVE DESCRIBED TRACT OF LAND. THIS DESCRIPTION WAS PREPARED FROM A FIELD SURVEY PERFORMED BY STEVEN J. LEESMAN OHIO LICENSE #8352 ON FEBRUARY 27, 2020 WITH BEARINGS BASED UPON THE CENTERLINE OF HILLIARD ROME ROAD AS N 08°40'00" W AS DESCRIBED IN INSTRUMENT 201306180101421. ALL PINS SET ARE 5/8" X 3/6" WITH CAP S.J. LEESMAN WITH CAP #8352.

**To Rezone From:** C-2, 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 site plan being titled, “**ZONING SITE PLAN,**” elevations titled “**RENDERING ELEVATIONS,**” and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT,**” all dated August 18, 2020 and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

**Property Address:** 2214 Hilliard Rome Road  
**Parcel IDs:** 560-154567 and 560-122526  
**Property Size:** +/- 1.11 Acres  
**Current District:** C-2  
**Proposed District:** CPD, Commercial Planned Development  
**Applicant:** GEMCAP Development  
418 N. Marshall Street, Suite 201  
Winston-Salem, NC 27101  
**Property Owners:** Hilliard Early Center Learning LLC  
2222 Hilliard Rome Road  
Hilliard, OH 43026  
Robinwood Corporate Center LLC  
3895 Stoneridge Lane  
Dublin, OH 43017  
**Attorney:** David Hodge  
Underhill & Hodge LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054  
**Date of Text** August 18, 2020

**Introduction:** The Applicant requests this rezoning to a CPD Commercial Planned Development District to permit an automotive maintenance and repair facility at the Site located on the Far West Side of Columbus. The proposed use is not permitted in the existing C-2 zoning district. Specifically, Applicant proposes to redevelop the site for Tire Discounters, a national company with a reputable brand. As part of the redevelopment of the Site, Applicant plans to redevelop the property with a new building that is 7,895+/- square feet in order to accommodate the proposed use.

This Site is located south of Roberts Road, on the east side of Hilliard Rome Road, with Nike Drive to the south and Reebok Drive to the north. It consists of a vacant lot (Parcel No. 560-154567-00) and a currently vacant commercial structure (Parcel No. 560-154567-00). Both parcels are in a C-2 zoning district. Applicant proposes to combine the parcels and rezone them to the CPD, Commercial Planned Development District with the uses and development standards found within this text.

The Site is not within a commercial overlay, nor a planning overlay. The Site is situated within the boundary of the Far West Side Area Commission. Trabue/Roberts Area Plan is applicable. While the Plan recommends office uses for the Site, the proposed use is compatible and consistent with the intent and the spirit of the Plan. The properties to the north and south are in a C-2 zoning district. The property to the west is zoned Manufacturing and developed with a self-storage facility, and the property to the southwest is zoned C-3 and developed with a strip retail center and bar / lounge. Immediately to the east is a property zoned AR-12. Principle 1 of the Plan is to “ensure a variety and availability of appropriately compatible residential, commercial and industrial settings.” The Plan provides that development proposals will be evaluated in terms of their compatibility with the future land use plan, as well as other factors including infrastructure capacity, urban design requirements, natural resource protection and traffic circulation. It also recommends redevelopment and reuse of vacant and underutilized commercial and office sites. The proposed redevelopment is compatible with office uses because it’s commercial with day-time business hours of 8:00 AM to 7:00 PM during weekdays, 8:00 AM to 4:00 PM Saturday, and closed on Sunday. As shown on the accompanying documents, Applicant

will provide perimeter landscape buffering, and a generally thoughtful design approach to protect the integrity of the area.

**1. Permitted Uses:** The permitted uses shall be those uses contained in Section 3353.03, C-2, Office Commercial Uses of the Columbus City Code as well as the following use: Automotive Maintenance and Repair as provided in Section 3356.03 C-4 Commercial District of the Columbus City Code.

**2. Development Standards:** Unless otherwise indicated in this Development Text or the submitted Development Plan, the applicable development standards are those contained in Chapter 3356, C-4 Regional Scale Commercial Development of the Columbus City Code.

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

1. The building setback shall be 67 +/- feet, as indicated on the CPD Plan.
2. The parking setback shall be 14 +/- feet, as indicated on the CPD Plan.

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

1. The Site shall have one access point on Hilliard Rome Road, as shown on the CPD Plan.
2. The Site shall provide a minimum of 40 vehicle parking spaces.

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

1. A six-foot tall double-sided shadow box fence shall be installed along the northern and eastern property line as a buffer between the Site and the properties to the east and the north.
2. All other landscaping, buffering and screening shall conform with the CPD Plan.

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

The Building Design shall be substantially similar to the Conceptual Architectural Rendering attached hereto.

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

1. The dumpster area shall be fully screened from off-site view by a solid wall or fence consisting of materials that are consistent with one or more of the materials that are used on the nearest structure served by the dumpster.
2. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside a permitted structure.
3. Light poles shall be consistent throughout the Site and coordinated with the overall development and architectural scheme.

**F. Graphics and Signage Commitments:**

All signage shall conform to Graphics Code, Article 15, Title 33, of the Columbus City Code as it applies to the C-4, Regional Scale Commercial District, any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

**G. CPD Criteria:**

1. Natural Environment. This Site is located on a commercial corridor, and the proposed development will not affect drainage, runoff, soil erosion, vegetation, or wildlife habitat. The Site is not in or near a floodplain or any bodies of water.
2. Existing Land Use. The Site does not have existing uses as it is currently vacant.
3. Transpiration and Circulation. The curb cuts and internal circulation patterns are shown on the CPD Plan.
4. Visual Form of the Environment. The proposed development will be of an aesthetically pleasing form that will have no detrimental effect to the environment.
5. View and Visibility. Consideration shall be given to the viability and safety of the motorists, pedestrians, and neighbors in the development of the Site.
6. Proposed Development. Applicant proposes to develop the site to accommodate automotive accessories, parts and tire stores (Tire Discounters).
7. Behavior Patterns. The proposed development will have no detrimental effect on the current behavior patterns of the area.
8. Emission. No adverse effect from emissions shall result from the proposed development.

#### **H. Miscellaneous Commitments:**

The Site shall be developed in accordance with the submitted CPD Plan titled, "Zoning Site Plan," and the building shall be substantially similar to the Conceptual Architectural Rendering titled, "Rendering Elevations" submitted herewith. The CPD Plan may be adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any adjustment to the CPD Plan shall be reviewed and may be approved by the director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

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