

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 12, 2016**

- 4. APPLICATION: Z15-056**
Location: **6125 CLEVELAND AVENUE (43231)**, being 0.63± acres located at the southwest corner of Cleveland Avenue and Home Acre Drive (600-202557 and 600-202558; Northland Community Council).
Existing Zoning: C-5, Commercial District
Request: L-C-4, Limited Commercial District.
Proposed Use: Automobile sales.
Applicant(s): Mohammed Alwazan; c/o David Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.
Property Owner(s): Buckeye State Auto Sale, Co.; c/o David Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.
Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov
Shannon Pine; 614-645-2208; spine@columbus.gov

BACKGROUND:

- The 0.63± acre site consists of two parcels developed with a car wash facility and parking lot zoned C-5, Commercial District. The applicant requests an L-C-4, Limited Commercial District to permit automobile sales.
- North of the site across Home Acre Drive is a convenience store in the C-1, Commercial District. To the south and west is an auto repair use in the C-4, Commercial District. To the east across Cleveland Avenue is an office park in the L-C-2, Commercial District.
- The site is located within the planning area of the *Northland I Area Plan* (2014), which recommends community commercial land use at this location. Typical intensity includes 12,500 feet per acre and includes retail, office, hotel or institutional uses that serve multiple neighborhoods.
- The limitation text includes use restrictions that permit all C-1 through C-3 uses and prohibits certain C-4 uses,. Development standards in the text address site access, buffering and landscaping along Cleveland Avenue and Home Acre Drive, lighting, outdoor display areas, and signage and graphics. Outdoor storage of vehicle parts and no wrecked vehicles are permitted on the premises. The limitation text commits to a site plan and elevation drawings if the property is to be used for auto sales. According to the site plan, the automobile display area is limited to 8,601 square feet, with 1,250 square feet of indoor office use.

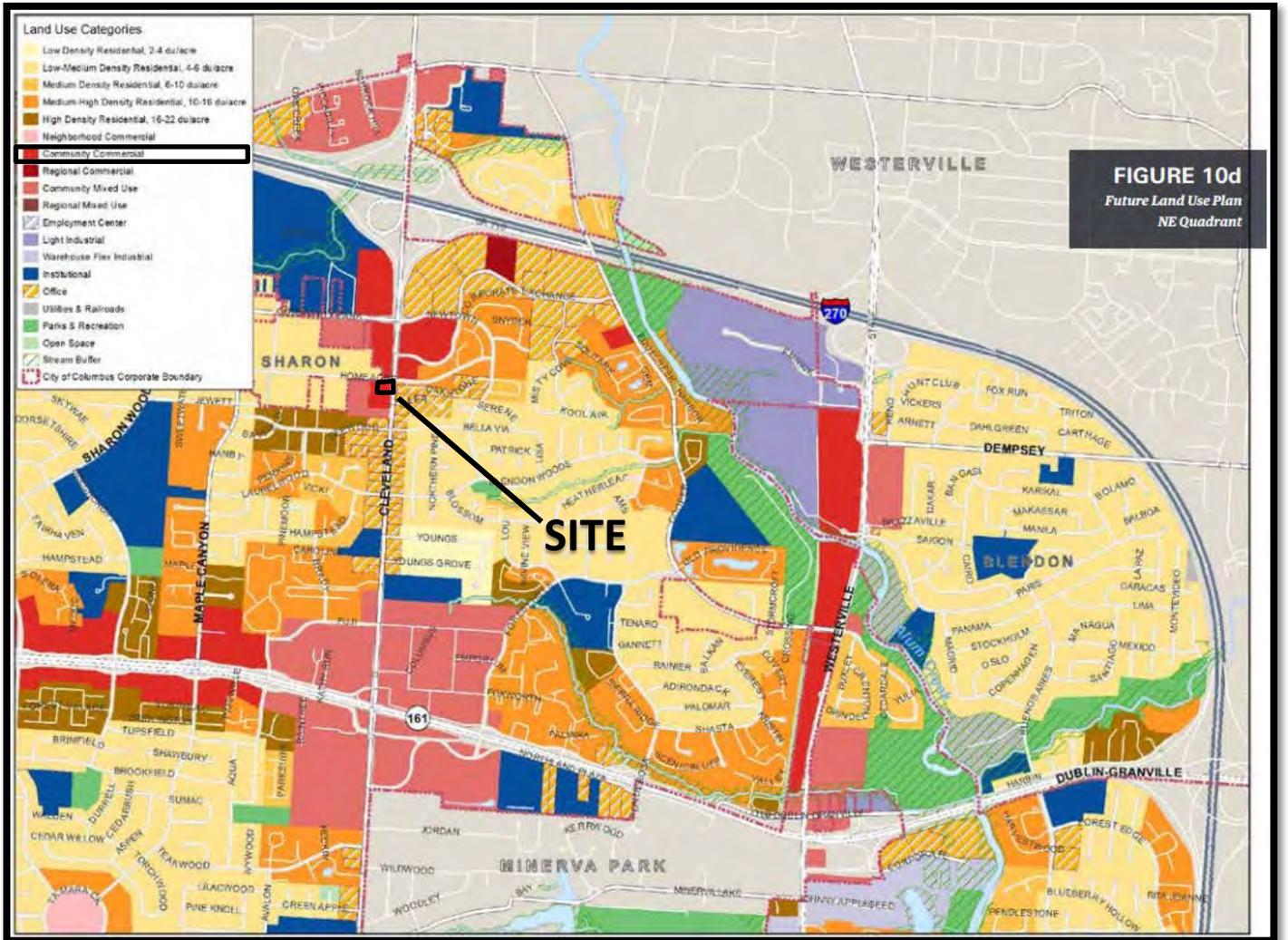
- The site is located within the boundaries of the Northland Community Council whose recommendation is for disapproval of the requested zoning district.
- The *Columbus Thoroughfare Plan* identifies Cleveland Avenue as 6-2 arterials requiring a minimum of 60 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested L-C-4, Limited Commercial District would allow redevelopment of the site with an automobile sales use while utilizing limitations and development standards consistent with established zoning and development patterns of the area. The proposed limitation text includes appropriate development standards, while also committing to a site plan and building elevations. The proposed use is generally consistent with the community commercial land use recommendation for this location set by the *Northland I Area Plan*.



Z15-056
 6125 Cleveland Avenue
 Approximately 0.63 acres
 C-5 to L-C-4



Z15-056
6125 Cleveland Avenue
Approximately 0.63 acres
C-5 to L-C-4



Z15-056
6125 Cleveland Avenue
Approximately 0.63 acres
C-5 to L-C-4

DEVELOPMENT TEXT

PROPERTY ADDRESS: 6125 Cleveland Avenue, Columbus, OH 43231

PID: 600-202557, 600-202558

AREA: 0.63 +/- ac

EXISTING ZONING: C-5, Commercial

PROPOSED DISTRICT: L-C-4, Limited Commercial

APPLICANT: Mohammed Alwazan, c/o Dave Perry, David Perry Company, Inc.,
145 E. Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 145 E. Rich Street,
FL 3, Columbus, Ohio 43215

PROPERTY OWNER: Buckeye State Auto Sales c/o Dave Perry, David Perry Company, Inc.,
145 E. Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 145 E. Rich Street,
FL 3, Columbus, Ohio 43215

DATE OF TEXT: March 20, 2016

APPLICATION NUMBER: Z15-056

1. INTRODUCTION: The 0.63 +/- acre site is located at the southwest corner of Cleveland Avenue and Home Acre Drive. The site is developed with an 8 bay block self serve open bay carwash built in the 1980's. Cleveland Avenue is a major arterial road appropriate for commercial uses. Applicant proposes to rezone the property from C-5, Commercial to L-C-4, Limited Commercial to abandon the carwash and redevelop the site and building to permit office, retail and/or restaurant uses. The Site Plan titled "Buckeye State Auto Sales, 6125 Cleveland Avenue", dated _____ and the building elevation plan titled "Building Elevations", dated _____, referenced in Section G.1. The Site Plan and Building Elevation referenced in G.1 shall only apply to use of the property for the sale of automobiles.

2. PERMITTED USES: Permitted uses, except as prohibited below, shall be all uses of Section 3356.03, C-4, Permitted Uses. The following uses shall not be permitted: Animal Shelter, Bars, Cabarets and Nightclubs, Blood and Organ Banks, Check Cashing and Loans, Halfway House, Mission/Temporary Shelters, Monopole Telecommunications Antenna(s), Sales, rental or leasing of Motorcycles, Boats, Recreational Vehicles, Trucks (exceeding 1 ton manufacturers rated weight capacity), Utility Trailers and off-road vehicles, Pawn Brokers.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, Building Elevation Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

N/A

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

1. Vehicular access shall be from a full-turning movement curbcut on Home Acre Drive.
2. Vehicular access to Cleveland Avenue by the curbcut on the adjacent property to the south shall be closed and applicable pavement removed.

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

1. Street tree planting within the 10 foot parking setback on both Cleveland Avenue and Home Acre Drive shall be provided at the rate 1 tree per 40 lineal feet of frontage.

2. If the property is used for the sale of automobiles, site landscaping shall be as depicted on the Site Plan.

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

The exterior elevation of the building shall be brick veneer, other than window and door areas. There shall be a brick parapet. The metal mansard roof on the existing building shall be removed.

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

If the property is used for the sale of automobiles, vehicles for sale shall only be parked/displayed for sale in the areas labeled "Inventory for Sale " on the Site Plan. There shall be no outside display of merchandise/inventory for any use other than the sale of automobiles.

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-4, Commercial District, except any new ground sign(s) shall be monument-style. There is an existing single pole ground sign located at the corner of Cleveland Avenue and Home Acre Drive. The existing sign may remain indefinitely, including replacement if destroyed , under applicable provisions of the Graphics Code, but shall not be enlarged, even if enlargement is otherwise permitted by C-4 standards. Any variance to applicable sign standards, other than enlarging the existing pole mounted ground sign, shall be submitted to the Columbus Graphics Commission for consideration. There is an existing billboard on the premises. Other than the existing billboard, no off-premise graphics shall be permitted on this site.

G. Miscellaneous commitments.

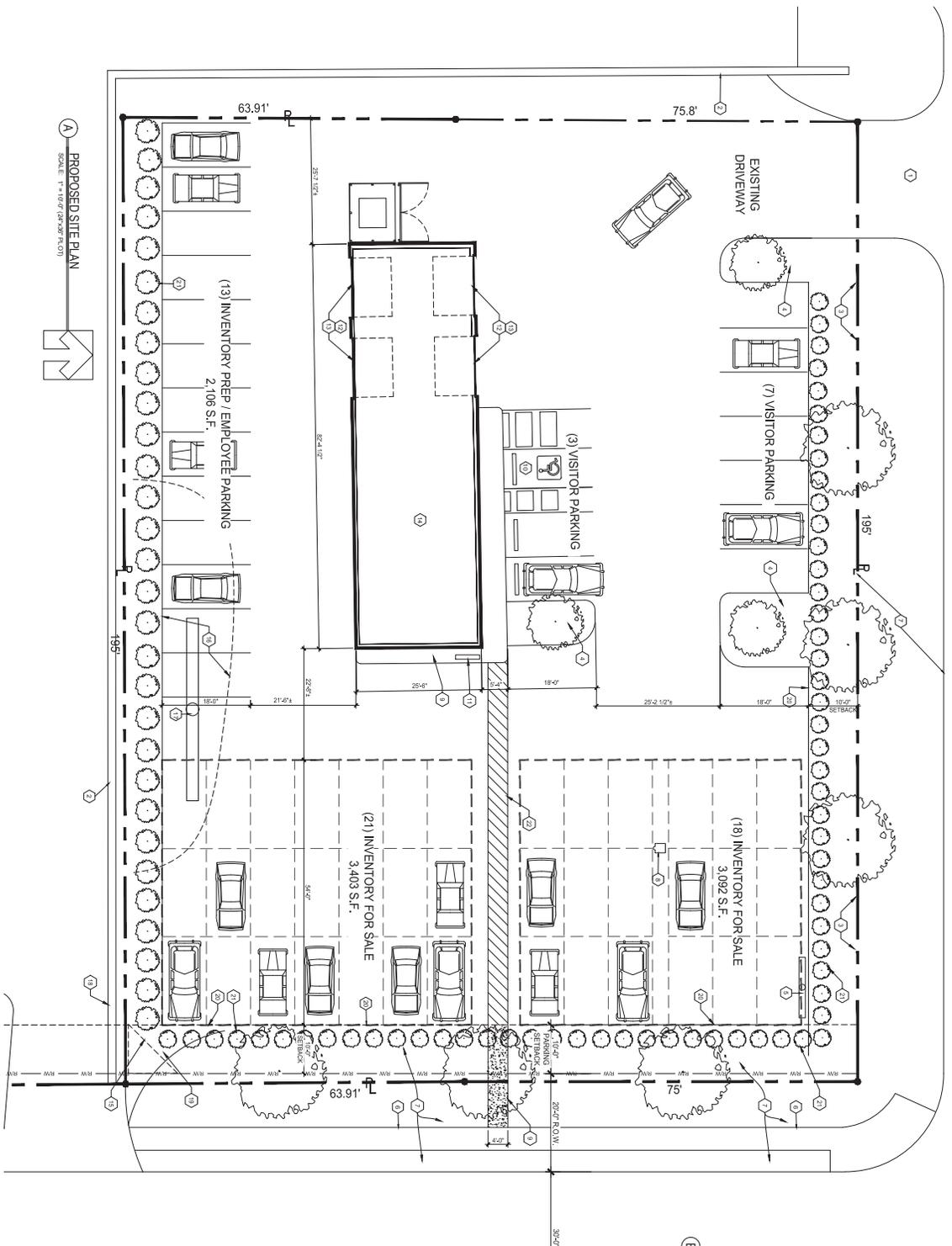
1. The site shall be developed in accordance with the submitted Site Plan titled "Buckeye State Auto Sales, 6125 Cleveland Avenue" and the building elevation plan titled "Building Elevations", both dated _____, and signed _____ by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, if the property is used for the sale of automobiles. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the 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 undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes, other than as specified herein.

Signature: _____
David B. Perry, Agent Date

Signature: _____
Donald Plank, Attorney Date

HOME ACRE DR.

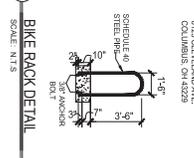


A PROPOSED SITE PLAN
SCALE: 1" = 10'-0" (3/4" X 9/16" R.O.W.)

B BIKE RACK DETAIL
SCALE: N.T.S.



VICINITY MAP



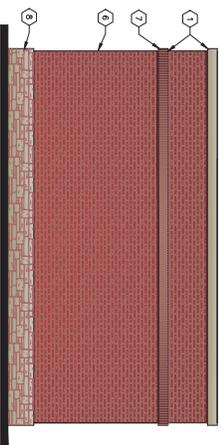
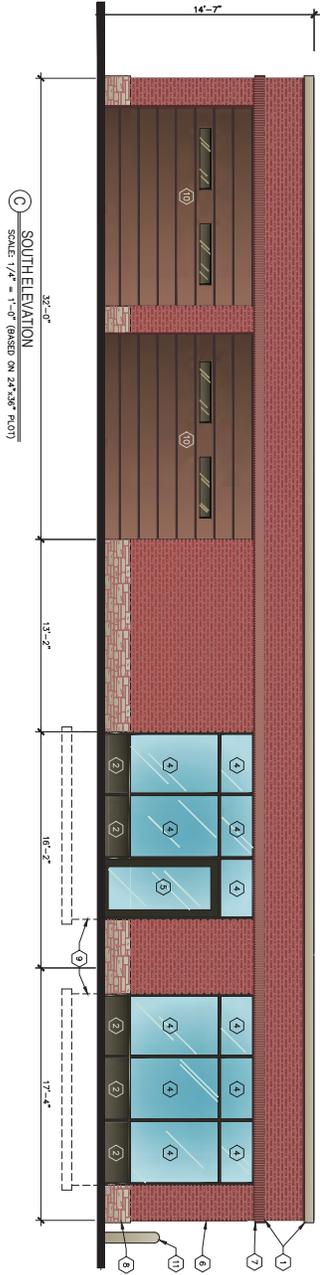
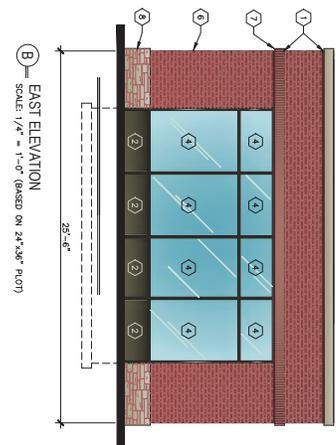
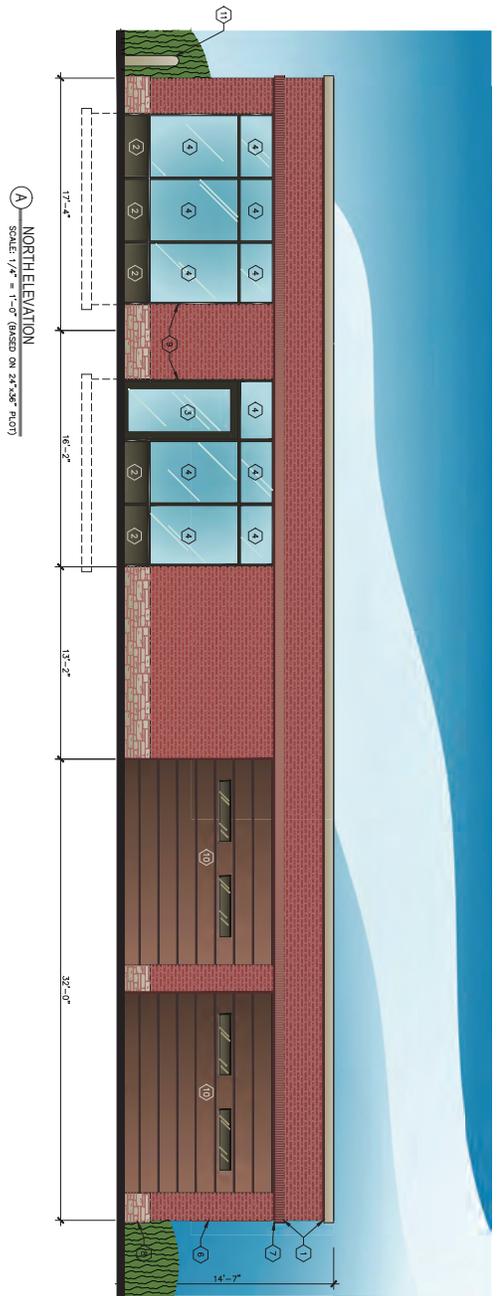
ZONING	
PRESENT ZONING	CS-COMMERCIAL
EXISTING USE	COMMERCIAL
PROPOSED ZONING CHANGE	CS-COMMERCIAL
BLOCK MAP	14-12

PARCEL INFORMATION	
LOT AREA	622.87 SQ. FT. (22.11 AC.)
PERMITS	NO. 2, 108. S.F.
TAX IDENTIFIER	6000000000
WESTERWALLE CAD	6000000000
PARCEL #	6000000000
ZONING CHANGE APPLICATION NO.	2151506

SITE PLAN CODED NOTES	
1.	EXISTING 24'-0" WIDE ACCESS DRIVE
2.	EXISTING 24'-0" WIDE ACCESS DRIVE
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20.	EXISTING 24'-0" WIDE ACCESS DRIVE
21.	EXISTING 24'-0" WIDE ACCESS DRIVE
22.	EXISTING 24'-0" WIDE ACCESS DRIVE

3D / Group, Inc.
Architectural, Planning and Design and Project Management
266 North Fourth Street
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Email: 3dinfo@3dgroup.com

BUCKEYE STATE AUTO SALES
6125 CLEVELAND AVE.
COLUMBUS, OHIO 43229
APRIL 21, 2016
JOB NO. 20150900



- CORDED NOTES**
1. REMOVE EXISTING METAL PANELS AND CONSTRUCT ROOFTOP MECHANICAL, HVAC UNITS AND EXHAUST KITCHEN MECHANICAL UNITS.
 2. NEW BRICK METAL PANELS.
 3. BRICK EXISTING METAL PANELS.
 4. CUT EXISTING BRICKWORK WALL FOR NEW STOREFRONT ALUMINUM DOOR.
 5. CUT EXISTING BRICKWORK WALL FOR NEW STOREFRONT GLASS & ALUMINUM DOOR.
 6. BRICK VENEER.
 7. BRICK SOLIDIER COURSE.
 8. CUT STOVE VENEER WATER TABLE BASE.
 9. NEW ROOFING FOR ENG-COORD OFFICE AREA.
 10. TYPICAL OF TWO (2) BAY.
 11. EXISTING BELLAND TO REMAIN.

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BUCKEYE STATE AUTO SALES
 6125 CLEVELAND AVE.
 COLUMBUS, OHIO 43229
 APRIL 21, 2016
 JOB NO. 2015.060



Northland Community Council
Development Committee

Report

March 30, 2016 6:30 PM
Franklin County Job and Family Services
(Use south entrance)
1721 Northland Park Avenue (43229)

Meeting Called to Order: 6:35 pm by chair Dave Paul

Members represented:

Voting: (18): Albany Park (APHA), Asherton Grove (AGCA), Blendon Chase (BCCA), Clinton Estates (CECA), Cooper Woods (CWCA), Forest Park (FPCA), Friendship Village (FVRA), Karmel-Woodward Park (KWPCA), Maize-Morse Tri-Area (MMTACA), Minerva Park (MP), Northland Alliance (NA), Northland Area Business Association (NABA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA), Village at Preston Woods (PWCA), Woodstream East (WECA). *Non-voting:* NCC president Emmanuel Remy.

Case #1: Application #Z16-009 (Rezone 28.6 AC± from CPD to CPD for construction of a new COTA Transit Center)

Perry Payne/Resource International, Inc. *representing*
Central Ohio Transit Authority

5495 Cleveland Avenue (portion of Meijer site), 43229 (PID 010-143750)

- *The Committee approved (17-0 w/ 1 abstention) a motion (by MP, second by CWCA) to **RECOMMEND APPROVAL WITH CONDITIONS:***

1. *That section 1, "Permitted uses," of the CPD text pertaining to both Sub-areas A and B be modified to add "bars" and "nightclubs" to the lists of excepted uses. ("Cabarets" already listed as an excepted use.)*
2. *That the document presented as "Northland Transit Center Planting Plan L1.01" be incorporated in the application as the landscape site plan described in section 2 C of the text.*

Case #2: Application #CV15-078 (Council variance from §3363.01 to permit residential use in a C4 district)

Rose and Alex Man (*owners*)

6000 Beechcroft Road (former Northland Community Center pool site),
43229 (PID 010-104134)

- *After presentation by and discussion with the applicants, the applicants requested to **TABLE** consideration of the application by the Committee to a future meeting date.*
-

Next meeting: April 27, 2015

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- Case #3:** Application #CV16-009 (Council variance from §3367.01 to permit operation of an athletic training facility in an M-2 district)
 Andre Irvin *representing*
 A&J Westerville Properties LLC
 5095 Westerville Road, 43231 (PID 600-105957 *et al*)¹
- *The Committee approved (17-0 w/ 1 abstention) a motion (by MP, second by SCA) to **RECOMMEND APPROVAL WITH CONDITIONS:***
 1. *That the applicant provides evidence that a minimum of 10 parking spaces will be available for their and their customers' use at all times of operation, whether as a consequence of the applicant's lease agreement, a shared parking agreement, or a combination thereof.*
 2. *That the proposed use as described in the application be revised to be "Exercise and Health Facilities" (as found in §3355.03 among permitted uses in a C-3 district), as the use "Athletic Training and Conditioning Facility" currently specified by the applicant is not a use currently defined or permitted in any district in the Zoning Code.*
-

- Case #4:** Application #Z15-056 (Rezone 0.63 AC± from C-5 to L-C-4 to allow repurposing of a self-serve car wash for other uses including automobile sales)
 Dave Perry/David Perry Company *representing*
 Mohammed Alwazan/Buckeye State Auto Sales
 6125 Cleveland Ave, 43231 (PID 600-202557/600-202558)
- *The Committee approved (14-3 w/ 1 abstention) a motion (by SWCA, second by FPCA) to **RECOMMEND DISAPPROVAL** of the application.*
-

Executive Session **9:45 pm**
Meeting Adjourned **10:30 pm**

¹ Although not a condition of approval nor discussed by the Committee, it was noted in preparing this report that this applicant has described the property for which Council variance is being sought in their application as PID "600-105957 + 3 others" (with four parcels listed on a subsequent page) and its acreage as "5.5±." However, it was clear from the applicant's presentation that the applicant is seeking a variance only for the 0.3134 ± AC parcel with address 5095 Westerville Road and designated PID 600-105957, not the adjacent parcels at 5097 Westerville Road (PID 600-105958) and 5087 Westerville Road (PID 600-105961/600-105962), which together with the subject parcel make up the entire 5.5± AC site. The chair suggests that the application should be amended and subsequent legislation should make clear that any variance approved as a result of this application applies only to the parcel designated with PID 600-105957, not to the adjoining parcels, as was the understanding of the Committee when they developed their recommendation.