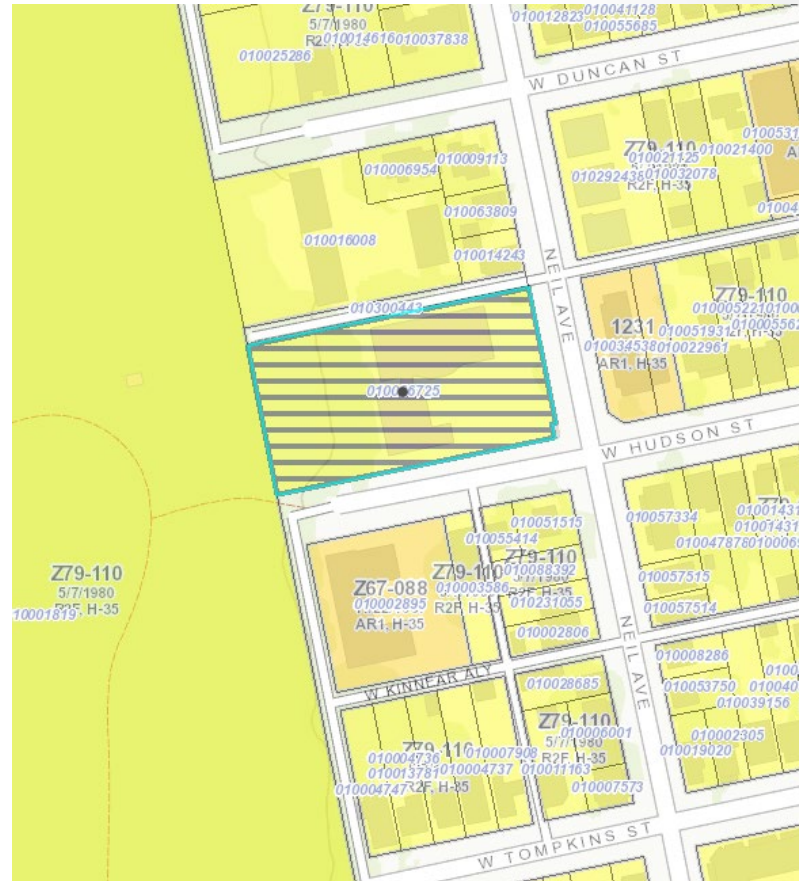


Relief from Zoning Code Requirements – Council Activities

- **Rezoning**
 - Changes the zoning district that is assigned to property.
- **Council Variance**
 - Permits a use that is not permitted by the zoning district
 - Permits a variation in the development standards in conjunction with a rezoning or a use variance.
- **City Council is the final approval body for Rezoning and Council Variance applications**



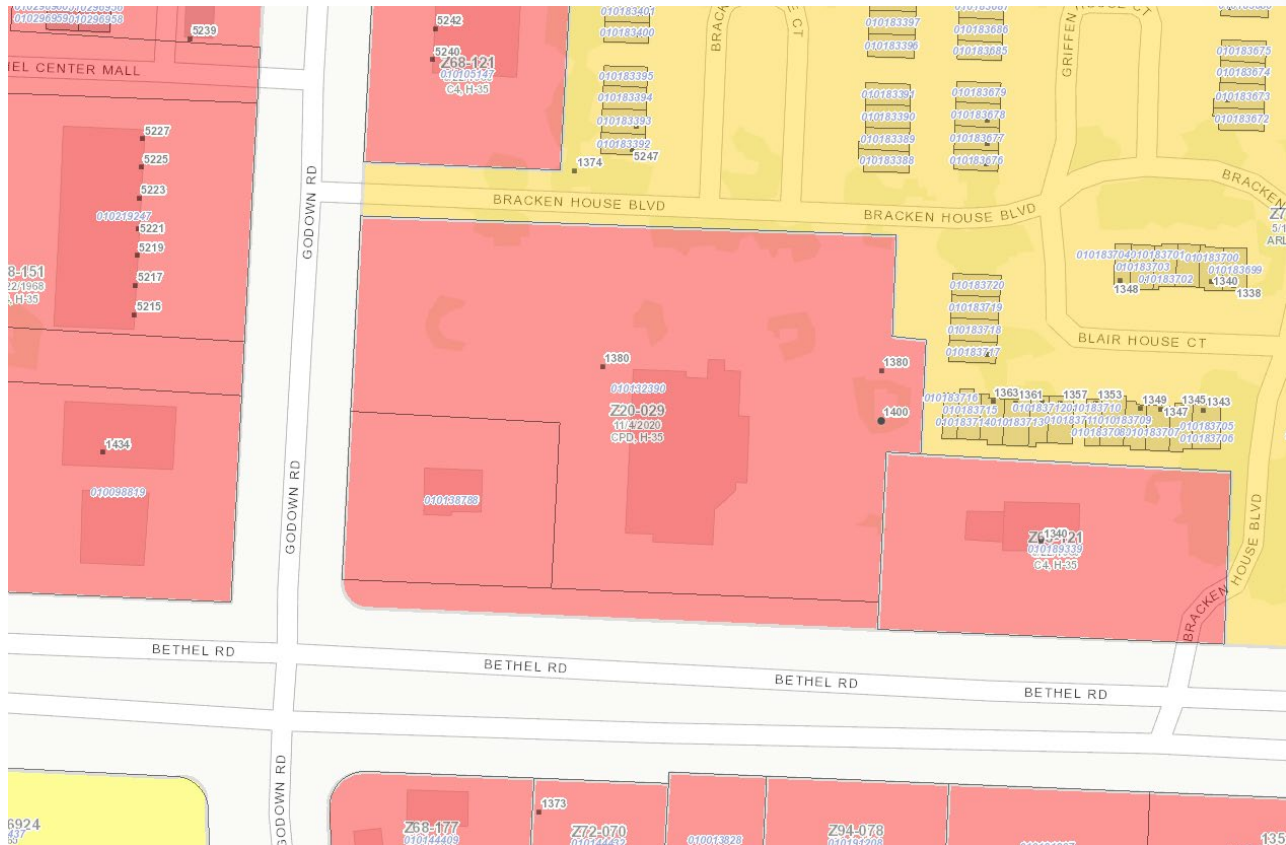
Rezoning

Changes the zoning district that is assigned to property

- Unrestricted Districts
 - i.e. C-4, AR-1, M
- Restricted Districts
 - i.e. CPD, L-C-4, L-AR-1, L-M
 - Requires either a limitation text or development text
 - Can include a commitment to a site plan
- Recommendations needed:
 - Staff
 - Area Group
 - Development Commission
- Final Approval or Disapproval decided by City Council

Rezoning Process

Sheetz Rezoning Example (Z20-029) 1400 Bethel Road



Rezoning Process

- **Application** submittal (digitally filed application):
 - Applicant consults with staff to ensure application is complete and all variances are accounted for.

Rezoning Process

- **Application** submittal (digitally filed application):
 - Applicant consults with staff to ensure application is complete and all variances are accounted for.
- **Identical application emailed to Area Commission, and posted to the Citizens Access Portal.**

APPLICATION FORM

Rezoning Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

OFFICE USE ONLY

Application #: Z20-029 Date Received: 3/31/2020
Application Accepted By: SP Fee: \$3,600
Assigned Planner: Hayley Feightner; hefeightner@columbus.gov; 614-645-3526 

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 1400 BETHEL RD, Columbus OH Zip: 43220
Is this application being annexed into the City of Columbus? ☐ YES ☒ NO (select one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-138788 & 010-132390

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C-4 Commercial Requested Zoning District(s): CPD

Area Commission or Civic Association: Northwest Civic Association

Proposed Use or reason for rezoning request: A restaurant with indoor and outdoor seating, convenience store with drive-in window service and fuel sales and minimal outdoor display sales. (continue on separate page if necessary)

Proposed Height District: H-35 Acreage: 2.66
{Columbus City Code Section 3309.14}

APPLICANT:

Name: SkilkenGold Development, LLC Phone #: 614-205-3813 Ext.:
Address: 4270 Morse Road City/State: Columbus/Ohio Zip: 43230
Email: SGold@SkilkenGold.com Fax #: /




PROPERTY OWNER(S): ☒ Check here if listing additional property owners on a separate page

Name: Bucla, Inc. Phone #: 216-831-0505 Ext.: 11
Address: 25380 Miles Road City/State: Bedford Heights / OH Zip: 44146
Email: jacallam@winkinglizard.com Fax #: 216-831-7999

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Connie Klema Phone #: 614-374-8488 Ext.:
Address: PO Box 991 City/State: Pataskala / OH Zip: 43062
Email: cklemaattorney@gmail.com Fax #:

SIGNATURES (All signatures must be provided and signed in blue ink):

APPLICANT SIGNATURE: 
PROPERTY OWNER SIGNATURE: 
ATTORNEY / AGENT SIGNATURE: 

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me my firm etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make all checks payable to the Columbus City Treasurer

CPD Text - Original Filing

DEVELOPMENT TEXT
CPD---COMMERCIAL PLANNED DEVELOPMENT
1400 Bethel Rd, COLUMBUS
2.66 ACRES

CURRENT OWNER: BUCLA, INC. and LAR-JO LTD.

APPLICANT: SkilkenGold Development, LLC

EXISTING ZONING: C-4

PROPOSED ZONING: CPD, Commercial Planned Development

DATE OF TEXT: 3/31/2020

APPLICATION NUMBER:

1. **INTRODUCTION:** This 2.66 acre site is located on the northeast corner of Bethel Road and Godown Road (the "Site"). The Site consists of two parcels, PN 010-138788 - approximately 0.51 acres, and PN 010-132390 - approximately 2.15 acres. Properties that encompass the development site are zoned "C-4" Commercial District and part of the Bethel Road Regional Commercial Overlay. The applicant will combine the lots upon closing, raze all existing structures and redevelop the properties with a restaurant with indoor and outdoor seating, convenience store with drive-in window service and fuel sales and minimal outdoor display sales. The proposed restaurant/convenience store is approximately 6,077 square feet with six double-sided fuel dispensers. Additional site amenities include a privacy fence and landscaping along a portion of the northern and eastern property line, a dumpster enclosure, underground storm water detention system, and underground fuel tanks. The applicant proposes to rezone the site to a Commercial Planned Development (CPD) to accommodate the new use.
2. **PERMITTED USES:**
 - a. 3356.03 C-4 permitted uses with the following exclusions:
 - i. Dance Hall
 - ii. Electric substation
 - iii. Funeral parlor
 - iv. Motor bus terminal
 - v. Night club/cabaret
 - vi. Pool room
 - vii. Trade School
 - viii. Building materials and supplies dealer
 - ix. Halfway house
 - x. Warehouse clubs and super centers
 - b. 3357.01 C-5 permitted uses with the following exclusions:
 - i. Monopole telecommunication antennas
3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this Text or on the submitted development plan ("CPD Site Plan"), the applicable development standards are contained in Chapter 3356 C-4 Commercial District and Chapter 3372 Regional Commercial Overlay (RCO) of the Columbus City Code.

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

1. Density and Height shall be as permitted in Chapter 3356 C-4 Commercial District.
2. Setbacks for parking along Bethel Road and Godown Rd shall be 10'. Setbacks for buildings shall be 20' along Bethel Road and Godown Rd.

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

1. Access points are shown on the submitted site plan, which include curb cuts on Bethel Road and Godown Road. Secondary access points on Bethel Rd and Godown Rd are provided via easements with adjacent properties.
2. The improvements required by the City of Columbus Division of Traffic Management, further delineated below and based on the Traffic Impact Study dated **INSERT DATE HERE** prepared by Carpenter Marty Transportation and subject to change based on City of Columbus reviews/coordination. The Requirements are as follows:

- a. **INSERT DETAILS HERE**

C. Buffering, Landscaping, Open Space and/or Screening commitments: Buffering, landscaping, screening and open space shall be in accordance with 3372.807 of the RCO. In addition, the site will have augmented landscaping which will include additional mounding, fencing and landscaping on the northern and eastern portions of the property.

D. Building Design and/or Interior -Exterior treatment commitments: Primary and accessory structures will be developed with uniform design and finishes, and shall primarily be comprised of brick, stone, or other aesthetically comparable building materials. Canopy columns and dumpster materials shall match those used on the primary building.

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

1. Lighting shall be in accordance with 3321.03(A) of the General Site Development.
2. Dumpsters shall be in accordance with Chapter 3321 of the Columbus City Code.

F. Graphics and Signage commitments: Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District for C-4 uses, C-5, Commercial District for C-5 uses, and the Regional Commercial Overlay. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

G. Additional CPD Requirements:

1. Natural Environment: The natural environment of the Site is flat as is surrounding property in the Bethel Road corridor, which is developed for commercial use.

2. Existing Land Use: The Site is occupied by two structures, an existing car rental facility and a vacant former restaurant.
3. Circulation: Circulation on the Site shall be in accordance with the CPD Site Plan.
4. Visual Form of the Environment: The surrounding properties are developed with commercial and residential uses.
5. Visibility: The Site can be viewed from Bethel Road and Godown Road.
6. Proposed Development: Restaurant with outdoor seating and drive-in service, convenience store, retail fuel sales and accessory outdoor display sales.
7. Behavior Patterns: Commercial uses as developed on the surrounding properties. Existing development in the area has established behavior patterns for the motorists.
8. Emissions: No adverse effect from emissions shall result from the proposed development.



H. Modification of Code Standards—Variance: Confirming no variance's requested.

I. Miscellaneous:



1. A Site Plan showing lot lines, setbacks, and access is submitted for the development of the Site. The Site Plan may be adjusted to reflect engineering, topographical or other site data and changes developed at the time of development and engineering plans for all or a portion of the Site affected by said development. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.
2. Abandoned service stations, filling stations or fuel sales establishments will be addressed in accordance with 3357.18 of the Columbus City Code.

The undersigned, being the applicant/developer of the subject property does hereby agree singularly and collectively for itself, its successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose states that it 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 Code, except as permitted by this development text and drawings referenced herein.

SkilkenGold Development, LLC

By: _____

Its: _____



Mon 4/6/2020 12:59 PM

Feightner, Hayley E.

Application Received- Z20-029 (Email 1 of 3)

APPLICATION FILING NOTICE

To 'njac@msn.com'; 'marilyngoodman@sbcglobal.net'

Cc Deeds, Rebecca

 **Message**  Z20-029 1400 Bethel Rd. (Northwest Civic Association)_Page1.pdf (7 MB)  Z20-029_Standardized_Recommendation_Form.pdf (168 KB)
 3. 1400 Bethel Road Label Set.doc (46 KB)

Good Afternoon,

This is email 1 of 3 that includes the Rezoning application packet for the property located at 1400 Bethel Rd., reference no. Z20-029. Below is a list of the attachments included in each email:

Email 1: Application; Standardized Recommendation Form; Mailing labels (MS Word file)

Email 2: Elevations

Email 3: Lighting plan (sent as courtesy)

Unfortunately, we are not able to mail applications at this time because we are working remotely and our offices are closed. If the electronic version is not acceptable, please let me know and a mailed copy will be sent to you at the earliest convenience.

Please don't hesitate to contact me via email if you have any questions. Emails 2 and 3 are on the way.

Respectfully,

Hayley Feightner

Planner II

City of COLUMBUS

Department of Building & Zoning Services

Zoning/Council Activities Section

111 North Front Street

Columbus, OH 43215

Direct: 614.645.3526

E-mail: hfeightner@columbus.gov

www.columbus.gov

Track the status of your application online at <http://portal.columbus.gov/permits>.

Rezoning Process

- **Application** submittal (digitally filed application):
 - Applicant consults with staff to ensure application is complete and all variances are accounted for.
 - **Identical application emailed to Area Commission, and posted to the Citizens Access Portal.**
 - **Staff site visit:**
 - Pictures of property and area for staff review
 - **Staff review:**
 - Application is distributed to various City agencies for review and comment.
 - Staff review results letter is posted on Citizens Access Portal
- Concurrent with Staff Review Process:
- **Applicant reaches out to Area Commission**
 - **Area Commission Meeting(s) → recommendation is provided in a reasonable time frame on the request.**

STAFF REVIEW RESULTS LETTER

April 20, 2020

8. **APPLICATION:** Z20-029
Location: 1400 **BETHEL RD.** (43220), being 2.66± acres located at the northeast corner of Bethel Road and Godown Road (010-138788 & 010-132390; Northwest Civic Association).
Existing Zoning: C-4, Commercial District.
Request: CPD, Commercial Planned Development District.
Proposed Use. Eating and drinking establishment, convenience store, and fuel sales.
Applicant(s): SkilkenGold Development, LLC and LAR JO LTD, LLC; c/o Connie Klema, Atty; PO Box 991; Pataskala, OH 43062.
Property Owner(s): Bucla, Inc.; 25380 Miles Road; Bedford Heights, OH 44146.
Planner: Hayley Feightner; 614-645-3526; hefeightner@columbus.gov

Dear Ms. Klema,

City staff reviewed the above referenced rezoning application and the following considerations are a result of the review:

1. The Zoning Staff has the following comments:
 - 1) This site was subject of a preliminary site compliance review and should be reviewed again incorporating the proposed CPD. See the "Please Note" Section below.
 - 2) The use of the term density in 3.A.1 does not apply to this commercial development. Please remove from CPD text.
 - 3) Please provide more details to support the "aesthetically comparable" statement in Section 3.D. of the CPD text.
 - 4) Section 3.E. of the CPD text is unnecessary because no variances to these standards are requested.
 - 5) Remove the apostrophe in "variance's" in Section H of the CPD text.
 - 6) Include a variance to 3372.807(E) for the dumpster location.
 - 7) The five required parking lot trees are not provided (Please note that trees near the dumpster do not count toward this requirement). Provide a variance to Section 3312.21 if necessary.
 - 8) Because the text includes a commitment to a site plan, zoning clearance staff recommends the exclusion of specific details to ensure flexibility at the time of the development and when engineering and architectural drawings are completed. Staff recommends the plan include only square footages, parking ratios, building envelope, setbacks, parking envelopes, curb cuts, buffering/landscaping and elevations if needed.
 - 9) Graphics can remain on the elevation drawings only if it is clearly and amply labelled on the site plan that they are included conceptually and are subject to applicable regulations unless variances are otherwise granted by the Graphics Commission. This information should also be reiterated in the CPD text, or graphics need to be removed from the plans.
 - 10) The Affidavit and Project Disclosure forms will need to be notarized.
 - 11) Provide the owner signature on the application form or as an addendum.
 - 12) Provide the recommendation from the Northwest Civic Association when finalized. *Be advised that if changes occur to the proposal after the commission makes a recommendation, it is the applicant's responsibility to notify them of the changes.

13) Upon resolving comments with other review agencies and after the Development Commission meeting, please submit the final Statement of Hardship and the final plans (if applicable) as: a PDF file or original paper copies in the following sizes: **2' x 3' FULL SIZE**, and **8 1/2" x 11" REDUCTION** (all replicas of each other with the SAME signature, title and date on each).

Contact Hayley Feightner at hefeightner@columbus.gov if you have any questions.

2. The Department of Development, Planning Division has the following comments: Planning supports the use but requests revisions to the site plan. *The Northwest Plan* (2016) recommends Mixed Use 1 for this location, which is consistent with the proposal. The plan also recommends that buildings be parallel to and facing the street, with an entrance door(s) connected to the public sidewalk, as well as that street level facades adjacent to a public sidewalk be as transparent as possible (pgs. 48 and 50). Staff requests a revised site plan where the fuel pumps, parking, and dumpster are located to the rear or side of the commercial building, with appropriate architectural detailing of said building to the right-of-way.

Contact the Planning Division at planninginfo@columbus.gov if you have any questions.

3. Department of Public Service, Division of Traffic Management has the following comments:
- 1.) Right-of-way dedication of 80 feet from the centerline of Bethel Road and 40 feet from the centerline of Godown Road will be required per CCC 4309.17.
 - 2.) A traffic impact study is in progress in conjunction with this application. Additional commitments may be needed based on the results of the approved traffic impact study.
 - 3.) All 8 stacking spaces for the order station will need to be provided access to the bypass lane.
 - 4.) Additional review will be needed for the right-in/right-out access point to Godown Road.
 - 5.) A sidewalk will be required to be constructed along the entire Godown Road frontage of the site.

Contact Daniel Moorhead at demoorhead@columbus.gov if you have any questions.

4. The Department of Public Utilities, Division of Sewerage and Drainage has the following comments:
- 1.) The site has access to the 8" sanitary sewer RP3579 extended into the site from the north.

Contact Doug Holz at daholz@columbus.gov if you have any questions.

Final materials must be submitted to Hayley Feightner by **Tuesday, May 19, 2020** to be placed on the **June 11, 2020 Development Commission meeting**. Modifications received after this date may not be considered. Thank you in advance for your timeliness and cooperation in this matter.

SKILKEN | GOLD

Real Estate Development

STAFF REVIEW CORRESPONDENCE WITH STAFF

May 12, 2020

Marc Rostan
City of Columbus - Senior Planner
Department of Development, Planning Division
111 N Front Street
Columbus, OH 43215

RE: City of Columbus Zoning Application #Z20-029 – 1400 Bethel Road

Dear Mr. Rostan,

Thank you for taking the time to discuss the proposed Sheetz restaurant, convenience store, drive thru and fuel station at the corner of Bethel Road and Godown Road. As previously discussed, it is not possible to orient our site with the building parallel to and facing Bethel Road where the fuel pumps, parking and dumpster are located to the rear of the site for a couple of reasons.

1. **Environmental Contamination** – A Phase I and Phase II were recently conducted on this site. Evidence of contamination from a prior fuel station on site was found. The location of much of the contamination is onsite along Bethel Road, where planning suggests the building should be placed. In order to mitigate the negative impact, the site layout is designed to minimize development in the most contaminated areas. This will limit the amount of exposure to and removal of the contaminated soil.
2. **Residential Neighbors** – This site has residential neighbors to the north and east of the site. The development team has been working with the Brafferton Village Condo's to create as much buffer between the condominiums and the Sheetz development as possible. The site plan shows a 40 ft buffer, 5 ft mounding, 6 ft opaque fence and extensive landscaping at the rear of the site to create ample separation. If the fuel pumps and dumpster are located at the rear of the site, the fuel canopy, increased noise level, dumpster truck, increased lighting and car traffic would be much closer to people's living and sleeping quarters. The site is designed to separate the condominiums from as much of the site traffic as possible. Reorienting the site will create much less separation between the onsite Sheetz traffic and noise and the residential development. The updated site plan, resubmitted with the zoning application, shows additional landscape mounding surrounding the dumpster to comply with City of Columbus Planning Department's request.

➔ An updated site plan has been submitted with the rezoning resubmission. Please let us know if there are additional questions.

Thank you,
Sarah Gold
Sarah Gold
Senior Project Manager
614.205.3813 (mobile)

STAFF REVIEW CORRESPONDENCE WITH STAFF

DEPARTMENT OF
PUBLIC SERVICE

June 9, 2020

Gina M. Balsamo, P.E.
Carpenter Marty Transportation, Inc.
6612 Singletree Dr.
Columbus, OH 43229

RE: Bethel Road and Godown Road Fueling Center Traffic Impact Study

Dear Ms. Balsamo:

In regards to the revised traffic impact study dated May 14, 2020 prepared for a proposed area of development located at the northeast corner of the intersection of Bethel Road and Godown Road which is the subject of rezoning application Z20-029, the City of Columbus, Division of Traffic Management has the following comments:

1. There would appear to be a discrepancy between the recommendations contained in Table 4 on page 8 as well as the preceding paragraph, as compared to the recommendations contained in the Recommendations and Conclusions section of the study.
2. The improvements depicted in the exhibit contained in Appendix H will need to be implemented with the proposed development with the exception that the existing southbound right turn lane at the intersection of Bethel Road and Godown Road will need to be maintained instead of being converted to a shared through/right lane due to the operational efficiencies associated with right turn overlap traffic signal phases with dedicated right turn lanes and since the additional capacity for southbound through traffic that would be gained from the conversion is not anticipated to be necessary in the opening year of the development. Additional restriping of the northbound approach to the intersection south of the limits of the exhibit will also be needed to direct northbound through traffic into the appropriate lane.

With these comments noted, the City of Columbus, Division of Traffic Management accepts this study and its conclusions.

Prior to issuance of an E-plan Scope of Work for the improvements that will be required in conjunction with this project, an updated exhibit that depicts the required improvements as per the revisions in Comment #2 above will need to be provided.

The following commitments will need to be added to item 3.B.2 of the development text associated with rezoning application Z20-029:

- At the intersection of Godown Road and Bracken House Boulevard, a southbound left turn lane with a length of 135 feet including a 60 feet diverging taper and a northbound left turn lane with a length of 110 feet including a 60 feet diverging taper shall be implemented. The westbound intersection approach shall be striped with a westbound left and a westbound right turn lane.
- At the intersection of Bethel Road and Godown Road, the north leg shall be modified to reallocate the western northbound departure lane to be a second southbound left turn lane, and the south leg shall be modified to include a northbound left turn lane and northbound through/right lane with alignment as approved by the Department of Public Service.



Standardized Recommendation Form

ORD #1960-2020; Z20-029; Page 8 of 9
111 N. Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number:

Address:

Group Name:

Meeting Date:

Specify Case Type:

- ☐ **BZA Variance / Special Permit**
☐ **Council Variance**
☐ **Rezoning**
☐ **Graphics Variance / Plan / Special Permit**

Recommendation:

(Check only one and list basis
for recommendation below)

- ☐ **Approval**
☐ **Disapproval**

NOTES:

Vote:

Signature of Authorized Representative:

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; qt O CKN"q<Cuuk pgf 'Rrppgt.'Ek{ "qh
MAIL to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

Rezoning Process

- Applicant will negotiate with the City review agencies based upon the Staff Review comments on their request. Staff Review results are posted on the Citizens Access portal.
- Applications generally will not move forward to a Zoning Public Hearing until all City review agencies are supportive of the request, and until the Area Commission has made a recommendation.

The **Staff Report** is written once City review agencies are in agreement with the request. The City Department's Recommendation will be for disapproval if any one agency does not support the request. The Area Commission recommendation is included in the Staff Report if provided before the publishing date. Staff Reports are published on the Citizens Access Portal.

Concurrent with the city review, applicant is meeting and talking with the Area Commission about the request.



City and Area Commission are viewing the application through different filters. On occasion, recommendations may be different.



DC NOTICE

NOTICE OF PUBLIC HEARING DEVELOPMENT COMMISSION OF THE CITY OF COLUMBUS

The Development Commission of the City of Columbus will hold a public hearing on **June 11, 2020**. The meeting will begin at 6:00 P.M.

The following application for an amendment to the Official Zoning Map of the City will be presented to the Development Commission **NO EARLIER THAN 6:00 P.M.:**

5. **APPLICATION:** **Z20-029**
 Location: **1400 BETHEL RD. (43220)**, being 2.66± acres located at the northeast corner of Bethel Road and Godown Road (010-138788 & 010-132390; Northwest Civic Association).

 Existing Zoning: C-4, Commercial District.
 Request: CPD, Commercial Planned Development District.
 Proposed Use. Eating and drinking establishment, convenience store, and fuel sales.

 Applicant(s): SkilkenGold Development; c/o Connie Klema, Atty; PO Box 991; Pataskala, OH 43062.
 Property Owner(s): Bucla, Inc.; 25380 Miles Road; Bedford Heights, OH 44146; and LAR JO LTD, LLC; 605 South Front Street, Suite 200; Columbus, OH 43215.
 Planner: Hayley Feightner; 614-645-3526; hefeightner@columbus.gov

The names and addresses of the adjacent property owners hereby notified were furnished by the applicant. You are not obligated to attend this meeting: however, you must be **notified** in accordance with law so that you may express your approval or disapproval of the rezoning, if you care to do so.

Until further notice, Development Commission meetings will be held in a teleconference format, with members attending via WebEx. While the standard protocols and practices for considering rezoning applications will be followed, interested parties seeking to provide testimony at the meeting are advised as follows:

- Any persons seeking to provide testimony in favor of or in opposition to a rezoning application are advised to submit their statement in writing to the assigned planner listed above. Written testimony must be received by 12:00 p.m. on the day of the meeting.
- Statements can also be mailed to Department of Building and Zoning Services; Attn: Zoning Speaker Statement; 111 N Front St.; Columbus, Ohio, 43215. Please include contact information (email preferably) and the Application Number that you wish to address.

To address the Commission during the meeting, persons are instructed to contact the assigned planner listed above for instructions on how to join the meeting.



Any party that is presenting an application to the Development Commission will be required to attend the WebEx meeting.

The Meeting number (access code): 476 257 229

Meeting password: PPmfApJA533

Parties that have presentations can provide those presentations using the WebEx platform. However, when emailing the assigned planner to request attendance at the meeting, please attach any presentation materials that will be provided to the Development Commission members.

Meeting Accommodations: It is the policy of the City of Columbus that all City-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the City's ADA Coordinator at (614) 645-8871, or email zdjones@columbus.gov, at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

PLEASE NOTE: Information may be obtained by visiting the City of Columbus Zoning Office website at: <http://columbus.gov/bzs/zoning/Development-Commission/>. All Staff Reports are accessible from this site approximately one week before the meeting, and can be printed out separately for each application.



111 North Front Street – Columbus OH 43215 – 614-645-7433 – bzs.columbus.gov

Director's Office	(614) 645-7776	Research/Records Center	(614) 645-6082
Building Plan Review	(614) 645-7562	Zoning Clearance	(614) 645-8637
Customer Service Center	(614) 645-6090	Zoning Public Hearings	(614) 645-4522
Engineering Plan Review	(614) 645-0032	Zoning Confirmation Letters	(614) 645-8637

STAFF REPORT

5. **APPLICATION:** Z20-029
- Location:** 1400 BETHEL RD. (43220), being 2.66± acres located at the northeast corner of Bethel Road and Godown Road (010-138788 & 010-132390; Northwest Civic Association).
- Existing Zoning:** C-4, Commercial District.
- Request:** CPD, Commercial Planned Development District (H-35).
- Proposed Use:** Fuel sales, convenience store, and eating and drinking establishment.
- Applicant(s):** SkilkenGold Development; c/o Connie Klema, Atty; PO Box 991; Pataskala, OH 43062.
- Property Owner(s):** Bucla, Inc.; 25380 Miles Road; Bedford Heights, OH 44146; and LAR JO LTD, LLC; 605 South Front Street, Suite 200; Columbus, OH 43215.
- Planner:** Hayley Feightner; 614-645-3526; hefeightner@columbus.gov

BACKGROUND:

- The 2.66± acre site consists of two parcels, one developed with a vacant eating and drinking establishment, and one developed with a vehicle rental business, both zoned in the C-4, Commercial District. The requested CPD, Commercial Planned Development District would allow the site to be redeveloped with a fuel sales and convenience store with accessory on-site food and beverage service.
- North and east of the site is a multi-unit residential development in the ARLD, Apartment Residential District. Also located east of the site is a bank in the C-4, Commercial District. South of the site across Bethel Road are several eating and drinking establishments, a fuel sales facility, and a doctor's office in the CPD, Commercial Planned Development and C-4, Commercial districts. West of the site across Godown Road is commercial development and a fuel sales facility in the C-4, Commercial District.
- The site is within the boundaries of *The Northwest Plan* (2016), which recommends "Mixed Use 1" land uses at this location, which includes commercial classifications and supports residential uses. The site is also within the Bethel Road Regional Commercial Overlay.
- The site is located within the boundaries of the Northwest Civic Association, whose recommendation is for approval, with conditions to discuss options for turning left into Speedway from northbound Godown Road, and that traffic improvements be made to the intersection of Bethel Road and Godown Road prior to the proposed business opening.
- The CPD text establishes use restrictions and supplemental development standards that address building and parking setbacks, traffic access, landscaping and screening, building materials, and commits to developing the site in accordance with the submitted site plan. Additionally, the text includes a variance to locate the dumpster at the northwest corner of the property.

- o The *Columbus Multimodal Thoroughfare Plan* identifies this portion of Bethel Road as a Suburban Commuter Corridor with 160 feet of right-of-way.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow the development of a fuel sales facility and convenience store with accessory eating and drinking establishment uses and minimal outdoor display sales. The CPD text establishes appropriate use restrictions and supplemental development standards, and includes commitments to develop the site in accordance with the submitted site plan. Although *The Northwest Plan* recommends buildings be parallel to and facing the street with an entrance door connected to the public sidewalk, the Planning Division recognizes that the environmental studies conducted at the site revealed evidence of contamination from a previous gas station in the southwest quadrant, presenting constraints on site design to limit exposure. The Planning Division acknowledges these constraints and supports the submitted site plan which includes adequate landscaping and fencing to further mitigate the impact of the site design. The proposal is consistent with the Plan's land use recommendation and is compatible with the zoning and development pattern of the surrounding area.

Rezoning Process

Development Commission Meeting – Public Meeting

- Staff report is presented
- Applicant provides testimony regarding the request.
- Area Commission may also testify regarding the application and their recommendation.
- Opponents and proponents may make presentations (generally follow City Council speaking rules).
- Development Commission considers the Staff recommendation, (Staff Report) the community group recommendation, and speakers' comments when deliberating.
- Results letter issued (posted on Citizens Access Portal) → Applicant response required.
- Ordinance preparation; Ordinance submitted to City Council.

DC RESULTS

**RESULTS
CITY OF COLUMBUS
DEVELOPMENT COMMISSION
ZONING MEETING
JULY 9, 2020**

- 5. APPLICATION: Z20-029**
- Location:** **1400 BETHEL RD. (43220)**, being 2.66± acres located at the northeast corner of Bethel Road and Godown Road (010-138788 & 010-132390; Northwest Civic Association).
- Existing Zoning:** C-4, Commercial District.
- Request:** CPD, Commercial Planned Development District (H-35).
- Proposed Use:** Fuel sales, convenience store, and eating and drinking establishment.
- Applicant(s):** SkilkenGold Development; c/o Connie Klema, Atty; PO Box 991; Pataskala, OH 43062.
- Property Owner(s):** Bucla, Inc.; 25380 Miles Road; Bedford Heights, OH 44146; and LAR JO LTD, LLC; 605 South Front Street, Suite 200; Columbus, OH 43215.
- Planner:** Hayley Feightner; 614-645-3526; hefeightner@columbus.gov

Dear Ms. Klema and Ms. Gold,

Listed below are the materials that are needed in order to finalize your ordinance as well as the results of your rezoning request from the July 9, 2020 Development Commission Meeting:

1. The label document should be verified for accuracy as a notice was returned for the following property owner: "Certified Oil Corp." Please verify and revise the MS Word document if necessary.
2. Submit the final signed CPD Text as a signed PDF file via email.
3. Submit the finalized CPD plan (all exact replicas of each other with the **SAME** signature, title and date) as a PDF file in the following sizes: **one 2' x 3' PRINT** and **one 8 1/2" x 11" REDUCTION**.

RESULTS: Approval

VOTE: 5-0

MEMBERS:

Michael Fitzpatrick	yes
John A. Ingwersen	yes
Marty A. Anderson	yes
Maria Conroy	absent
Kay Onwukwe	yes
Amanda Golden	yes

SPECIAL NOTE TO APPLICANT: Your rezoning ordinance is being drafted, and will be reviewed and approved before being forwarded to City Council. You may be contacted for necessary revisions as a result of this review. When the ordinance is forwarded to City Council and scheduled, the Clerk of City Council's office will send you a notice 10 days prior to the date of the City Council Zoning meeting



111 North Front Street – Columbus OH 43215 – 614-645-7433 – bzs.columbus.gov

Director's Office (614) 645-7776
Building Plan Review (614) 645-7562
Customer Service Center (614) 645-6090
Engineering Plan Review (614) 645-0032

Research/Records Center
Zoning Clearance
Zoning Public Hearings
Zoning Confirmation Letters

(614) 645-6082
(614) 645-8637
(614) 645-4522
(614) 645-8637

ORDINANCE

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
ODI: Following the review and approval, when required, the Office of Diversity and Inclusion certifies compliance with Title 39 as of date listed.							
City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.							

Explanation

Rezoning Application Z20-029

APPLICANT: SkilkenGold Development; c/o Connie Klema, Atty; PO Box 991; Pataskala, OH 43062.

PROPOSED USE: Fuel sales, convenience store, and eating and drinking establishment.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on July 9, 2020.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 2.66± acre site consists of two parcels, one developed with a vacant eating and drinking establishment, and one developed with a vehicle rental business, both zoned in the C-4, Commercial District. The requested CPD, Commercial Planned Development District would allow the site to be redeveloped with a fuel sales and convenience store with accessory on-site food and beverage service. The CPD text establishes use restrictions and supplemental development standards that address building and parking setbacks, traffic access, landscaping and screening, and building materials, and includes a commitment to a site plan and landscaping plan. Variances are included for the dumpster location and for a reduction in parking lot trees. The site is located within the boundaries of the Bethel Road Regional Commercial Overlay and is within the boundaries of *The Northwest Plan* (2016), which recommends "Mixed Use 1" land uses at this location. Although the Plan recommends buildings be parallel to and facing the street with an entrance door connected to the public sidewalk, the Planning Division recognizes that the environmental studies conducted at the site revealed evidence of contamination from a previous gas station in the southwest quadrant, presenting constraints on site design to limit exposure. The Planning Division acknowledges these constraints and supports the submitted plans which demonstrate adequate landscaping and fencing to further mitigate the impact of the site design. The proposal is consistent with the Plan's land use recommendation and is compatible with the zoning and development pattern of the surrounding area.

Title

To rezone **1400 BETHEL RD. (43220)**, being 2.66± acres located at the northeast corner of Bethel Road and Godown Road, **From:** C-4, Commercial District, **To:** CPD, Commercial Planned Development District (Rezoning #Z20-029).

Body

Rezoning Process

City Council Meeting – Public Meeting

- Ordinances can be viewed at <https://columbus.legistar.com/Legislation.aspx>
- The City Council Zoning Chair decides when ordinances will be scheduled on the Council Zoning Meeting.
- Notices are sent to nearby property owners and applicable group.
- Applicant provides testimony regarding the request.
- Area Commission may also testify regarding the application and their recommendation.
- Opponents and proponents may make presentations (City Council speaking rules apply).
- In some cases, applicants have requested relief from zoning development standards in the form of **concurrent Council variances**. These ordinances will be scheduled in conjunction with the accompanying rezoning ordinances.
- Once the ordinance goes into effect, it is reflected on the Zoning Map.

Council Variance

- Permits a use that is not permitted by the zoning district.
- Permits a variation in the development standards of any district only in conjunction with a rezoning or a use variance.
- Recommendations needed:
 - Staff
 - Community Group
- Final approval or disapproval decided by City Council



Council Variance Process

- Application submittal.
 - **Identical application emailed to Area Commission, and posted to the Citizens Access Portal.**
 - Staff site visit.
 - Staff review (results posted to Citizens Access Portal).
 - Area Commission recommendation.
 - (No Development Commission involvement.)
 - Ordinance preparation.
 - City Council Meeting.
 - Once the ordinance goes into effect, it is reflected on the Zoning Map.
- Concurrent with Staff Review Process:
- **Applicant reaches out to Area Commission**
 - **Area Commission Meeting(s) → recommendation is provided in a reasonable time frame on the requested variances.**

Public Hearings Questions?



THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES