



Legislation Details (With Text)

File #: 3264-2022 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/16/2022 **In control:** Zoning Committee
On agenda: 12/5/2022 **Final action:** 12/7/2022

Title: To rezone 990 E. DUBLIN-GRANVILLE RD. (43229), being 1.62± acres located at the northeast corner of East Dublin-Granville Road and Boardwalk Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning #Z22-070).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3264-2022_Attachments, 2. ORD3264-2022_Labels

Date	Ver.	Action By	Action	Result
12/7/2022	1	CITY CLERK	Attest	
12/6/2022	1	MAYOR	Signed	
12/5/2022	1	COUNCIL PRESIDENT	Signed	
12/5/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
12/5/2022	1	Zoning Committee	Approved	Pass

Rezoning Application Z22-070

APPLICANT: Driven Brands, Inc.; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, 1st Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Car wash facility.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on November 10, 2022.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.62± acre site consists of one parcel developed with a parking lot in the CPD, Commercial Planned Development District (Subarea B), as established by Ordinance #0489-20019; Z18-072. The newly requested CPD district will permit a car wash facility in addition to the listed C-4 commercial uses, and includes a site plan demonstrating the site layout of said car wash. All other development standards and permitted uses from the previously-approved CPD district, including graphic commitments, have been carried forward with this request. The requested CPD district is consistent with the *Northland I Area Plan* (2014) recommendation for "Regional Mixed Use" at this location. Staff considers the addition of a car wash facility consistent with the development pattern of the area that does not represent the introduction of an incompatible use. Staff continues to encourage the applicant to explore opportunities for additional landscaping and/or preservation of existing perimeter landscaping, but does condition support upon these suggestions.

To rezone **990 E. DUBLIN-GRANVILLE RD. (43229)**, being 1.62± acres located at the northeast corner of East Dublin-Granville Road and Boardwalk Street, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial

Planned Development District (Rezoning #Z22-070).

WHEREAS, application #Z22-070 is on file with the Department of Building and Zoning Services requesting rezoning of 1.62± acres from CPD, Commercial Planned Development 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 is consistent with the development pattern of the area and carries forward previously approved uses, development standards, and graphics commitments, with the additional use of a car wash facility; 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:

990 E. DUBLIN-GRANVILLE RD. (43229), being 1.62± acres located at the northeast corner of East Dublin-Granville Road and Boardwalk Street, and being more particularly described as follows:

DESCRIPTION OF A 1.624 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 4, Township 2 North, Range 18 West of the United States Military Lands Survey and being part of a 11.065 acre tract conveyed to SIG 1000 EDG LLC, a Georgia limited liability company (hereafter referred to as “Grantor”) by the instrument filed as Instrument Number 201905230060993 (all document references are to the records of Franklin County Recorder unless otherwise stated).

COMMENCING FOR REFERENCE at an iron pin set at the northwest corner of a 1.613 acre parcel conveyed to City of Columbus, Ohio by the deed filed as Instrument Number 201907120085077, and being the intersection of the northerly right-of-way line of State Route 161 (a.k.a. E. Dublin-Granville Road- R/W width varies - public) and the easterly right-of-way line of Service Road No. 2 as shown in plan set FRA-710-0.00 on file with the Ohio Department of Transportation and being known as Boardwalk Street (R/W width varies);

Thence along the said northerly right-of-way line of State Route 161, the southerly line of the said SIG 1000 EDG LLC parcel, and the northerly line of the said 1.613 acre parcel to City of Columbus, Ohio, South 86 degrees 40 minutes 11 seconds East for a distance of 20.00 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence crossing through the said SIG 1000 EG LLC parcel the following five (5) courses:

- 1) North 03 degrees 01 minutes 39 seconds East for a distance of 273.23 feet to an iron pin set;
- 2) South 86 degrees 57 minutes 34 seconds East for a distance of 269.97 feet to a Mag nail set;
- 3) South 03 degrees 01 minutes 39 seconds West for a distance of 183.34 feet to a Mag nail set;
- 4) North 86 degrees 58 minutes 12 seconds West for a distance of 15.00 feet to an iron pin set;
- 5) South 03 degrees 01 minutes 39 seconds West for a distance of 65.00 feet to a an iron pin set on the said northerly right-of-way of State Route 161, and being on the northerly line of a 0.18 acre parcel known as 6-WD1 as conveyed to State of

Ohio in a deed known as Deed Book volume 2889, page 404, and being the southerly line of the said SIG 1000 EDG LLC parcel;

Thence along the southerly line of said SIG 100 EDG LLC parcel, the said northerly right-of-way line of State Route 161, and partially along the northerly line of the said 6-WD1 parcel and the northerly line of a 1.613 acre parcel conveyed to City of Columbus, Ohio by the deed filed as Instrument Number 201907120085077 the following three (3) courses:

- 1) North 86 degrees 52 minutes 00 seconds West for a distance of 18.19 feet to an iron pin set;
- 2) South 79 degrees 19 minutes 23 seconds West for a distance of 107.90 feet to an iron pin set;
- 3) North 86 degrees 40 minutes 11 seconds West for a distance of 131.95 feet to the TRUE POINT OF BEGINNING of the tract herein described.

The above description contains a total of 1.624 acres of which 0.000 acres are located within the Present Road Occupied (P.R.O.), all of which are located within Franklin County Auditor's Parcel Number 010-129679,

Property Address: 990 E. Dublin-Granville Rd. Columbus, OH 43229
Parcel Number: 010-300590

To Rezone From: CPD, Commercial Planned Development 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, "**CAR WASH - 990 E DUBLIN GRANVILLE ROAD, COLUMBUS, OH REZONING EXHIBIT,**" and text titled, "**DEVELOPMENT TEXT,**" both dated November 14, 2022, and signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING: CPD, Commercial Planned Development (Z18-072, Subarea B)

PROPOSED ZONING: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 990 E. Dublin-Granville Road, Columbus, OH 43229

APPLICANT: Driven Brands, Inc. c/o Dave Perry, David Perry Company., Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E. Town Street, FL 2, Columbus, OH 43215

OWNER: SIG 1000 EDG, LLC c/o Jason Linscott, 5607 Glenridge Drive NE, Suite 200, Atlanta, GA 30342

DATE OF TEXT: November 14, 2022

APPLICATION NUMBER: Z22-070

1. INTRODUCTION:

The site is Subarea B of Z18-072, zoned CPD, located on the north side of the E. Dublin Granville Road Service Road, beginning 20' east of Boardwalk Street. Subarea A of Z18-072 permitted the change of use of a former grocery store to self-storage. The change of use to self-storage has been completed. Subarea B and C of Z18-072 are both outlots established in conjunction with Z18-072. Both Subarea B and C are developed with a portion of the former parking lot of the grocery store. Only Subarea B is the site for this rezoning application. Z18-072. Subarea B presently permits most C-4

uses. This application is submitted to add car wash as a permitted use of Subarea B. The site plan titled “Car Wash - 990 E Dublin Granville Road, Columbus, OH Rezoning Exhibit” dated 11/14/2022, hereafter “Site Plan” is submitted as the site development plan for a car wash.

2a. PERMITTED USES: Permitted uses shall be all uses of Section 3356.03, C-4, Permitted Uses, except as specifically prohibited in Section 1b, Prohibited Uses, and a carwash, as permitted by Section 3357.01(3), C-5 Commercial District.

2b. PROHIBITED USES:

Animal Shelter

Bars

Billboards

Blood and Organ Banks

Bowling Center

Cabarets and Nightclubs

Check Cashing and Loans

Extended Stay Hotel

Halfway House

Mission/Temporary Shelters

Monopole Telecommunications Antenna(s)

Sales, rental or leasing of Automobiles, Motorcycles, Boats, Recreational Vehicles, Utility Trailers, off-road vehicles and/or Trucks.

Auto-repair and/or Auto Body work.

Off-premise Graphics, except any existing ground sign that may become off-premise by the proposed lot splits.

Pawn Brokers.

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 3356, C-4, Commercial District, of the Columbus City Code.

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

1. For C-4 uses, building setback shall be a minimum of 20 feet when a parking lot is not located in front of the building. The front setback shall be landscaped if a parking lot is not located in front of the building. Building setback shall be a minimum of 66 feet when a parking lot is located in front of the building.

2. For a car wash, building setback shall be a minimum of 30 feet and there shall be no parking or maneuvering in advance of the 30’ setback line. The front 30’ building and parking setback shall be landscaped. See also A.3, B.3 and I.4.

3. East Dublin Granville Road right of way exceeding 110’ from centerline (Columbus Multi-modal Thoroughfare Plan) presently exists at the site. In the event additional right of way is conveyed to City of Columbus for public sidewalk (see B.3 and I.4.), all E. Dublin Granville Road building and parking setbacks contained herein shall be reduced by the amount of additional right of way.

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

1. For a car wash, there shall be no direct vehicular access from E. Dublin Granville Road. Access to the site shall be by access easement from the adjacent parcel (PID: 010-129679, 1000 E Dublin Granville Road). For C-4 uses, subject to approval by the City of Columbus, Public Service Department, there may be direct vehicular access to E. Dublin-Granville Road Service Road.

2. If Subarea B is developed with a C-4 use, there shall be no more than two (2) rows of parking spaces and a maneuvering aisle in front of the principle building on the E. Dublin Granville Road frontage. Other parking shall be

located behind the principle building's front building façade as oriented to E. Dublin Granville Road. If Subarea B is developed with a car wash, there shall be no parking or maneuvering in front of the car wash building.

3. A public sidewalk shall be provided along the E. Dublin Granville Road frontage of the parcel, either in the existing right of way, in additional right of way to be conveyed to City for sidewalk, or in a public sidewalk easement on-site, which shall be determined in conjunction with the final Site Compliance plan process.

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

1. Parking lot screening, exceeding 200 lineal feet, along public street(s), shall incorporate a minimum of two (2) different species of shrubs.

2. Loading spaces that are visible from E. Dublin Granville Road shall be fully screened by structures and/or landscaped to a minimum height of six (6) feet and to a minimum of 90 percent opacity when in leaf.

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

N/A

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

Dumpsters shall be located behind the principal building and be screened from public view to the height of the dumpster.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-4, Commercial District, except as follows:

a. Any new ground sign shall be monument-style and total height from grade to the highest point of the sign shall not exceed 12 feet.

b. Any new ground sign shall have a sign base between 18 inches and 36 inches in height and as long and wide as the sign structure itself.

c. The sign base shall be landscaped with either low shrubs or perennial plantings for a minimum two (2) feet perimeter around the sign base.

d. For purposes of Section F(1)(a)(b)(c), “new” ground sign shall mean a ground sign for which an Installation Permit Application for Permanent Graphics for a “New Ground Sign” is issued on or after February 1, 2019.

2. Any variance to applicable sign requirements other than as restricted for new ground signs in F.1.(a)(b)(c) shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements.

1. Natural Environment: The site is located on the north side of E. Dublin Granville Road, 20' +/- east of Boardwalk Street.

2. Existing Land Use: The site is developed with part of the parking lot of a closed grocery store that has been changed to self-storage (Subarea A).

3. Circulation: Site access shall be by easement from abutting parcel PID: 010-300590, 1000 E Dublin Granville Road,

and, subject to approval of the Public Service Department/Division of Traffic Management for development of the site with C-4 uses, there may be direct access to the Service Road. There shall be no direct vehicular access to the E. Dublin Granville Road Service Road if the site is developed with a car wash.

4. Visual Form of the Environment: E. Dublin Granville Road is a major arterial road. The area is characterized by intense commercial uses on the E. Dublin Granville corridor and other commercial uses and residential uses off the corridor.

5. Visibility: The site is visible from both E. Dublin Granville Road and Boardwalk Street.

6. Proposed Development: Applicant proposes to add a car wash to permitted uses.

7. Behavior Patterns: Vehicular access to Subarea B shall be by easement from abutting parcel PID 010-129679, 1000 E Dublin Granville Road for a car wash. There shall be no direct vehicular access to the E. Dublin Granville Road Service Road for a car wash. Direct access to the E. Dublin Granville Road Service Road may be approved for C-4 uses, subject to approval by the Public Service Department/Division of Traffic Management.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text. There will be no objectionable emissions.

H. Modification of Code Standards.

Section 3356.11, C-4 District Setback Lines, to reduce the 110 foot building setback line along E Dublin Granville Road to a minimum of 66 feet for a C-4 use when a parking lot is located in front of the building and a minimum of 20 feet when a parking lot is not located in front of the building, and 30' if developed with a car wash. All C-4 and C-5 use setbacks shall be subject to reduction as applicable based on A.3, B.3 and I.4.

I. Miscellaneous Commitments.

1. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.

2. There shall be no parking of unauthorized vehicles, including semi-tractors and trailers or other vehicles not directly associated with the on premise commercial use.

3. There shall be no outside storage or display of merchandise. An outside seasonal patio for a food use shall not be considered outside storage or display of merchandise.

4. Development of the site with a car wash shall be in accordance with the Site Plan titled "Car Wash - 990 E Dublin Granville Road, Columbus, OH Rezoning Exhibit", dated 11/14/2022, and signed by David B. Perry, agent for applicant and Donald Plank, attorney for applicant. 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 Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment. See A.3, B.3 and I.4 of text related to public sidewalk along the E. Dublin Granville Road frontage of parcel. If additional right of way is required for public sidewalk along E Dublin Granville Road frontage of parcel, the building and parking setbacks applicable to a C-4 use and as depicted on the Site Plan for a car wash shall be reduced accordingly by the amount of additional right of way.

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