



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 6/22/2022 **In control:** Zoning Committee

On agenda: 7/11/2022 **Final action:** 7/14/2022

Title: To rezone 1380 W. MOUND ST. (43223), being 1.2± acres located at the northwest corner of West Mound Street and Brehl Avenue, From: C-4, Commercial District, and M, Manufacturing District, To: CPD, Commercial Planned Development District (Rezoning #Z21-107).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1856-2022_Attachments, 2. ORD1856-2022_Labels

Date	Ver.	Action By	Action	Result
7/14/2022	1	CITY CLERK	Attest	
7/13/2022	1	MAYOR	Signed	
7/11/2022	1	COUNCIL PRESIDENT	Signed	
7/11/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
7/11/2022	1	Zoning Committee	Approved	Pass

Rezoning Application Z21-107

APPLICANT: Moo Moo Car Wash.; 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 (6-0) on March 10, 2022.

FRANKLINTON AREA COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of four undeveloped parcels. Three parcels are zoned in the M, Manufacturing District and the fourth, southernmost parcel along West Mound Street is zoned in the C-4, Commercial District. The requested CPD, Commercial Planned Development District will permit the development of a car wash, a C-5 district use, which is permitted in the M district but not permitted in the C-4 district. The site is within the planning area of the *West Franklinton Plan* (2014), which recommends "Community Commercial" land uses for this location, and includes the adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). The CPD text proposes a single unit tunnel car wash with off-site vacuum areas, or C-4 district uses if the car wash is not developed. The text incorporates development standards that address setbacks, site access, right-of-way dedication, lot coverage, street trees, landscaping and screening, exterior building materials, graphics requirements, and includes a commitment to develop the site in accordance with the submitted site plan. This proposal includes modifications to code standards to reduce the parking setback line along South Central Avenue from 10 feet to 3 feet, to reduce the building setback line along West Mound Street from 50 feet to 15 feet, and to eliminate the requirement for an

exclusive by-pass lane for the car wash. The proposal is compatible with adjacent commercial developments and is consistent with the land use recommendations of the *West Franklinton Plan*. Planning Division staff is supportive of the proposal as an additional street tree has been added and contributes to greater consistency with the Plan and C2P2 landscaping guidelines.

To rezone **1380 W. MOUND ST. (43223)**, being 1.2± acres located at the northwest corner of West Mound Street and Brehl Avenue, **From:** C-4, Commercial District, and M, Manufacturing District, **To:** CPD, Commercial Planned Development District (Rezoning #Z21-107).

WHEREAS, application #Z21-107 is on file with the Department of Building and Zoning Services requesting rezoning of 1.2± acres from C-4, Commercial District, and M, Manufacturing District, to CPD, Commercial Planned Development District; and

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

WHEREAS, the Franklinton Area 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 land use and site design recommendations of the *West Franklinton Plan*, and includes a commitment to develop the site as demonstrated on the submitted site plan. The request is compatible with the surrounding development and zoning pattern of the area; 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:

1380 W. MOUND ST. (43223), being 1.2± acres located at the northwest corner of West Mound Street and Brehl Avenue, and being more particularly described as follows:

Rezoning description of Parcel A

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being a part of Virginia Military Survey No. 1393, and being part of Lots 351 through 358 inclusive of the Hamilton Place Addition, Plat Book 5, pg. 127, conveyed as Parcel Two to Evans Carpet Junkyard, Inc. in Instrument (Instr.) No. 200407300177541, Franklin County Recorder's Office;

All records referred to are those of record in the Franklin County Recorder's Office, unless otherwise noted;

BEGINNING at the northeast corner of the said Lot 351, which is the intersection of the west right of way line of Brehl Ave. (50' wide) and the south right of way line of a 16' wide alley;

THENCE South 08 degrees 48 minutes 25 seconds East 102.81 feet, along the east line of the said Lot 351 and the west right of way line of the said Brehl Ave., to a point that is 50.00' by perpendicular measurement from the centerline of W. Mound St. (width variable);

THENCE South 70 degrees 27 minutes 45 seconds West 243.13 feet, crossing the said Lots 351 through 358, inclusive, along a line 50.00' north of and parallel to the centerline of the said W. Mound St., to a point in the west line of the said Lot 358 and in the east line of Lot 359, conveyed to Bedrock Investments, LLC in Instr. No. 201909180121627;

THENCE North 19 degrees 14 minutes 32 seconds West 101.01 feet, along the west line of the said Lot 358 and the east

line of the said Lot 359, to a point, being the northwest corner of the said Lot 358 and the northeast corner of the said 359, and a point in the south right of way line of the said 16' wide alley;

THENCE North 70 degrees 27 minutes 45 seconds East 261.76 feet, along the north line of the said Lots 358 to 351 inclusive and the south right of way line of the said 16' wide alley, to the True Point of Beginning, having an area of 25,500 square feet or 0.585 acres to be rezoned;

The parcel described herein is part of Parcel No. 010-045676;

The bearings described herein are based on the centerline of W. Mound St. as being South 70 degrees 27 minutes 45 seconds West, assumed, and is used to denote angles only;

Rezoning description of Parcel B

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being a part of Virginia Military Survey No. 1393, and being part of Lots 360 through 362 inclusive, of the Hamilton Place Addition, Plat Book 5, pg. 127, and part of a 0.031 acre tract (Parcel Four, Tract Two), all conveyed to Evans Carpet Junkyard, Inc. in Instrument (Instr.) No. 200407300177541, Franklin County Recorder's Office;

All records referred to are those of record in the Franklin County Recorder's Office, unless otherwise noted;

BEGINNING at the northeast corner of the said Lot 362, being the northwest corner of a 16' wide alley as shown on the said Hamilton Place Addition, the easternmost corner of the said 0.031 acre tract, and a corner of a 1.271 acre tract (Tract 2) conveyed to Caspian Group, LLC in Instr. No. 201905090054063;

THENCE South 08 degrees 55 minutes 20 seconds East 91.32 feet along the east line of the said Lots 362, 361, and 360, and the west right of way line of the said 16' wide alley, to a point;

THENCE South 70 degrees 27 minutes 45 seconds West 127.33 feet, crossing the said Lot 360, to a point, being 40.00' from by perpendicular measurement to the centerline of S. Central Ave. (width variable);

THENCE North 09 degrees 05 minutes 45 seconds West 109.79 feet, crossing the said Lots 360, 361, and 362, and crossing the said 0.031 acre tract, parallel to and 40.00' east of the centerline of the said S. Central Ave., to a point in the north line of the said 0.031 acre tract and in a south line of the said 1.271 acre tract;

THENCE North 78 degrees 48 minutes 12 seconds East 125.58 feet, along the north line of the said 0.031 acre tract and a south line of the said 1.271 acre tract, to the True Point of Beginning, having an area of 12,604 square feet or 0.289 acres to be rezoned;

The parcel described herein is part of Parcel No. 010-044951 (6,461 sq. ft. or 0.148 acres) and part of Parcel No. 010-056255 (6,143 sq. ft. or 0.141 acres);

The bearings described herein are based on the centerline of W. Mound St. as being South 70 degrees 27 minutes 45 seconds West, assumed, and is used to denote angles only;

Rezoning description of Parcel C

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being a part of Virginia Military Survey No. 1393, and being all of Lot 349 and part of Lot 350 of the Hamilton Place Addition, Plat Book 5, pg. 127, conveyed to Evans Carpet Junkyard, Inc. in Instrument (Instr.) No. 200407300177541, Franklin County Recorder's Office;

All records referred to are those of record in the Franklin County Recorder's Office, unless otherwise noted;

BEGINNING at the northeast corner of the said Lot 349, being the southeast corner of Lot 348 (Tract 1) of the said Hamilton Place Addition, conveyed to Caspian Group, LLC in Instr. No. 201905090054063, being a point in the west right of way line of Brehl Ave. (50' wide);

THENCE South 08 degrees 48 minutes 25 seconds East 53.89 feet, along the east lines of the said Lots 349 and 350, and the west right of way line of the said Brehl Ave., to a point;

THENCE South 70 degrees 27 minutes 45 seconds West 137.59 feet, crossing the said Lot 350, to a point in the west line of the said Lot 350 and in the east right of way line of a 16' wide alley;

THENCE North 08 degrees 55 minutes 20 seconds West 76.53 feet, along the west lines of the said Lots 350 and 349, and the east right of way line of the said 16' wide alley, to a point, being the northwest corner of the said Lot 349 and the southwest corner of the said Lot 348;

THENCE North 79 degrees 55 minutes 44 seconds East 135.37 feet, along the north line of the said Lot 349 and the south line of the said Lot 348, to the True Point of Beginning, having an area of 8,822 square feet or 0.203 acres to be rezoned;

The parcel described herein is part of Parcel No. 010-016991:

The bearings described herein are based on the centerline of W. Mound St. as being South 70 degrees 27 minutes 45 seconds West, assumed, and is used to denote angles only;

To Rezone From: C-4, Commercial District and M, Manufacturing 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**," and text titled, "**CPD, COMMERCIAL PLANNED DEVELOPMENT**," both signed by Dave Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and dated May 12, 2022, and the text reading as follows:

CPD, COMMERCIAL PLANNED DEVELOPMENT

EXISTING ZONING: C-4, Commercial and M, Manufacturing

PROPOSED ZONING: CPD, Commercial Planned Development

PROPERTY ADDRESS: 1380 W. Mound Street, Columbus, OH 43223

AREA: 1.203 ac (+/-) gross, 1.077 ac (+/-) net of right of way

APPLICANT: Moo Car Express Car Wash LLC c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215.

PROPERTY OWNER: Evans Carpet Junkyard, Inc. LLC c/o Craig Evans, 665 N. Hague Avenue, Columbus, OH 43204

DATE OF TEXT: May 12, 2022

APPLICATION NUMBER: Z21-107

1.INTRODUCTION: The 1.203 +/- acre site (PID: 010-045676, 010-016991, 010-056255, 010-044951) is located on the north side of W. Mound Street, 38' +/- east of S. Central Avenue, and on the east side of S. Central Avenue, 110' +/- north of W. Mound Street. Parcel 010-013574 located at the northeast corner of W. Mound Street and S. Central Avenue is not part of the rezoning. All four (4) parcels if the site for rezoning are undeveloped. 1380 W Mound Street (PID: 010-045676) is zoned C-4. The other three (3) parcels are zoning M, Manufacturing. Public alley right of way separates the

site into three (3) development areas, noted as Parcel A, Parcel B and Parcel C, as depicted on the site plan. The site plan titled “Moo Moo Express Car Wash - 1380 W. Mound Street, Columbus, OH 43223”, hereafter “Site Plan”, depicting a single unit tunnel car wash and off-site vacuum areas, is submitted as the site development plan for the automatic car wash. If the car wash is not developed, only the W. Mound Street and S. Central Avenue building and parking setbacks depicted on the Site Plan shall apply to the property.

2. PERMITTED USES: All uses of Chapter 3356, C-4, Commercial District and an automatic car wash (Parcel A) and off-site (Parcels B and Parcel C) car wash vacuum areas, as depicted on the Site Plan, and as regulated herein. Parcel C may be developed at a later date than Parcels A and B.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, which shall only be applicable for the proposed car wash, or in this written text, or, if not developed with a car wash as a primary use, the W. Mound Street and S. Central Avenue building and parking setbacks only, as shown on the Site Plan, and this written text, shall be the applicable development standards, and those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

1). Use of the site as an automatic car wash and off-site car wash vacuum areas, shall be as depicted on the submitted Site Plan. Development standards of the Zoning Code shall apply to uses of the property for all other uses permitted by this text in addition to W. Mound Street and S. Central Avenue building and parking setbacks, only, depicted on the Site Plan, for all uses other than a car wash (Parcel A) and car wash vacuum areas (Parcels B and Parcel C), as a primary use.

2). a). Parcel A car wash building setback from W. Mound Street and Brehl Avenue shall be 15’ (net of W. Mound Street right of way dedication totaling 50’ from centerline) and 65’, respectively.

b). Parcels B and C building setbacks from S. Central Avenue and Brehl Avenue, respectively, are not applicable to car wash vacuum areas.

3). a). Parcel A car wash parking setback from W. Mound Street and Brehl Avenue shall be 15’, net of W. Mound Street right of way dedication totaling 50’ from centerline, and 14’, respectively.

b). Parcels B and C (car wash vacuum areas) parking setbacks from S. Central Avenue and Brehl Avenue, 3’ and 14’, respectively

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

1). Development of the site with a car wash (Parcels A, B, C) shall be as depicted on the submitted Site Plan. Development standards of the Zoning Code and the W. Mound Street and Brehl Avenue building and parking setbacks and the S. Central Avenue and Brehl Avenue parking setbacks, only, as shown on the Site Plan, shall apply to use of the property for all other uses than a car wash as a primary use.

2). All vehicular access to the Site shall be from the east/west alley north of W. Mound Street that connects S. Central Avenue and Brehl Avenue and the north alley that extends north of the east/west alley. There shall be no direct vehicular access from W. Mound Street, S. Central Avenue or Brehl Avenue.

3). The east/west alley intersection with S. Central Avenue shall be designed as a right-in/right-out access from/to S. Central Avenue.

4). Signage shall be posted prohibiting east bound left turns from W. Mound Street to Brehl Avenue.

5). Signage shall be posted prohibiting southbound left turns from Brehl Avenue to W. Mound Street.

6). The gross site area is 1.203 ac (+/-). The net site area is 1.077 ac (+/-), net of right of way conveyance to City of Columbus for W. Mound Street, S. Central Avenue and alley right of way in conjunction with the final Site Compliance Plan. W. Mound Street right of way totaling 50' from centerline, S. Central Avenue right of way totaling 40' from centerline and the east/west alley north of W. Mound Street is a 16' right of way. Six (6) feet of property shall be conveyed to the City of Columbus in conjunction with the final Site Compliance Plan for the alley to be a 22' right of way.

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

- 1). Street trees shall be provided along W. Mound Street, S. Central Avenue and Brehl Avenue approximately as depicted on the Site Plan, adjusted as needed for obstructions and final engineering.
- 2). Required landscaping for the car wash shall be as depicted on the Site Plan.

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

Exterior building materials for a car wash building include any one or more of the following: cultured stone, cementitious board, board and batten siding, and asphalt shingles.

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

N/A.

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 applies to the C-4, Commercial District. Any ground sign shall be monument-style. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

G.) Other CPD Requirements.

- 1). Natural Environment: The 1.203 +/- acre site (PID: 010-045676, 010-016991, 010-056255, 010-044951) is located on the north side of W. Mound Street, 38' +/- east of S. Central Avenue, and on the east side of S. Central Avenue, 110' +/- north of W. Mound Street. Parcel 010-013574 located at the northeast corner of W. Mound Street and S. Central Avenue is not part of the rezoning. The area is extensively developed with commercial and manufacturing district uses.
- 2). Existing Land Use: Undeveloped.
- 3). Circulation: All vehicular access to the Site shall be from the east/west alley north of W. Mound Street that connects S. Central Avenue and Brehl Avenue and the north alley that extends north of the east/west alley. There shall be no direct vehicular access from W, Mound Street, S. Central Avenue or Brehl Avenue.
- 4). Visual Form of the Environment: W. Mound Street, S. Central Avenue and Brehl Avenue are extensively developed with commercial and manufacturing uses.
- 5). Visibility: The site will be visible from W. Mound Street, S. Central Avenue and Brehl Avenue
- 6). Proposed Development: Automatic car wash.
- 7). Behavior Patterns: All vehicular access to the Site shall be from the east/west alley north of W. Mound Street that connects S. Central Avenue and Brehl Avenue and the north alley that extends north of the east/west alley. There shall be no direct vehicular access from W, Mound Street, S. Central Avenue or Brehl Avenue.

8). Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H). Modification of Code Standards.

The following code modifications apply only to use/development of the site as a car wash. It is the intention of the Site Plan and these modifications to permit an automatic car wash, as depicted on the submitted Site Plan.

- 1). Section 3312.11, Drive-up Stacking Area, to not provide an exclusive by-pass lane for the car wash.
- 2). Section 3312.27, Parking Setback Line, to reduce the S. Central Avenue parking setback line for part of Parcel B frontage from 10' to 3', as depicted on the Site Plan.
- 3). Section 3356.11(2), C-4 District Setback Lines, to reduce the W. Mound Street building setback line from 50' (Columbus Multi-Model Thoroughfare Plan) to 15', net of W. Mound Street right of way totaling 50' from centerline.

I.) Miscellaneous commitments.

Development of the site with an automatic car wash shall be in accordance with the Site Plan titled "Moo Moo Express Car Wash - 1380 W. Mound Street, Columbus, OH 43223", dated May 12, 2022, and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. Parcel C vacuum spaces may be developed later than Parcel A and B depending on need for additional vacuum spaces. If the car wash is not developed, only the W. Mound Street, S. Central Avenue and Brehl Avenue building and parking setbacks depicted on the Site Plan shall apply to the property. These plans 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.

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