

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 10, 2018**

- 13. APPLICATION: Z18-019**
Location: **2136 BETHEL ROAD (43220)**, being 2.41± acres located at the northwest corner of Bethel and Dierker Roads (590-158988; Northwest Civic Association).
Existing Zoning: CPD, Commercial Planned Development District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Limited commercial uses.
Applicant(s): Graeter’s Ice Cream Company; c/o Kevin M. Detroy, Atty.; 255 East Fifth Street, Suite 1900; Cincinnati, OH 45202.
Property Owner(s): ACV Livermore, LLC; 465 First Street West, Second Floor; Sonoma, CA 95476.
Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

BACKGROUND:

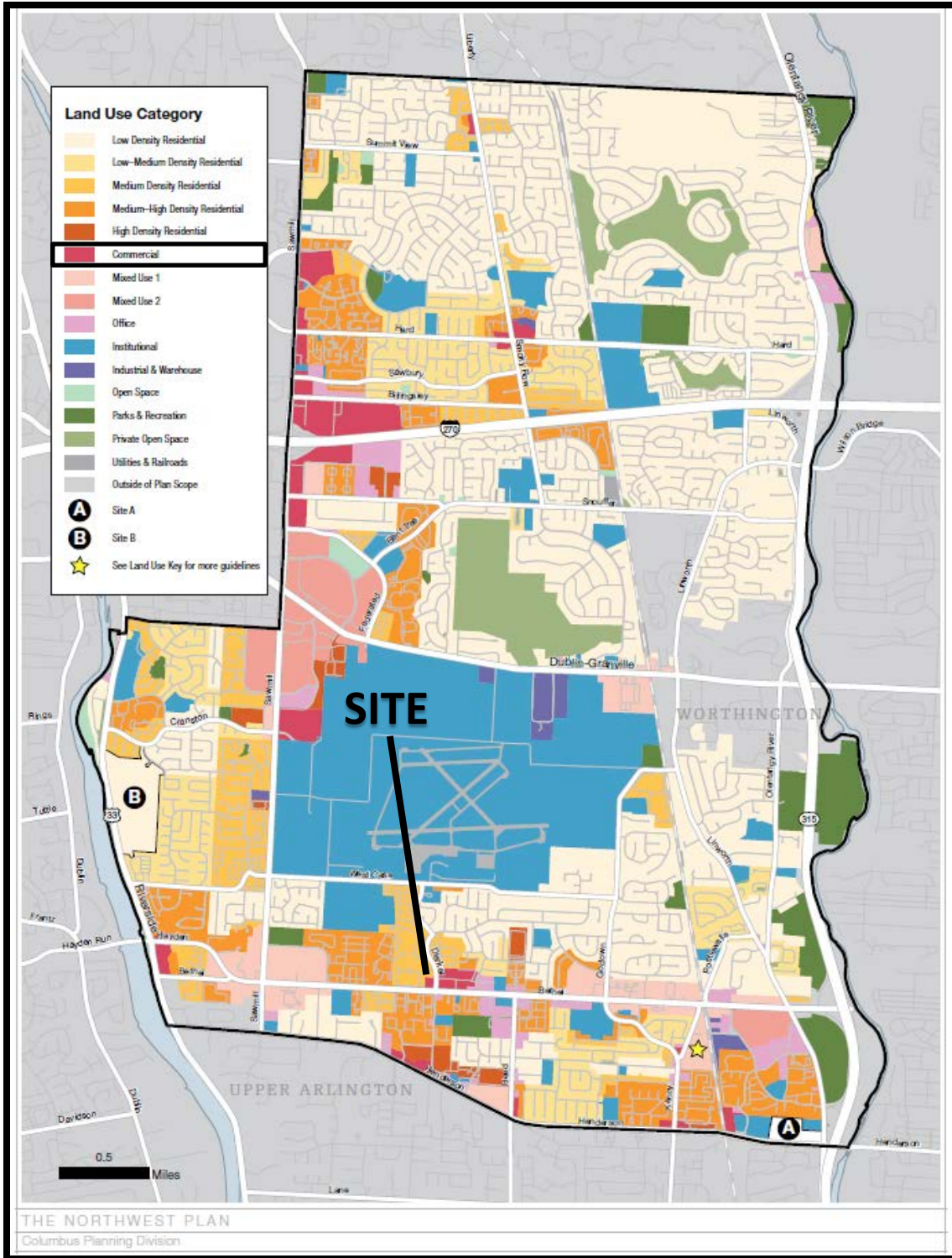
- The 2.41± acre site is developed with a retail business in the CPD, Commercial Planned Development District. The applicant requests a new CPD, Commercial Planned Development District to include ice cream and yogurt stores in the permitted uses, and to modify the CPD plan by adding an accessory patio and reactivating the pick-up window, while updating applicable site development standards.
- North and west of the site is a multi-unit residential development in the L-AR-12, Limited Apartment Residential District. South of the site across Bethel Road is a multi-unit residential development in the L-ARLD, Limited Apartment Residential District, and an office in the C-2, Commercial District. East of the site across Dierker Road is a shopping center in the CPD, Commercial Planned Development District.
- The site is located within the planning area of *The Northwest Plan (2016)*, which recommends “Commercial” land uses for this location.
- The site is located within the boundaries of the Northwest Civic Association, whose recommendation was not provided at the time this report was written.
- The CPD text commits to a site plan and includes use restrictions and commitments to building and parking setbacks, traffic access, pedestrian connections, landscaping and screening, and includes variances for parking lot landscaping and a parking space reduction from 111 to 49 parking spaces.
- The *Columbus Thoroughfare Plan* identifies Bethel Road as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

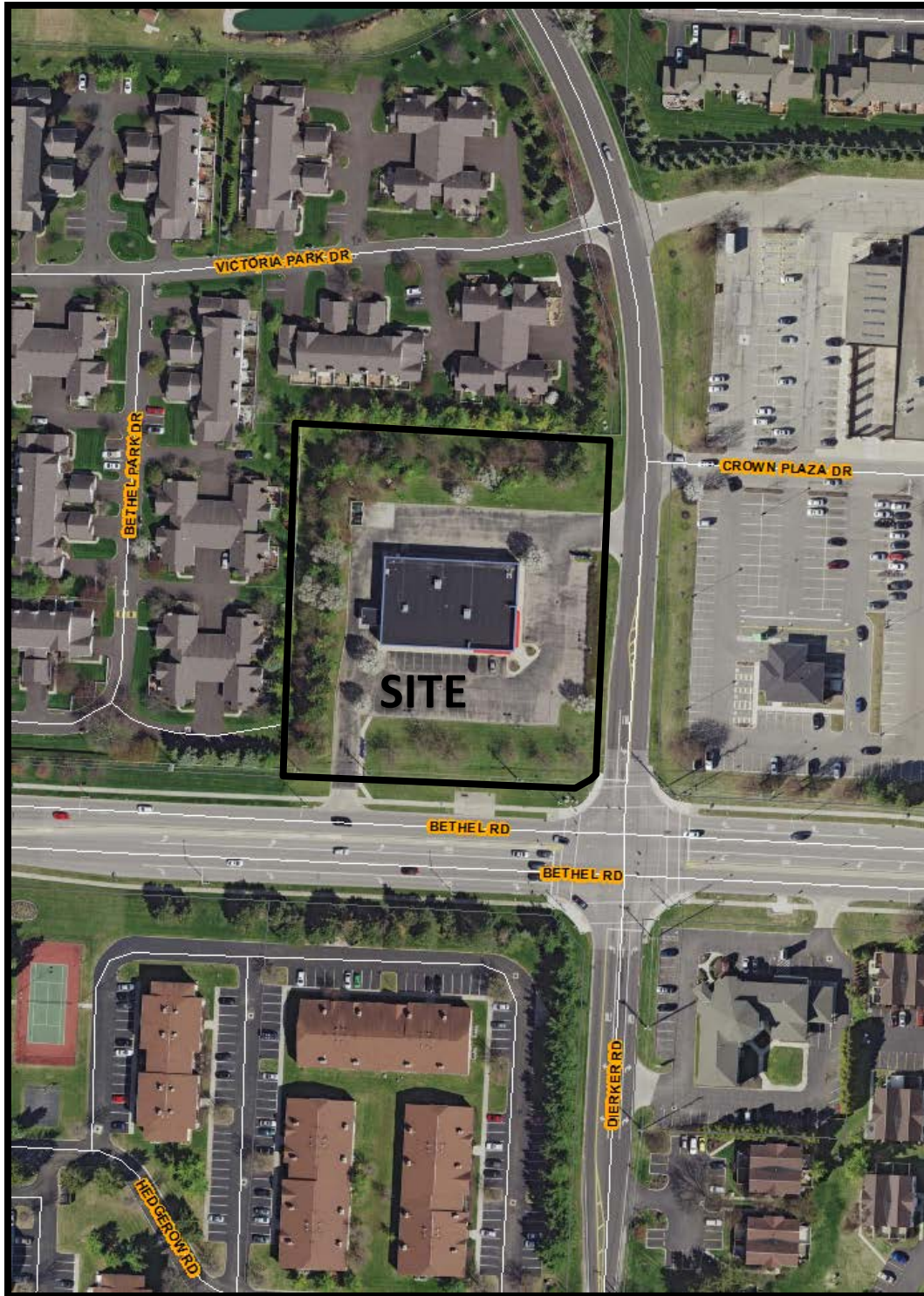
The requested CPD, Commercial Planned Development District will update the permitted uses to allow an ice cream shop with an accessory patio and pick-up window. The CPD text maintains the existing setbacks, landscaping, screening, and traffic access, while updating the site plan to show the reactivated pick-up window, patio, and pedestrian walkway. The proposal is consistent with the land use recommendation of The Northwest Plan which recommends "Commercial" land uses at this location. While staff generally supports this request, the Division of Traffic Management's approval is conditioned on additional information being provided and finding that it satisfactorily supports the requested parking variance.



Z18-019
2136 Bethel Road
Approximately 2.41 acres
From CPD to CPD



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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number: Z18-019

Address: 2136 Bethel Road, Columbus, OH 43220

Group Name: Northwest Civic Association

Meeting Date: May 2, 2018

Specify Case Type:

BZA Variance / Special Permit
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one)

Approval
 Disapproval

NOTES:

Motion to recommend Conditional Approval of the 2136 Bethel Road Rezoning and Council Variance as modified in the revised CPD Text, Site Plan and Conceptual Elevations. The conditions are: 1. Twenty 6-8 feet tall blue spruce trees shall be planted in the west and north buffers between 2136 Bethel Road and The Lakes at Bethel Park condominiums. This condition shall be added to the CPD text in the legislation to be presented to the Development Commission and City Council. 2. Any actions required by the Department of Public Safety as a result of the Traffic Study shall be completed. 3. Graeter's attorney, Kevin Detroy, shall draft a Good Neighbor Agreement that will be agreed to by Graeter's and The Lakes at Bethel Park Condominium Association. This condition cannot be included in the CPD text but will be presented to NWCA after it is signed by both parties.

Vote: 8 For; 1 Against

Signature of Authorized Representative: Marilyn J. Goodman
SIGNATURE

Zoning Committee Chair
RECOMMENDING GROUP TITLE

614-889-0359
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, OH 43224.



DEPARTMENT OF BUILDING AND ZONING SERVICES

REZONING APPLICATION

Department of Building & Zoning Services
Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: 218-019

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Richard Graeter
of (COMPLETE ADDRESS) 1175 Regina Way Drive, Cincinnati, OH 45216
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

- Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Table with 2 columns and 2 rows containing handwritten entries for Graeter's Ice Cream Company, ACV Livermore, LLC, Richard Graeter, and Peter W. Wohlfeiler.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT
Subscribed to me in my presence and before me this 20th day of FEBRUARY, in the year 2018
SIGNATURE OF NOTARY PUBLIC
My Commission Expires: MAY 26 2020



DAVID BLINK
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires May 26, 2020

This Project Disclosure Statement expires six months after date of notarization.

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