

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

APPLICATION: CV26-011
Location: 3616 E. BROAD ST. (43213) being 8.87± acres located on the north side of East Broad Street, at the terminus of North Napoleon Avenue (010-092187; Mideast Area Commission).
Existing Zoning: CAC, Community Activity Center District.
Proposed Use: Accessory outdoor storage.
Applicant(s): Lowe's Home Centers, LLC; c/o Ben Reale, Agent.; 3601 Rigby Road, Suite 300; Miamisburg, OH 45342.
Property Owner(s): Lowe's Home Centers, LLC; c/o Richard Goodman; 1000 Lowe's Boulevard; Mooresville, NC 28117.
Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a big-box retailer in the CAC, Community Activity Center. The applicant requests accessory outdoor storage uses, including a trailer, in conjunction with the retail business on this property.
- A Council variance is required because storage uses are not allowed in the CAC district and is necessary to facilitate an updated final site compliance plan in response to an active zoning code violation.
- North of the site is federally owned land in the M, Manufacturing District. South of the site is a pharmacy in the CAC, Community Activity Center District. East of the site is an eating and drinking establishment in the BRD, Broad Street District in the City of Whitehall. West of the site is a multi-unit residential development in the ARLD, Apartment Residential District, and an eating and drinking establishment and undeveloped properties in the CAC, Community Activity Center District
- The *Columbus Growth Strategy (2026)* recommends “Mixed-Use 2” land uses at this location.
- The site is located within the boundaries of the Mideast Area Commission whose recommendation is for approval.
- Practical difficulties were not taken into consideration since only a use variance is being requested.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance will allow accessory outdoor storage uses for an existing retail business in the CAC, Community Activity Center. The proposed storage locations are limited as shown on the submitted site plan, are accessory to the existing business on this property, and will not add an incompatible use to the area.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215
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STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes No

Without an Outdoor Storage Variance for this store we are unable to serve the community (Homeowners and Contractors). Lowe's is providing a service to the community by providing Spring Season Goods (mulch/landscape) and the "quick serve service" (Lowe's employees load purchases for them) this makes the experience safer for the customer. Contractors order material in bulk that deliver to our store and load it for them to get them back to the job site and back to work. Additionally, with the Outdoor storage of material, it reduces the number of delivery trucks on the road way during peak hours.

2. Whether the variance is substantial.

Yes No

The outdoor storage allows Lowe's to have the product the customer wants and the ability to provide a service to the community. Reduce peak hour public commute traffic by reducing the amount of truck traffic during the peak community rush hours.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes No

This property is surrounded by like business (Retail, Commercial and Industrial) where the outdoor storage is not a visual detriment. Single Family Homes are several blocks away to the West from the proposed Outdoor Storage, and Multi-family residential is on the other side of the building from the Storage.

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes No

The proposed Outdoor Storage does not require any governmental services, and all existing site related services that are in place will remain clear from storage. Existing services such as Fire Hydrants, Fire Connections, double detector check valves, all accessible routes and fire lanes will remain clear paths of travel. Only designated parking lot travel lanes will be blocked from through traffic during the spring time in "quick load service area" as indicated on the revised site plan. Every safety measure is strictly adhered to by Lowe's associates during loading and unloading of material.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

Lowe's business model has evolved over the years since we purchased the property to better serve the community.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes No

The communities shopping patterns have changed, and the Lowe's business model has evolved to meet the needs of the community.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes No

The Lowe's request is for the betterment of the community in their demands for the stored product.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

City of Columbus Title 34: Zoning Code E.20.100 - Requesting a variance to allow for outdoor storage as a use in the CAC district for the Lowe's at 3616 E Broad St. This allows Lowe's to provide quicker and safer service to both contractors and homeowners. The proposed storage areas abut other commercial properties, and the building is between the storage areas and residential uses.

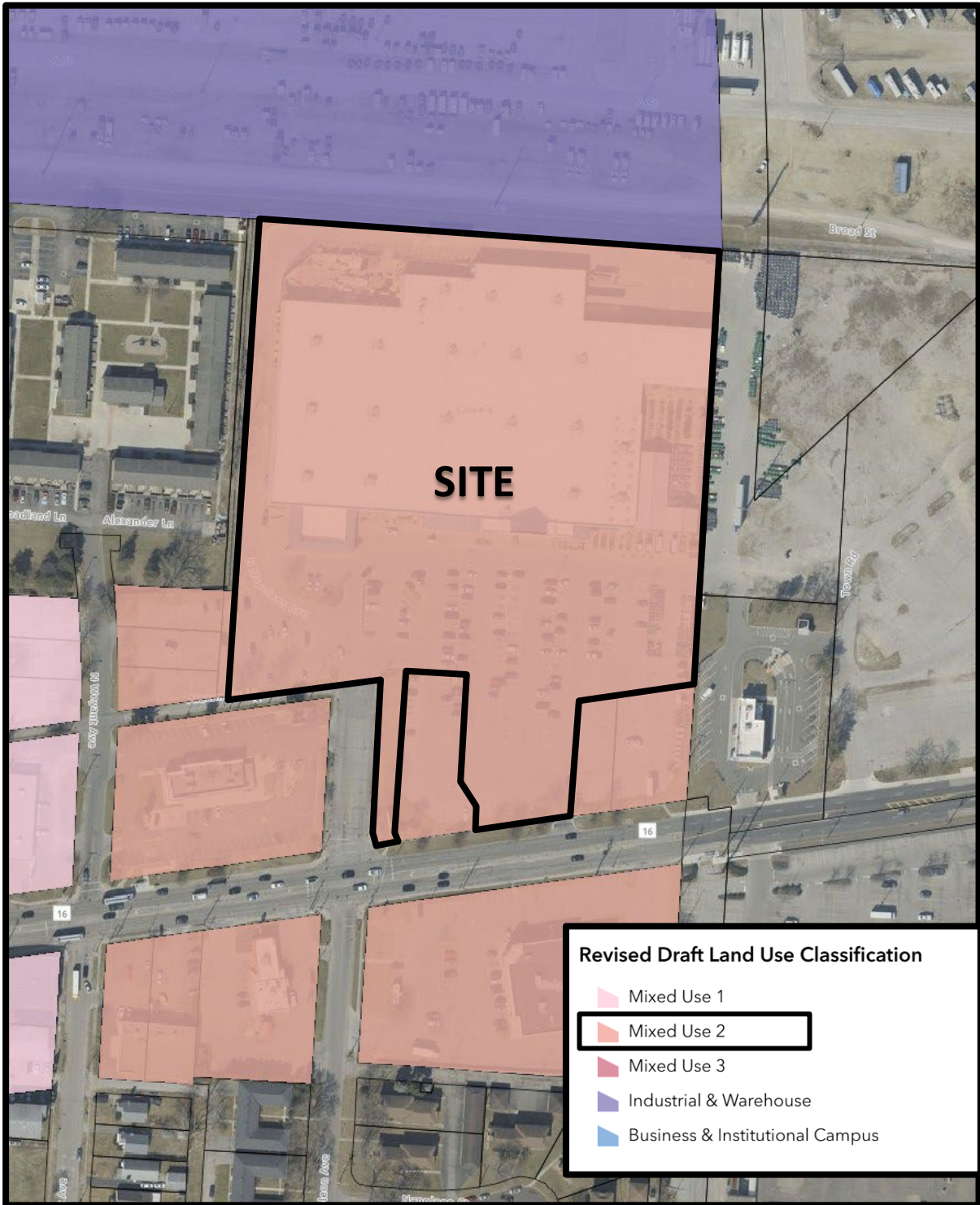
Signature of Applicant



Date

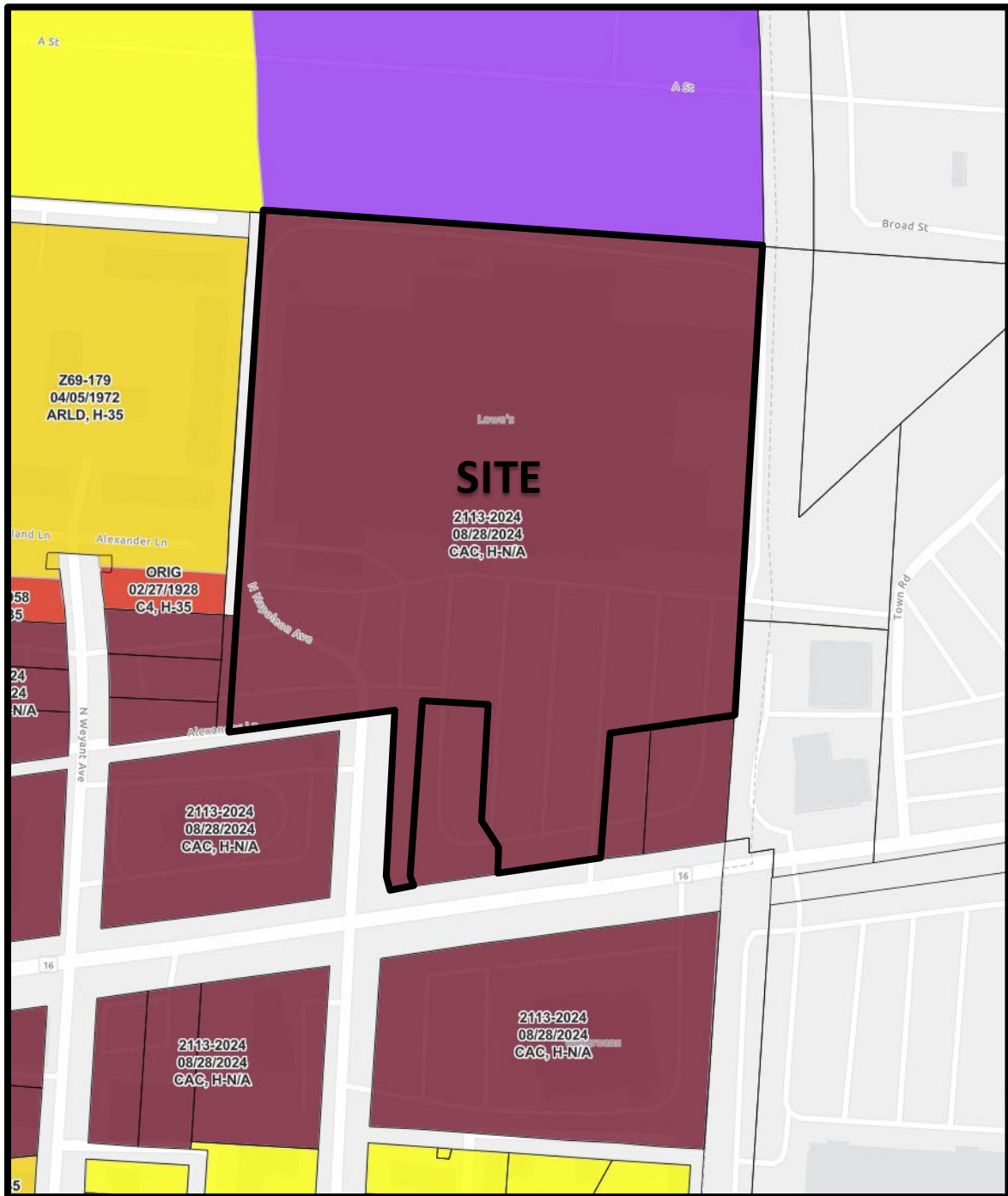
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Columbus Growth Strategy (2026)

CV26-011
3616 E. Broad St.
Approximately 8.87± acres



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Standardized Recommendation Form

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FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(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 **Approval**
(Check only one) **Disapproval**

LIST BASIS FOR RECOMMENDATION:

Vote _____

Signature of Authorized Representative Felicia A. Saunders

Recommending Group Title _____

Daytime Phone Number _____

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV26-011

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.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Richard Goodman
of (COMPLETE ADDRESS) 1000 Lowes Blvd. Mooresville, NC 28117
deposes and states that they are 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:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

<p>1. Lowes Home Centers, LLC Richard Goodman (704) 757-1000 1000 Lowes Blvd Mooresville, NC 28117 Number of Employees: <u>133</u></p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

BSM
(13)

SIGNATURE OF AFFIANT *Richard Goodman*

Sworn to before me and signed in my presence this 15th day of January, in the year 2020

Stephanie Valdez
SIGNATURE OF NOTARY PUBLIC

December 7, 2026
My Commission Expires

Notary Seal Here

Stephanie Valdez
NOTARY PUBLIC
Forsyth County
North Carolina
My Commission Expires December 7, 2026

This Project Disclosure Statement expires six (6) months after date of notarization.