



## Legislation Details (With Text)

**File #:** 1778-2017      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 6/27/2017      **In control:** Zoning Committee

**On agenda:** 7/17/2017      **Final action:** 7/20/2017

**Title:** To grant a Variance from the provisions of Sections 3356.03, Permitted uses; 3311.28(b), Requirements; 3312.49, Minimum number of parking spaces required; and 3321.05(B)(1), Vision clearance, of the Columbus City Codes; for the property located at 2365 WEST DUBLIN-GRANVILLE ROAD (43235), to permit a brewery with reduced development standards in the L-C-4, Limited Commercial District and to declare an emergency (Council Variance # CV16-078).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1778-2017.Attachments

Date	Ver.	Action By	Action	Result
7/20/2017	2	CITY CLERK	Attest	
7/20/2017	2	MAYOR	Signed	
7/17/2017	2	COUNCIL PRESIDENT	Signed	
7/17/2017	1	Zoning Committee	Approved as Amended	Pass
7/17/2017	1	Zoning Committee	Amended to Emergency	Pass
7/10/2017	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV16-078**

**APPLICANT:** Random Precision Brewing Company, LLC; 1278 London Drive; Columbus, OH 43221.

**PROPOSED USE:** Brewery with off-site distribution and taproom.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a commercial building in the L-C-4, Limited Commercial District. This requested Council variance will permit a brewery with off-site distribution and a taproom with reduced development standards. The 5,480± square foot building will include 3,200 square feet for the brewery and 897 square feet for the taproom. The variance is necessary because breweries that distribute product off-site are listed as a more objectionable manufacturing use that must be located in the M, or M-1, Manufacturing district at least 600 feet from residentially-zoned land. Variances are included to allow a more objectionable use on the site, a reduction of the distance separation requirement, a reduction of five required parking spaces, and to allow a parking space within the vision clearance triangle. The proposed brewery will be producing primarily for on-site sales, with off-site distribution being ancillary to the on-site commercial uses. There are multi-unit residential buildings located adjacent to the brewery location, and similar variances have been approved for small-scale breweries in close proximity to residential uses. The site is within the boundaries of *The Northwest Plan* (2016) recommends Mixed Use 1 for the site, and a microbrewery and taproom is consistent with the Mixed Use 1 recommendations. The Plan also considers reductions in parking and enhanced landscaping which the applicant is providing.

To grant a Variance from the provisions of Sections 3356.03, Permitted uses; 3311.28(b), Requirements; 3312.49, Minimum number of parking spaces required; and 3321.05(B)(1), Vision clearance, of the Columbus City Codes; for the property located at **2365 WEST DUBLIN-GRANVILLE ROAD (43235)**, to permit a brewery with reduced development standards in the L-C-4, Limited Commercial District **and to declare an emergency** (Council Variance # CV16-078).

**WHEREAS**, by application No. CV16-078, the owner of property at **2365 WEST DUBLIN-GRANVILLE ROAD (43235)**, is requesting a Council variance to permit a brewery with reduced development standards in the L-C-4, Limited Commercial District; and

**WHEREAS**, Section 3356.03, Permitted uses, permits a brewery for on-site consumption, while the applicant proposes a brewery with off-site distribution which the Zoning Code categorizes as a more objectionable manufacturing use; and

**WHEREAS**, Section 3311.28(b), Requirements, requires that more objectionable uses are to be conducted within the M or M-1, Manufacturing districts, and within not less than 600 feet from any residential districts, while the applicant proposes a brewery with off-site distribution in the L-C-4, Limited Commercial District on a lot that abuts residentially-zoned property; and

**WHEREAS**, Section 3312.49, Minimum number of parking spaces required, requires one parking space per 750 square feet of brewery space, and one parking space per 175 square feet of accessory eating and drinking space, for a total of 13 required parking spaces, while the applicant proposes to provide 8 parking spaces, amounting to a reduction of 5 required parking spaces on site. One space will straddle the subject parcel and adjacent property under the same ownership, with a parking agreement provided that allows use of that space and 4 existing additional spaces on the adjacent lot for a total of 13 available parking spaces; and

**WHEREAS**, Section 3321.05(B)(1), Vision clearance, requires clear vision triangles at the intersection of streets and driveways, while the applicant proposes to maintain a parking space within the vision clearance triangle at West Dublin-Granville Road and the site driveway as shown on the site plan; and

**WHEREAS**, City Departments recommend approval of the requested Council variance because the proposed brewery will be a small-scale operation for production of product to be predominantly purchased on-site, with off-site distribution being ancillary to the on-site commercial uses. There are multi-unit residential buildings located adjacent to the brewery location, and similar variances have been approved for breweries in close proximity to residential uses. The proposal is consistent with *The Northwest Plan* recommendation for Mixed Use 1 and considers reductions in parking and enhanced landscaping which the applicant is providing; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2365 WEST DUBLIN-GRANVILLE ROAD (43235)**, in using said property as desired: and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

**SECTION 1.** That variances from the provisions of Sections 3356.03, Permitted uses; 3311.28(b), Requirements; 3312.49, Minimum number of parking spaces required; Section 3321.05(B)(1), Vision clearance; and 3363.19(C), Location requirements; of the Columbus City Codes, are hereby granted for the property located at **2365 WEST DUBLIN-GRANVILLE ROAD (43235)**, insofar as said sections prohibit a brewery including distribution in the L-C-4, Limited Commercial District; with a reduction in the required distance separation of a brewery including distribution from residentially-zoned property from 600 feet to 0 feet; a parking space reduction from 13 required spaces to 8 spaces; and parking spaces within the vision clearance triangle at West Dublin-Granville Road and the site driveway, said property being more particularly described as follows:

**2365 WEST DUBLIN-GRANVILLE ROAD (43235)**, being 0.36± acres located on the south side of West Dublin-Granville Road, 125± feet east of Answorth Drive, and being more particularly described as follows:

Commencing at a point on the centerline of West Dublin-Granville Road (State Road #161), at the northeasterly corner of said 0.45 acre tract, and the northeasterly corner of a 0.091 acre tract conveyed to the city of Columbus shown of record in official record 5474, page H-19;

Thence, south 0 degrees 38 minutes 30 seconds west, along the easterly line of said 0.45 acre tract (easterly line of said 0.091 acre tract), a distance of 60.00 feet to an iron pin on the southeasterly right-of-way line of said West Dublin-Granville Road at the southeasterly corner of said 0.091 acre tract, and the true point of beginning of this description;

Thence, south 0 degrees 38 minutes 30 second west, along the easterly line of said 0.45 acre tract, a distance of 237.00 feet to an iron pin, at the southeasterly corner of said 0.45 acre tract;

Thence, north 89 degrees 18 minutes west, along the southerly line of said 0.45 acre tract, a distance of 66.00 feet to an iron pin at the southwesterly corner of said 0.45 acre tract;

Thence, north 0 degrees 38 minutes 30 seconds east, along the westerly line of said 0.45 acre tract, a distance of 237.00 feet to an iron pin on the southerly right-of-way line of said West Dublin-Granville Road at the southwesterly corner of said 0.091 acre tract;

Thence, south 89 degrees 18 minutes east, across said 0.45 acre tract, and long the southerly right-of-way line of said West Dublin-Granville Road (southerly line of said 0.091 acre tract), a distance of 66.00 feet to the place of beginning, containing 0.359 acres, subject however to all highways and easements of record, and of records, easements, and restrictions in the respective utility officers.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a brewery and taproom with distribution, or those uses permitted in the L-C-4, Limited Commercial District, specified in Ordinance # 210-85 (Z84-096B).

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, “**CV16-078 SITE PLAN**,” signed by Jason Grable, Applicant, dated June 29, 2017. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That**

**for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**