



## Legislation Details (With Text)

**File #:** 0489-2019      **Version:** 1

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

**File created:** 2/6/2019      **In control:** Zoning Committee

**On agenda:** 2/25/2019      **Final action:** 2/28/2019

**Title:** To rezone 1000 EAST DUBLIN-GRANVILLE ROAD (43229), being 9.55± acres located at the northeast corner of East Dublin-Granville Road and Boardwalk Street, From: CPD, Commercial Planned Development District, To: L-M, Manufacturing District and CPD, Commercial Planned Development District (Rezoning #Z18-072).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0489-2019.Attachments.pdf, 2. ORD0489-2019.Labels.pdf

Date	Ver.	Action By	Action	Result
2/28/2019	1	ACTING CITY CLERK	Attest	
2/27/2019	1	MAYOR	Signed	
2/25/2019	1	COUNCIL PRESIDENT	Signed	
2/25/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
2/25/2019	1	Zoning Committee	Approved	Pass

**Rezoning Application: Z18-072**

**APPLICANT:** RCG Ventures, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

**PROPOSED USE:** Self-storage and commercial uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-1) on January 10, 2019.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel developed with a vacant grocery store and fuel sales facility zoned in the CPD, Commercial Planned Development District. The applicant proposes the L-M, Limited Manufacturing and CPD, Commercial Planned Development districts to allow a self-storage facility and limited commercial uses on the site within three subareas. The development text establishes use restrictions and supplemental development standards that address building height, access, parking, buffering and screening, dumpster location, and graphics. A variance for reduced building setback is also requested for the commercial subareas to be consistent with the Regional Commercial Overlay (RCO) setback standards. The site is within the planning area of the *Northland I Area Plan* (2014), which recommends "regional mixed use" at this location. The Plan also recommends that RCO standards apply along the Dublin-Granville corridor with additional considerations on signage. While self-storage is inconsistent with the *Northland I Area Plan*'s "regional mixed use" recommendation, staff finds the use supportable given the commercial outparcels along the frontage of East Dublin-Granville Road that include RCO standards. The proposal includes a development text that provides signage standards and limitations on signage height, a site plan with elements that are consistent with the Plan's recommendations, and development that is compatible with commercial uses along the

East Dublin-Granville Road corridor.

To rezone **1000 EAST DUBLIN-GRANVILLE ROAD (43229)**, being 9.55± acres located at the northeast corner of East Dublin-Granville Road and Boardwalk Street, **From:** CPD, Commercial Planned Development District, **To:** L-M, Manufacturing District and CPD, Commercial Planned Development District (Rezoning #Z18-072).

**WHEREAS**, application #Z18-072 is on file with the Department of Building and Zoning Services requesting rezoning of 34.0± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District and L-M, Limited Manufacturing District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change. While self-storage is inconsistent with the *Northland I Area Plan*'s "regional mixed use" recommendation, staff finds the use supportable given the commercial outparcels along the frontage of East Dublin-Granville Road that include RCO standards. The proposal includes a development text that provides signage standards and limitations on signage height, a site plan with considerations that are consistent with the Plan's recommendations, and development that is compatible with commercial uses along the East Dublin-Granville Road corridor; 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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1000 EAST DUBLIN-GRANVILLE ROAD (43229)**, being 9.55± acres located on the northeast corner of East Dublin-Granville Road and Boardwalk Street, and being more particularly described as follows:

**SUBAREA A:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 4, Township 2, Range 18, U.S. Military Lands, and being part of that 11.065 acre parcel described in a deed to Simmerwood Associates, of record in Instrument Number 200004140073134, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the northwest corner of said 11.065 acre tract, being the southwest corner of that tract described in a deed to Rainbow Development Corp., and being on the existing east right-of-way line for Boardwalk Street;

Thence South 87 degrees 01 minutes 29 seconds East, along the north line of said 11.065 acre tract, and along the south line of said Rainbow Development tract, a distance of 606.09 feet to the northeast corner of said 11.065 acre tract, being the southeast corner of said Rainbow Development tract, and being on the west line of that tract described in a deed to Northland Hotel, Inc.;

Thence South 02 degrees 44 minutes 30 seconds West, along the east line of said 11.065 acre tract, and along the east line of said Northland Hotel tract, a distance of 413.49 feet to a point;

Thence North 87 degrees 15 minutes 30 seconds West, across said 11.065 acre tract, a distance of 276.00 feet to a point;

Thence South 02 degrees 44 minutes 30 seconds West, continuing across said 11.065 acre tract, a distance of 249.39 feet to a point on a south line of said 11.065 acre tract, being on the existing north right-of-way line for E. Dublin - Granville Road;

Thence North 87 degrees 01 minute 40 seconds West, along a south line of said 11.065 acre tract, and along the existing north right-of-way line for E. Dublin - Granville Road, a distance of 55.00 feet to a point;

Thence across said 11.065 acre tract along the following four (4) described courses:

1. North 02 degrees 44 minutes 30 seconds East, a distance of 64.84 feet to a point;
2. South 87 degrees 15 minutes 30 seconds East, a distance of 15.00 feet to a point;
3. North 02 degrees 44 minutes 30 seconds East, a distance of 184.32 feet to a point;
4. North 87 degrees 15 minutes 30 seconds West, a distance of 290.45 feet to a point on the west line of said 11.065 acre tract, being on the existing east right-of-way line for Boardwalk Street;

Thence North 02 degrees 47 minutes 30 seconds East, along the west line of said 11.065 acre tract, and along the existing east right-of-way line for Boardwalk Street, a distance of 415.96 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 6.023 acres, all of which is located within Franklin County Auditor's parcel number 010-129679.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** L-M, Limited Manufacturing District

**SUBAREA B:**

**DESCRIPTION OF 1.789 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 4, Township 2, Range 18, U.S. Military Lands, and being part of that 11.065 acre parcel described in a deed to Simmerwood Associates, of record in Instrument Number 200004140073134, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at a southwest corner of said 11.065 acre tract, being the intersection of the existing north right-of-way line for E. Dublin - Granville Road and the existing east right-of-way line for Boardwalk Street;

Thence North 02 degrees 47 minutes 47 seconds East, along the west line of said 11.065 acre tract, and along the existing east right-of-way line for Boardwalk Street, a distance of 276.71 feet to a point;

Thence across said 11.065 acre tract along the following four (4) described courses:

1. South 87 degrees 15 minutes 30 seconds East, a distance of 290.45 feet to a point;
2. South 02 degrees 44 minutes 30 seconds West, a distance of 184.32 feet to a point;
3. North 87 degrees 15 minutes 30 seconds West, a distance of 15.00 feet to a point;
4. South 02 degrees 44 minutes 30 seconds West, a distance of 64.84 feet to a point on the south line of said 11.065 acre tract, being on the existing north right-of-way line for E. Dublin - Granville Road;

Thence along the existing north right-of-way line for E. Dublin - Granville Road along the following four (4) described courses:

1. North 87 degrees 01 minute 30 seconds West, a distance of 19.45 feet to a point;
2. South 79 degrees 09 minutes 44 seconds West, a distance of 147.85 feet to a point;
3. North 88 degrees 43 minutes 26 seconds West, a distance of 102.58 feet to a point;
4. North 43 degrees 03 minutes 23 seconds West, a distance of 13.93 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 1.789 acres, all of which is located within Franklin County Auditor's parcel number 010-129679.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** CPD, Commercial Planned Development District

**SUBAREA C:**

**DESCRIPTION OF 1.735 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 4, Township 2, Range 18, U.S. Military Lands, and being part of that 11.065 acre parcel described in a deed to Simmerwood Associates, of record in Instrument Number 200004140073134, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the southeast corner of said 11.065 acre parcel, being the southwest corner of that tract described in a deed to Northland Hotel, Inc., and being on the existing north right-of-way line for E. Dublin - Granville Road;

Thence along the existing north right-of-way line for E. Dublin - Granville Road along the following three (3) described courses:

1. North 85 degrees 12 minutes 18 seconds West, a distance of 116.41 feet to a point;
2. North 70 degrees 05 minutes 09 seconds West, a distance of 124.68 feet to a point;
3. North 87 degrees 01 minute 17 seconds West, a distance of 40.54 feet to a point;

Thence North 02 degrees 44 minutes 30 seconds East, across said 11.065 acre tract, a distance of 249.39 feet to a point;

Thence South 87 degrees 15 minutes 30 seconds East, continuing across said 11.065 acre tract, a distance of 276.00 feet to a point on the east line of said 11.065 acre tract, being on the west line of said Northland Hotel tract;

Thence South 02 degrees 44 minutes 30 seconds West, along the east line of said 11.065 acre tract, and along the west line of said Northland Hotel tract, a distance of 290.54 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of 1.735 acres, all of which is located within Franklin County Auditor's parcel number 010-129679.

**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 and L-M, Limited Manufacturing 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 L-M, Limited Manufacturing District and Application among the records of the Department of Building and Zoning Services as required by Sections 3311.12 and 3370.03 of the Columbus City Codes; said plan being titled, “**PRELIMINARY SITE PLAN FOR 1000 EAST DUBLIN-GRANVILLE RD,**” and text titled, “**DEVELOPMENT TEXT,**” all dated February 1, 2018, 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

**PROPOSED ZONING:** L-M, Limited Manufacturing District and CPD, Commercial Planned Development District

**PROPERTY ADDRESS:** 1000 E. Dublin-Granville Road, Columbus, OH 43229

**APPLICANT:** RCG Ventures, LLC 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:** Simmerwood Associates c/o Nicholas Meriwether, 560 Epsilon Drive, Pittsburgh, PA 15238

**DATE OF TEXT:** February 1, 2019

**APPLICATION NUMBER:** Z18-072

**INTRODUCTION:**

The site is 9.55 +/- acres located on the north side of E. Dublin-Granville Road, 120 +/- feet west of Zumstein Drive. The site is developed with a grocery store. The grocery store is closed and the retail fuel facilities of the grocery store have been removed. Applicant proposes to change the use of the former grocery store building to self-storage and also proposes commercial outlots zoned CPD, Commercial Planned Development, on the E. Dublin-Granville Road frontage.

**SUBAREA A, 6.023 +/- ACRES, L-M, Limited Manufacturing:**

**1a. PERMITTED USES:** Permitted uses shall be uses of Section 3363.02, Warehouse, Storage and Sales Establishment - Less Objectionable Uses, of the M, Manufacturing District and all uses of Section 3356.03, C-4, Permitted Uses, except as specifically prohibited in Section 1b, Prohibited Uses.

**1b. 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, except trucks, vans and/or trailers for rental/lease provided as an accessory use of self-storage

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

Outside storage of any vehicle or materials.

The following uses, while not uses of Section 3363.02, Warehouse, Storage and Sales Establishment - Less Objectionable Uses, are specifically prohibited: Adult Entertainment Establishment, Adult Store.

**2. 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.**

N/A

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

1. Vehicular access shall be from existing access points on E. Dublin-Granville Road and Boardwalk Street, as depicted on the Site Plan.
2. An access easement shall be provided to Subareas B and C for vehicular access from E. Dublin-Granville Road on and across Subarea A from E. Dublin Granville Road to a point up to 200 feet north of E. Dublin-Granville Road.

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

N/A

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

N/A

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

N/A

**F. Graphics and Signage Commitments.**

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the M, Manufacturing District. Any variance to applicable sign requirements shall be submitted to the Columbus Graphics Commission.

**G. Miscellaneous.**

1. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.
2. There shall be no outside storage of any material or vehicle, including boats and recreational vehicles.
3. Outside parking of vehicles (trucks and trailers) used in the self-storage business and customer vehicles brought to the premises related to leasing or access to self-storage facilities shall be permitted. All parked vehicles shall have a current motor vehicle registration/license plate, shall be in operable condition and shall be parked on an improved surface.
4. There shall be no parking of unauthorized vehicles, including semi-tractors and trailers or other vehicles not directly associated with the on-premise self-storage use.
5. Development of the site shall be in accordance with the Site Plan titled "Preliminary Site Plan for 1000 E. Dublin-Granville Road", dated February 1, 2019, 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. Subarea A may be rezoned together or separately from Subareas B and C.

**SUBAREA B (1.789 +/- acres) and SUBAREA C (1.735 +/- acres), CPD, Commercial Planned Development:**

**1a. 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.

**1b. 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, except trucks, vans and/or trailers for rental/lease provided as an accessory use of self-storage.

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.

**2. 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.**

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.

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

1. An access easement shall be provided to Subarea B from one or more vehicular access points on Subarea A. In addition, subject to approval by the City of Columbus, Public Service Department, there may be direct vehicular access to Subarea B from the E. Dublin-Granville Road service road.

2. An access easement shall be provided to Subarea C from one or more vehicular access points on Subarea A. No other access shall be permitted unless specifically approved by the Public Service Department, Division of Traffic Management.

3. If Subarea B is developed with a single 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 primary street frontage. Other parking shall be located behind the principle building's front building façade as oriented to the primary street frontage. A building facing E. Dublin Granville Road shall be treated as fronting E. Dublin Granville Road, not Boardwalk Street, for purposes of this section.

4. If Subarea C is developed with a single use, there shall be no more than two (2) rows of parking spaces and a maneuvering aisle in front of the principle building. Other parking shall be located behind the principle building's front building façade.

**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 a public right-of-way 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. No portion of Section F(1) shall apply to any existing ground sign noted as "Existing Ground Sign" on the Site Plan referenced in Section I, Miscellaneous.

2. Any variance to applicable sign requirements other than as restricted for new ground signs in F(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, 183 +/- feet west of Zumstein Drive and adjacent to the east side of Boardwalk Street.

2. Existing Land Use: The site is developed with a closed grocery store and accessory parking. The retail fuel facilities have been removed.

3. Circulation: Site access shall be by easement from Subarea A and there may also be direct access to E Dublin Granville Road (Subarea B), subject to approval of the Public Service Department/Division of Traffic Management.



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 the change of use of the former grocery store for use as self-storage (interior storage only) and two (2) commercial outlots on the E. Dublin Granville Road frontage where there is currently a large parking field in front of the former grocery store.
7. Behavior Patterns: Vehicular access to Subareas B and C shall be by easement from Subarea A and there may also be direct access to E Dublin Granville Road (Subarea B), subject to approval of 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 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.

#### **I. Miscellaneous.**

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 shall be in accordance with the Site Plan titled "Preliminary Site Plan for 1000 E. Dublin-Granville Road", dated February 1, 2019, 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. Subareas B and C may be rezoned together or separately from each other and/or Subarea A.

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