



## Legislation Text

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**File #:** 2515-2016, **Version:** 2

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### **Rezoning Application Z16-036**

**APPLICANT:** Yasin Musa; 1209 Sea Shell Drive; Westerville, OH 43082; and Borhan Musa; 256 Baldwin Court; Westerville, OH 43082.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval ~~(3-1) on May 12, 2016~~ **(4-0) on September 8, 2016.**

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel zoned CPD, Commercial Planned Development District, and is developed with and limited to a drive-thru/carry out. The requested L-C-4, Limited Commercial District would allow for limited general commercial uses on the site. The limitation text allows C-4, Commercial District uses with an accompanied list of prohibited uses and commits to the preservation of two trees on the site. The site is located within the planning area of the *Northland I Area Plan* (2014), which recommends "community mixed use" at this location. The requested L-C-4, Limited Commercial District would allow redevelopment of the site along this commercial corridor while utilizing limitations and development standards consistent with established zoning and development patterns of the area.

To rezone **2601 EAST DUBLIN-GRANVILLE ROAD (43231)**, being 0.43± acres located on the south side of East Dublin-Granville Road, 470± feet east of Cleveland Avenue, From: CPD, Commercial Planned Development District, To: L-C-4, Limited Commercial District (Rezoning # Z16-036).

**WHEREAS**, application No. Z16-036 is on file with the Department of Building and Zoning Services requesting rezoning of 0.43± acres from CPD, Commercial Planned Development District, To: L-C-4, Limited Commercial District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District, is consistent with the land use recommendation of the *Northland I Area Plan*, and is compatible with the established 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**2601 EAST DUBLIN-GRANVILLE ROAD (43231)**, being 0.43± acres located on the south side of East Dublin-Granville Road, 470± feet east of Cleveland Avenue, and being more particularly described as follows:

Beginning at a point in the centerline of the Worthington-Granville Road (SH #161) a distance of 607.52 feet south-east

and measured along said centerline from the intersection of the Centerlines of the Worthington-Granville Road and Cleveland Avenue: thence with a deflection angle to the right of 75 degrees 45' South 4 degrees 57' 30" West passing a stake at 30.05 feet a distance of 234.98 feet to a stake on the common line between the lands of Clara A. Berlin and the lands of Floyd J. Dober: thence along said common line North 84 degrees 39' West a distance of 96.90 feet to a stake: thence across the lands of Clara L. Berlin North 4 degrees 57' 30" East passing a stake at 227.93 feet a distance of 248.88 feet to a point on the centerline of the Worthington-Granville Road; thence along said centerline South 70 degrees 47' 30" East a distance of 100.00 feet to the place of beginning and containing .55 acre of land more or less and subject to all legal highways.

Excepting therefrom:

Beginning at an iron pin at the intersection of the centerline of S.R. 161 and the centerline of Cleveland Avenue:

Thence leaving said intersection South 82 degrees 31' 38" East along the centerline of right-of-way S.R. 161 a distance of 506.55 feet to the Grantor's northwesterly property corner and the true place of beginning of the tract of land described herein, said true place of beginning being 24.41 feet right of Centerline Survey Station 710 + 88.46;

Thence leaving said true place of beginning South 72 degree 31' 38" East along the Grantor's northerly property line and the centerline of right-of-way of S.R. 161 a distance of 100.00 feet to the Grantor's northeasterly property corner;

Thence South 03 degrees 10' 32" West along the Grantor's easterly property line (passing the southerly right-of-way line of S.R. 161 at 30.96 feet) a distance of 52.19 feet to a point in the proposed southerly limited access right-of-way line of S.R. 161;

Thence North 72 degrees 31' 38" West along the proposed southerly limited access right-of-way line of S.R. 161 a distance of 100.00 feet to a point in the Grantor's westerly property line;

Thence North 03 degrees 10' 27" East along the Grantor's westerly property line (passing the southerly right-of-way line of S.R. 161 at 21.23 feet) a distance of 52.19 feet to the place of beginning, containing 0.116 acres, inclusive of 0.069 acres within the present road occupied.

Parcel 600-157970

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**TEXT**," signed by Borhan Musa, Applicant, dated August 30, 2016, and reading as follows:

**TEXT**

PROPOSED DISTRICTS: L-C-4

PROPERTY ADDRESS: 2601 E. Dublin Granville Rd. Columbus, OH 43231

OWNER: ZAAC Investments, LLC

APPLICANT: Yasin and Borhan Musa

DATE OF TEXT: August 30, 2016

APPLICATION: Z16-036

1. INTRODUCTION: This site is located at 2601 E. Dublin Granville Rd. Columbus, OH 43231. The applicant wants to change the zoning from CPD, Commercial Planned Development District to L-C-4, Limited Commercial District to

expand allowable uses on the site. The current CPD permits a drive-thru carryout for beer, wine, soft drinks and pizza only.

**2. PERMITTED USES:**

Those uses permitted under Section 3356.03 C-4, Commercial District of the Columbus City Code except for the following uses which are prohibited:

Animal Shelter  
Bars, Cabarets and Nightclubs  
Blood and Organ Banks  
Check Cashing and Loans  
Halfway House  
Missions/Temporary Shelters  
Monopole Telecommunication Antennas  
Motorcycle and Boat Dealers  
Pawn Brokers  
Recreational Vehicle Dealers  
Utility and RV (Recreational Vehicle) Sales, Rental and Leasing  
Billboards  
Automotive Sales, Leasing and Rental

**3. DEVELOPMENT STANDARDS:**

**A. DENSITY, HEIGHT, LOT AND /OR SETBACK COMMITMENTS:**

N/A

**B. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC RELATED COMMITMENTS:**

N/A

**C. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:**

Two (2) oak trees one near the southeast corner of the property approximately twenty-one (21) feet from the east property line the other near the southwest corner of the property approximately eleven (11) feet from west property line, will both remain as part of the landscape.

**D. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:**

N/A

**E. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:**

N/A

**F. GRAPHICS AND SIGNAGE COMMITMENTS:**

1. All graphics and signage shall comply with the Graphics Code, Article 15 Title 33 of the Columbus City Code as it applies to the C-4 commercial district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

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