



Legislation Text

File #: 0187-2021, **Version:** 2

Rezoning Application: Z20-079

APPLICANT: Blue Sky Car Wash; c/o Barry Nutter; 441 Keisel Court; Powell, OH 43065; and Ceso, Inc.; c/o Jarrod Mahaffey, Agent.; 2800 Corporate Exchange Drive, Suite 400; Columbus, OH 43231.

PROPOSED USE: Car wash.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on December 10, 2020.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with an eating and drinking establishment in the C-3, Commercial District that is located in a Regional Commercial Overlay (RCO). The requested CPD, Commercial Planned Development District will allow the development of a car wash. The site is within the planning area of the *The Northwest Plan* (2016), which recommends "Mixed Use 2" at this location, a commercial classification with residential uses supported. The development text commits to a site plan, landscaping plan, and building elevations, and includes development standards addressing site access, setbacks, and landscaping and screening. Variances for reduced parking setback lines, dumpster location, and elimination of the by-pass lane requirement are included in this request. The requested CPD, Commercial Planned Development District will allow a car wash with development standards that ensure that the proposal is compatible with adjacent commercial development and is consistent with the site design recommendations of *The Northwest Plan*.

Emergency Justification: The emergency request would allow for the owner to close on the property as originally scheduled, this month. A delay in closing would require the owner to obtain a contract extension which would require additional funds, unnecessarily. Emergency passage will allow client to avoid any extra, unnecessary costs during the purchasing of this site and maintain his projected construction schedule.

To rezone **3655 W. DUBLIN-GRANVILLE RD. (43235)**, being 1.0± acre located at the southeast corner of West Dublin-Granville Road and Martin Road, From: C-3, Commercial District, To: CPD, Commercial Planned Development District (Rezoning #Z20-079) **and to declare an emergency.**

WHEREAS, application #Z20-079 is on file with the Department of Building and Zoning Services requesting rezoning of 1.0± acre from C-3, Commercial District, to CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District will allow a car wash that is compatible with adjacent commercial development, and is consistent with the site design recommendations of *The Northwest Plan*;

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 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:

3655 W. DUBLIN-GRANVILLE RD. (43235), being 1.0± acre located at the southeast corner of West Dublin-Granville Road and Martin Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

Situate in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 4, Township 2, Range 19, United States Military Lands and being part of the 26.245 acre tract (Parcel 1) and Part of the 0.261 Acre Tract conveyed to PDI Columbus II Limited Partnership, by Deeds of Record in Official Record 7010D10 and Official Record 10529G08, respectively, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pin at a point of tangency in the southerly right-of-way line of Dublin-Granville Road (State Route 161, as dedicated by Plat of Record in Plat Book 69, Page 102). Said iron pin also being the easterly terminus of a curve connecting said right-of-way line of Dublin-Granville Road with the southeasterly right-of-way line of Martin Road;

Thence South 53°22'32" East, along said right-of-way line of Dublin-Granville Road, a distance of 130.00 feet to an iron pin;

Thence South 35°26'41" West, a distance of 324.32 feet to an iron pin in the easterly right-of-way line of Reflections Drive (being 60 feet in width);

Thence along said right-of-way line of Reflections Drive, being the arc of a curve to the left (Sub-Delta angle 22°37'24", Radius angle 541.41 feet), a chord bearing and distance of North 19°17'12" West, 212.39 feet to an iron pin at a point of tangency;

Thence North 30°35'54" West, continuing along said right-of-way line, a distance of 2.44 feet to an iron pin at a point of curvature of a curve to the right;

Thence along the arc of said curve (Delta angle 84°31'36", Radius angle 20.0 feet), a chord bearing and distance of North 11°39'54" East, 26.90 feet to an iron pin at a point of reverse curvature in the southeasterly right-of-way line of Martin Road (being 55 feet in width);

Thence along said right-of-way line of Martin Road, being the arc of a curve to the left (Delta angle 17°17'39", Radius angle 504.20 feet), a chord bearing and distance of North 45°16'53" East, 151.61 feet to an iron pin at a point of reverse curvature;

Thence along the arc of a curve to the right (Delta angle 89°59'25", Radius angle 30.0 feet), a chord bearing and distance of North 81°37'46" East, 42.42 feet to the place of beginning, containing 1.000 acre, more or less.

This description was prepared from existing records for zoning purposes and is not intended for deed purposes.

To Rezone From: C-3, Commercial 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 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 Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, “**BLUE SKY CAR WASH WEST COLUMBUS - SITE PLAN,**” “**BLUE SKY CAR WASH WEST COLUMBUS - LANDSCAPE PLAN,**” and “**BLUE SKY CAR WASH- EXTERIOR ELEVATIONS,**” and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT,**” all dated January 15, 2021, and signed by Jarrod Mahaffey, Agent for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT

ADDRESS: 3655 W Dublin Granville Road
PARCEL: 590-215163
CURRENT ZONING: C-3
PROPOSED ZONING: CPD
APPLICANT: Blue Sky Car Wash - Barry Nutter 441 Keisel Ct
Powell, Ohio 43065
AGENT: CESO, Inc - Jarrod Mahaffey
2800 Corporate Exchange Drive, Suite 400
Columbus, Ohio 43231
DATE: 1/15/2021
APPLICATION: Z20-079

1. INTRODUCTION:

The Site is a +/- 1.00-acre property, PID: 590-215163, located at the southern corner of the intersection of W Dublin Granville Road and Martin Road. The Site is previous developed as a restaurant, and zoned C-3. Applicant proposes to rezone the Site for development of a car wash. A CPD Plan is submitted as the development plan for the car wash.

2. PERMITTED USES:

All uses of Chapter 3356, C-4, Commercial District and the car wash use shall be permitted.

3. DEVELOPMENT STANDARDS:

The Site shall be developed as depicted on the submitted CPD Plan. Applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code, unless otherwise depicted on the CPD Plan or detailed in this Text. Variances to Parking Setback along Martin Rd, Drive-up stacking by-pass lane, and Dumpster location are included in this request.

A. Density, Height, Lot, and/or Setback commitments:

1. Building Setbacks shall be:
Front: 60-ft to W Dublin-Granville Rd; 25-ft to other road frontages Side & Rear: none
2. Parking Setbacks shall be:
Front: 10-ft to W Dublin-Granville Rd; 10-ft to Reflections Dr; none to Martin Rd

B. Access, Loading, Parking, and/or Traffic commitments:

1. Development of the site with a car wash shall be as depicted on the submitted CPD Plan.

2. Access to the Site shall be from Reflections Drive, with an Exit Only option to Martin Road.

C. Buffering, Landscaping, Open Space, and/or Screening commitments:

1. Buffering, Landscaping, and Screening shall be as depicted on the CPD Landscaping Plan.
2. Headlights shall be screened with a minimum of 3' tall shrubs with a year-round opacity of no less than 75%.

D. Building Design and/or Interior-Exterior Treatment commitments: N/A

E. Dumpsters, Lighting, Outdoor Display Areas, and/or Environmental commitments:

Dumpster enclosure to be screened with landscaping shrubs and enclosure to be made of solid materials that match building materials or with fenced in enclosure area. Dumpster location shall be in location noted on Site Plan, which is a variance from the Regional Commercial Overlay Landscaping and Screening standards (Section 3372.807 (E)).

F. Graphics and/or Signage commitments:

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-5, Commercial District, if the site is developed with a car wash, or the C-4 Commercial District, if developed with a C-4, Commercial District Use. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Other CPD Requirements:

1. Natural Environment: The site is previously developed with no existing natural environments or features. The proposed redevelopment will maintain and/or improve drainage and runoff characteristics
2. Activities: The site and area is already heavily trafficked due to on-site and surrounding commercial development, and the proposed project will have little effect on area activity. The proposed use, Car Wash, is one that is not abundant in the area, and located along an active Commuter Corridor, which will be a benefit to the community.
3. Behavior Patterns: The proposed redevelopment project changes the site use from Restaurant to Car Wash, and will thus develop mixed interest to this intersection, which is currently entirely Restaurant and/or Fast Food.
4. Circulation: Access to the Site shall be from Reflections Drive, with an Exit Only option to Martin Road. Adequate room for vehicle stacking and circulation has been accounted for in the site design
5. Form of the Environment: The density and scale of the construction is consistent and cohesive with the surrounding development. The proposed building construction, which has an iconic clear glass tunnel and feature identification towers with signage, makes the location easily and quickly identifiable as a Car Wash.
6. Views and Visibility: The Site will be visible from W Dublin Granville Road, a Suburban Commuter Corridor, as well as Martin Road and Reflections Drive. Primary access to the commercial complex the project resides within is controlled by a signalized intersection. No Residential or Parkland is in the project vicinity.
7. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H. Modification of Code Standards:

1. Section 3312.11, Drive-up stacking area. To eliminate the requirement for a by-pass lane for car wash.
2. Section 3312.27(4), Parking setback line. Eliminate the parking setback along the Martin Rd frontage.
3. Section 3372.807(E), Landscaping and screening. Dumpster will not be located behind the principal building.

I. Miscellaneous commitments:

Development of the site with a car wash shall be in accordance with the submitted site plan, elevations, and landscaping plan. The plans 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 Plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or a designee upon submission of the appropriate data regarding the proposed adjustment. The site plan is not applicable to any use other than a car wash, except, if a car wash is not developed on the site, then only the setbacks as shown on the site plan shall apply.

SECTION 4. ~~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.**