

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
DECEMBER 8, 2016**

- 13. APPLICATION: Z16-065**
Location: **5055 DIERKER ROAD (43016)**, being 0.61± acres located on the west side of Dierker Road, 560± feet north of County Corners Drive (010-2201454; Northwest Civic Association).
Existing Zoning: CPD, Commercial Planned Development District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Microbrewery and office uses.
Applicant(s): John Chess; 4263 Gavin Lane; Columbus, OH 43220.
Property Owner(s): Stevenson Family Ventures; 5055 Dierker Road; Columbus, OH 43220.
Planner: Shannon Pine; 614-645-2208; spine@columbus.gov

BACKGROUND:

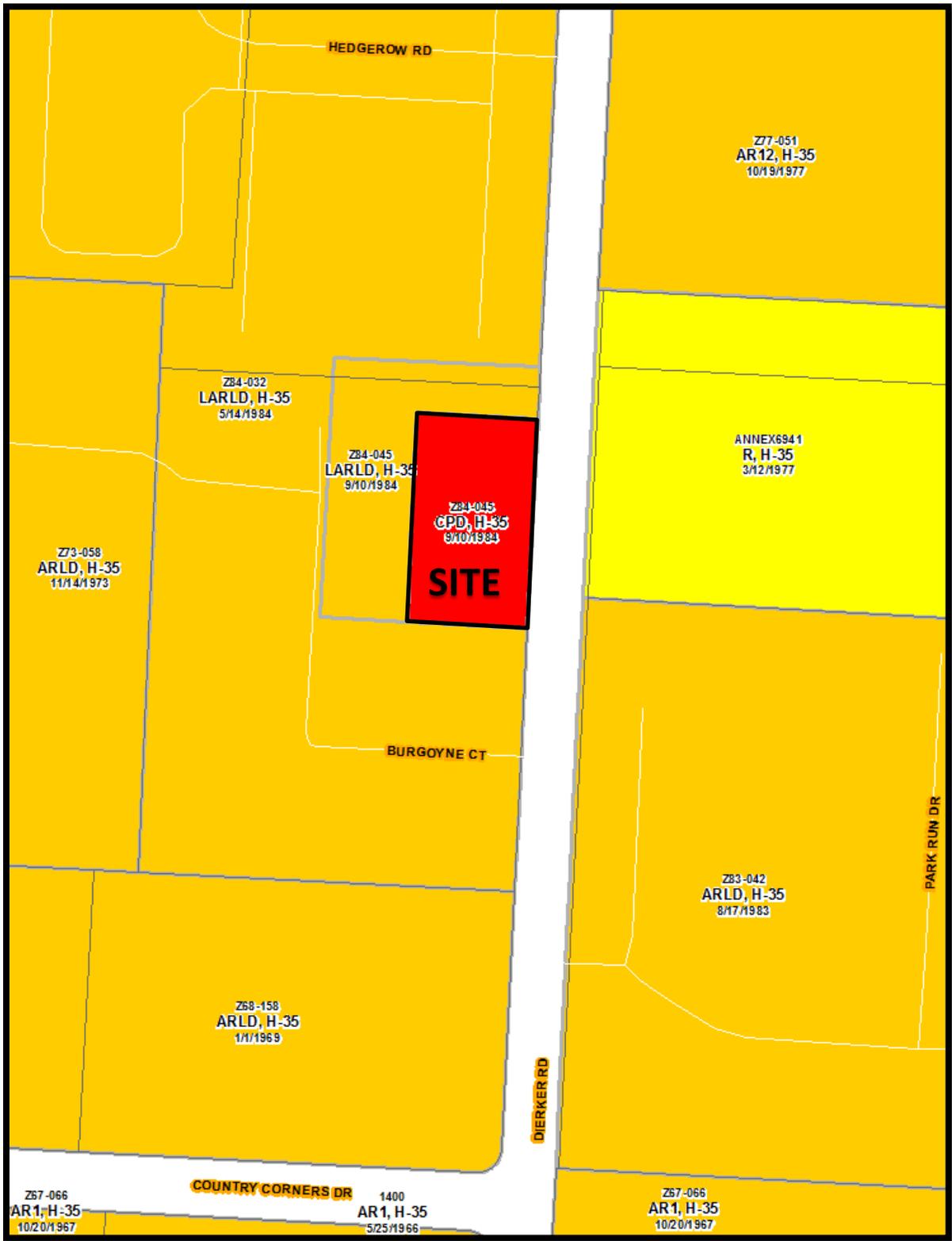
- o The site is listed on the Columbus Register of Historic Properties, and is developed with an office building zoned CPD, Commercial Planned Development District. The current CPD (Z84-045) only permits general office uses. The requested CPD will permit an eating and drinking establishment (microbrewery) and general office uses. A 1,900 square foot building addition and a 600 square foot patio are proposed for the microbrewery.
- o The site is surrounded by multi-unit residential development in the L-ARLD, Limited Apartment Residential, and ARLD, Apartment Residential districts. To the north and west is a permanent easement area also within the L-ARLD, Limited Apartment Residential District that is controlled by the current owner, and is limited to the existing development of a parking lot and accessory garage. Also to the east across Dierker Road is a church in the R, Rural District.
- o The CPD text commits to a site plan, and includes use restrictions and provisions for setbacks, access, landscaping, graphics, and a parking space reduction variance for 14 required spaces.
- o The site is within the planning area of the *Northwest Plan (2007)*, which does not recommend a specific land use for this location; however, the draft *Northwest Land Use Plan & Design Guidelines* recommends office uses for this site. The land use recommendation also provides criteria to evaluate a proposal that is inconsistent with the recommendation for office uses, such as development trends in the vicinity of the site and the proposed use relative to the best use of the site. Based on the historic status of the site and isolation of the site as an office use, Planning is supportive of the proposed use with the condition the existing parking setback on the south property line is maintained and all mature trees are preserved in order to maintain the historic character of the site. Planning supports the parking reduction due to existing conditions of the site, and recommends a shared parking arrangement for special events or additional parking

needs. Additionally, landscaping/screening is recommended for the east and south sides of the existing parking lot in order to provide headlight screening. The Planning Division defers to the Historic Resources Commission (HRC) with regards to design and materials for the proposed building addition. The HRC has recommended approval of the requested CPD district and associated variances.

- o The site is within the boundaries of the Northwest Civic Association who recommends approval of the requested CPD district with conditions being met.
- o Concurrent Council variance CV16-065 is included to permit off-site distribution and reduced distance separation for the proposed microbrewery. That request will be heard by City Council and will not be considered at this Development Commission meeting.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The proposed CPD, Commercial Planned Development District, will permit a microbrewery and patio in addition to the existing office uses. The CPD text includes provisions for setbacks, pedestrian connections, landscaping and screening, and incorporates a variance for a 14-space parking reduction. The CPD plan reflects the landscaping and screening commitments requested by the Planning Division. With the proposed development standards, the requested CPD, Commercial Planned Development District is compatible with adjacent residential uses.



Z16-065
 5055 Dierker Road
 Approximately .61 acres
 CPD to CPD
 13 - 3



Z16-065
5055 Dierker Road
Approximately .61 acres
CPD to CPD
13 - 4

CPD, COMMERCIAL PLANNED DEVELOPMENT TEXT

EXISTING DISTRICT: CPD, Commercial Planned Development District – C-2 Office Uses

PROPOSED DISTRICT: CPD, Commercial Planned Development District – C-2 Office and Special Use of Micro Pub with onsite retail and wholesale distribution (per CV16-065)

PROPERTY ADDRESS: 5055 Dierker Rd. Columbus, OH 43220

OWNER: Stevenson Family Ventures: 5055 Dierker Rd. Columbus, OH 43220

APPLICANT: John Chess Real Estate Broker, future owner

DATE OF TEXT: October 28, 2016

APPLICATION NUMBER: Z16-065

INTRODUCTION: The subject property ("Site") is .605 acres located on the west side of Dierker Rd between Bethel and Henderson Roads. The site is zoned CPD for office only uses from a 1986 rezoning. The site had been a residence that was a single family home constructed in 1850 time frame. The original use was a cattle farm owned by Joseph Henderson. It was a Revolutionary War Land Grant. The property has had only three owners, the Henderson Family, the Borrer family and the Stevenson family.

Applicant will work with the city Historic Preservation Office for determination as to the appropriate architectural designs for the new addition and any restoration or changes to the existing structures as this property is listed on the Columbus Register of Historic Properties.

1. **PERMITTED USES:** All office wugu'permitted in Columbus City Code Chapter 3353, C-2, Office Commercial District, and restaurant uses permitted in Chapter 3355, C-3, and Commercial District.

2. **DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapter 33611, CPD, Commercial Planned Development District, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standard, except as specifically set forth herein.

A. Density, Height, Lot and/or Setback Commitments.

1. The minimum parking and building setback along Dierker Road is 25 feet for parking and buildings.
2. The minimum parking and building setbacks along the south property line shall be 30 feet..
3. The minimum parking and building setbacks along the north and the west sides are requested to 0 feet as there is an easement on both of these..
4. Lot Coverage for Building and Pavement shall not exceed sixty (60) percent (%).

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

1. Existing ingress, egress, parking lot will be utilized. Any new access shall be approved by the Department of Public Service, Division of Traffic Management. The main entrance will be changed to 22' wide.

2. Bicycle spaces will be provided per code requirements. Bicycle racks that reflect the historic significance of the property will be incorporated as approved by the Historic Resources Commission and the Department of Public Service.

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

1. The existing 6' wood and masonry fence shall be maintained along the north and south sides of the property.

2. There will be screening along the parking lot in the form of new trellis on the south side of the property. On the east side, Burning Bush and Winged Euonymus (or similar species), and ornamental grasses will be planted between the planned sidewalk and the parking lot.

3. The five mature trees that are within the boundaries of the site shall be maintained and pruned for continued healthy growth.

D. Building Design and/or Interior-Exterior Treatment Commitments.

All exterior design elements and building materials will be approved by the Historic Resources Commission.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments. N/A

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the CPD, Commercial Planned Development. Any variance to the applicable requirements shall be submitted to the Columbus Graphics Commission.

2. The current sign monument for the address will be maintained. A Historical Placard is planned for the other existing entry monument which shall be reviewed and approved by the Historic Resources Commission.

G. Modifications of Code Standards.

1. 3312.03 & 3312.49 - OFF STREET PARKING: Request Variance to reduce required parking calculation total from 30 to 16 spaces. Permanent, Exclusive Easement is provided that allows use of 10 existing additional parking spaces on adjacent lot for grand total of 26 available parking spaces.

H. Other CPD Requirements

1. Natural Environment: The natural environment of the site is flat with established boundaries to neighboring properties. Utilities are in place to handle current and proposed additions.

2. Existing Land Use: The property is developed with a 3,760 sq. ft. 2 story office building and accessory parking.

3. Circulation: Access to and from the site is from Dierker Road and circulation is as shown on the site plan.

4. Visual Form of the Environment: The area surrounding the site is zoned for Residential use to the North, South and West. There is a large church with two parcels to the east on the other side of Dierker Rd...

5. Visibility: The site is visible from Dierker Road. Additional landscaping is proposed along the frontage to augment existing landscaping.

6. Proposed Development: Neighborhood Commercial Development. Micro Brew Pub with manufacturing) and with offices.

7. Traffic Studies and Patterns: A traffic study has been submitted to the Public Service Department, Division of Traffic Management.

8. A new sidewalk will be constructed in the front of the property to the front door of the historical portion of the building and connecting along the side of the building to the new entrance. This will tie into the new city planned sidewalks.

I. Miscellaneous Commitments

1. Development of the site shall be developed in accordance with the site plan titled "Henderson Farm Micro Pub & Brewery." The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development 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 a designee, upon submission of the appropriate data regarding the proposed adjustment. Historic accessory structures that are planned but that are not depicted on the plan shall be permitted if approved by the Historic Resources Commission.

2. Deliveries and trash pick-up will not occur outside the hours of 7AM to 7PM, and the developer will require this as part of any service agreement.

The undersigned, being the agent and future owner of the subject property together with the applicant in the subject application, or other authorized representatives do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code, except as permitted by this development text and drawings referenced herein.

SIGNATURE:

DATE:

STANDARDIZED RECOMMENDATION FORM

Department of Building & Zoning Services

Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number Z16-065 CV16-065

Address 5055 Dierker Rd. (43016)

Group Name NORTHWEST CIVIC ASSOCIATION

Meeting Date _____

- Specify Case Type**
- BZA Variance / Special Permit
 - Council Variance
 - Rezoning
 - Graphics Variance / Plan / Special Permit

- Recommendation**
(Check only one)
- Approval
 - Disapproval

NOTES:

 Approval vote is conditional

 Conditions: Good Neighbor Agreement (stating hours of operations
no outdoor music) Copy of Good Neighbor Agreement included

 Parking Lease agreement

Vote 10 yes - 0 no APPROVAL

Signature of Authorized Representative *Rosemarie Lisko*

Recommending Group Title Zoning Chair Northwest Civic Association

Daytime Phone Number 614- 985-1150

Please e-mail this form to the assigned planner within forty-eight (48) hours of your meeting day; or FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer



"Invest in Real Estate, Customers for Life"

**Good Neighbor Agreement
5055 Dierker Rd**

The following constitutes an agreement between Realty Invest Co and the Northwest Civic Association for the property located at 5055 Dierker Rd. Columbus, Ohio.

1. Hours of operation, (no outdoor seating after 10pm any day of the week)

Monday – Thursday	12:00 – 10:00 p.m.
Friday & Saturday	12:00 – 11:00 p.m.
Sunday	12:00 – 10:00 p.m.

2. No outdoor music

3. After the hours of 10pm no emission of noise (that includes outdoor patio and any noise emitting from the establishment)

4. Parking lease agreement with church across from the establishment located on Dierker Rd. which will become effective the day the establishment is open.

The above conditions shall constitute the agreement between the parties and said contract may not be altered except in writing signed by the two parties and shall be binding on the two parties during their occupation and use of the premises by Realty Invest Co.

This agreement signed on 11th day of November 2016

By _____

John Chess - President

11/11/2016

*Josephine Lisko 11/11/2016
Zoning Chair
Northwest Civic Assoc.*

4263 GAVIN LANE • COLUMBUS, OH • 43220

Ph: 614-402-0526 • Toll: 877-309-1031 • Fax: 866-452-2169

Steven R. Schoeny
Director

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF
DEVELOPMENT

HISTORIC DISTRICT COMMISSION RECOMMENDATION

HISTORIC RESOURCES COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 5055 Dierker Road
APPLICANT'S NAME: John Chess (Applicant)

Columbus Register Individual Listing #20
Stevenson Family Ventures (Owner)

APPLICATION NO.: 16-11-23

COMMISSION HEARING DATE: November 17, 2016

The Historic Resources Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3117 and the architectural guidelines:

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Location Requirements

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval Application #16-11-23 for the requested variances for the Columbus Register listed (CR #20) property located at 5055 Dierker Road, as indicated.

Variance Recommendation Requests

- CC3361.02: Permitted Uses – To allow a brewery with off-site distribution in the CPD District.
- CC3363.19: Location Requirements – To allow a business manufacturing alcoholic beverages to be located within less than 600 feet from the boundaries of a residential or apartment residential district.
- CC3312.03: Off Street Parking—To reduce required parking calculation total from 45 to 16 spaces. Easement provided that allows use of 11 parking spaces on adjacent lot for grand total of 27 available parking spaces.
- 3361.02: Planned Commercial Development—To permit M-1 Manufacturing Use within CPD District.
- 3361.04: PCD Performance Criteria—To reduce side and rear yard setback requirements from 25' to 0'.
- 3363.19: Location Requirements—To allow brewer to be located within 600 feet of a residential district.

Rezoning Recommendation Requests

- Change of zoning from CPD – Commercial Planned Development District to CPD – Commercial Planned Development District.
- The current CPD (Z84-045) only permits general office uses. The proposed CPD will permit an eating and drinking establishment (microbrewery) and general office uses.

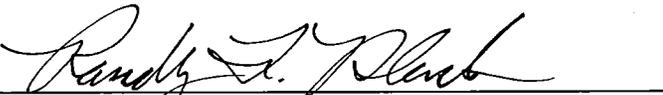
MOTION: Morgan/Henry (6-0-0) RECOMMEND APPROVAL



RECOMMENDATION:

RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



Randy F. Black
Historic Preservation Officer