



DEPARTMENT OF BUILDING AND ZONING SERVICES

REZONING APPLICATION

Department of Building & Zoning Services

Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 218-019 Date Received: 2/20/18
Application Accepted By: Fee: \$3840
Assigned Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 2136 Bethel Road, Columbus, Ohio Zip 43220
Is this application being annexed into the City of Columbus [ ] Yes [X] No (select one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.
Parcel Number for Certified Address 590158988
[ ] Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s) CPD Requested Zoning District(s) CPD
Area Commission Area Commission or Civic Association: Northwest Civic Association
Proposed Use or reason for rezoning request: See attached.
(continue on separate page if necessary)
Proposed Height District: H-35 Acreage 2.41 acres
[Columbus City Code Section 3309.14]

APPLICANT:

Name Graeter's Ice Cream Company, Attn: Richard Graeter
Address 1175 Regina Way Drive City/State Cincinnati, OH Zip 45216
Phone # (513) 721-6610 Fax # Email rich@graeters.com

PROPERTY OWNER(S):

Name ACV Livermore, LLC
Address 465 First Street West, Second Floor City/State Sonoma, CA Zip 95476
Phone # (707) 935-3700 Fax # (707) 935-3707 Email pww@acventures.com
[ ] Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) [X] Attorney [ ] Agent

Name Kevin M. Detroy, Esq., legal counsel to Graeter's Ice Cream Company
Address 255 East Fifth St., Ste. 1900 City/State Cincinnati, OH Zip 45202
Phone # (513) 977-8200 Fax # (513) 977-8141 Email: kevin.detroy@dinsmore.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE
PROPERTY OWNER SIGNATURE SEE ATTACHED CO-ACCEPT
ATTORNEY / AGENT SIGNATURE

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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**REZONING APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

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Assigned Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

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Parcel Number for Certified Address \_\_\_\_\_

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) \_\_\_\_\_ Requested Zoning District(s) \_\_\_\_\_

Area Commission Area Commission or Civic Association: \_\_\_\_\_

Proposed Use or reason for rezoning request: \_\_\_\_\_

(continue on separate page if necessary)

Proposed Height District: \_\_\_\_\_ Acreage \_\_\_\_\_

[Columbus City Code Section 3309.14]

**APPLICANT:**

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

**PROPERTY OWNER(S):**

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

Check here if listing additional property owners on a separate page

**ATTORNEY / AGENT** (CHECK ONE IF APPLICABLE)  Attorney  Agent

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

**SIGNATURES** (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_

PROPERTY OWNER SIGNATURE [Signature] VICE PRESIDENT, AD LIVERMORE, LLC

ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

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**AFFIDAVIT**

(See instruction sheet)

APPLICATION #: 218-019

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Kevin M. Detroy  
of (1) MAILING ADDRESS 255 East Fifth St., Ste. 1900, Cincinnati, OH 45202

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 2136 Bethel Road, Columbus, OH 43220  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 2/20/18

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS  
 Check here if listing additional property owners  
on a separate page.

(4) ACV Livermore, LLC  
465 First Street West, Second Floor  
Sonoma, CA 95476

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

Graeter's Ice Cream Company, Attn: Richard Graeter  
(513) 721-6610

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Northwest Civic Association  
Marilyn J. Goodman, Zoning Chair  
2991 Stillmeadow Drive, Dublin, OH 43017

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

SIGNATURE OF AFFIANT

(8) [Signature]

Sworn to before me and signed in my presence this 20<sup>th</sup> day of February, in the year 2018

SIGNATURE OF NOTARY PUBLIC

(8) Brian K. Groemminger

My Commission Expires:

Notary Seal Here



**BRIAN K. GROEMMINGER**  
Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.

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GRAETERS ICE CREAM CO.  
ATTN: RICH GRAETER  
1175 REGINA GRAETER WAY  
CINCINNATI OH 45216

ACV LIVERMORE LLC  
ATTN: PETER W WOHLFELLER  
465 1ST ST W 2ND FLOOR  
SONOMA CA 95476

KEVIN M DETROY ESQ  
DINSMORE & SHOHL LLP  
225 E FIFTH STREET  
SUITE 1900  
CINCINNATI OH 45202

NORTHWEST CIVIC ASSN  
ATTN: MARILYN J GOODMAN  
2991 STILLMEADOW DR  
DUBLIN OH 43017

2121 BETHEL ROAD  
INVESTORS LLC  
OR CURRENT OCCUPANT  
2121 BETHEL RD  
COLUMBUS OH 43220

2176 B HEDGEROW ROAD LLC  
5954 TULIP HILL RD  
COLUMBUS OH 43235

ADAMS SUSAN K  
OR CURRENT OCCUPANT  
2211 VICTORIA PARK DR  
COLUMBUS OH 43235

ALMEIDA JULIET F  
OR CURRENT OCCUPANT  
2176 H HEDGEROW RD  
COLUMBUS OH 43220

BJM INVESTMENTS INC  
87 KIMOTHY DR  
WESTERVILLE OH 43081

BOLING SHARON  
OR CURRENT OCCUPANT  
2167 VICTORIA PARK DR  
COLUMBUS OH 43235

BOYERS CHRISTINE L TOD  
OR CURRENT OCCUPANT  
5351 BETHEL PARK DR  
COLUMBUS OH 43235

BRIXMOR HOLDINGS 1 SPE  
LLC  
420 LEXINGTON AVE FL 7TH  
NEW YORK NY 10170

BUTLER JULIE L  
2566 TOPSHAM DR  
ROCHESTER HILLS MI 48306

CAMBRIDGE NATIONAL  
HOLDINGS LLC  
5564 MILLINGTON RD  
COLUMBUS OH 43235

CARIFA MARK  
12960 BENTWOOD FARMS DR  
PICKERINGTON OH 43147

CARROLL DONALD D  
OR CURRENT OCCUPANT  
5330 BETHEL PARK DRIVE  
COLUMBUS OH 43235

CENCI NICHOLAS G  
OR CURRENT OCCUPANT  
5358 BETHEL PARK DR  
COLUMBUS OH 43235

CIOTOLA ROBERT  
CIOTOLA AMY J  
1051 OLD HENDERSON RD  
COLUMBUS OH 43220

CLARK CAROLE J  
OR CURRENT OCCUPANT  
2163 VICTORIA PARK DR  
COLUMBUS OH 43235

CLINE TIMOTHY A  
CLINE DIANE M  
1500 SOLANA BLVD BLDG 1  
ROANOKE TX 76262

CROME SANDRA S  
OR CURRENT OCCUPANT  
2172 HEDGEROW RD UNIT G  
COLUMBUS OH 43220-6387

DAVISON THOMAS H  
DAVISON EILEEN M  
OR CURRENT OCCUPANT  
5312 N BETHEL PARK DR  
COLUMBUS OH 43235

DENG DAVID  
OR CURRENT OCCUPANT  
2172 HEDGEROW RD UNIT A  
COLUMBUS OH 43220

DWIGGINS JAN M  
OR CURRENT OCCUPANT  
2183 VICTORIA PARK DR  
COLUMBUS OH 43235

ELLIS DONALD R  
ELLIS DEBORAH S  
OR CURRENT OCCUPANT  
2164 C HEDGEROW RD  
COLUMBUS OH 43220

ELLIS DONALD R  
ELLIS DEBORAH S  
3231 E COUNTY RD 37  
TIFFIN OH 44883

FLAHERTY PATRICK M  
OR CURRENT OCCUPANT  
5315 BETHEL PARK DR  
COLUMBUS OH 43235

FRANK JESSE J  
FRANK MOLLEA K  
OR CURRENT OCCUPANT  
5314 BETHEL PARK DR  
COLUMBUS OH 43235-6172

GERBER BESSIE L  
OR CURRENT OCCUPANT  
2184 HEDGEROW RD UNIT A  
COLUMBUS OH 43220-6394

GORDON RYAN A LLC  
OR CURRENT OCCUPANT  
2941 MCPARTLAN  
COLUMBUS OH 43221

GRIFFIN ELLEN MOORE  
GRIFFIN LARRY  
OR CURRENT OCCUPANT  
2175 VICTORIA PARK DR  
COLUMBUS OH 43235

IGM ASSOCIATES LLC  
46 VAN ALLEN RD  
GLEN ROCK NJ 07452

JOTSINGHANI MONA  
JOTSINGHANI DINESH K  
8163 AVERY RD  
DUBLIN 443017

KYLER JEFFREY M  
KYLER KAREN D  
OR CURRENT OCCUPANT  
2196 HEDGEROW RD  
COLUMBUS OH 43220

LEE JOHN A & MARILYN E  
OR CURRENT OCCUPANT  
5333 BETHEL PARK DR  
COLUMBUS OH 43235

MAHADEVAN KATHYAYANI  
REDDY CHAITANYA K  
OR CURRENT OCCUPANT  
2179 VICTORIA PARK DR  
COLUMBUS OH 43235

MILLER SHARON  
OR CURRENT OCCUPANT  
5337 BETHEL PARK DR  
COLUMBUS OH 43235

OLFF VIRGINIA D  
604 MCKENNA DR  
WILLIAMSTOWN WV 26187

POWELL JACOB R  
POWELL MICHELLE  
OR CURRENT OCCUPANT  
2172 HEDGEROW RD UNIT B  
COLUMBUS OH 43220

RHOADS GORDON E & MARY I  
OR CURRENT OCCUPANT  
5339 BETHEL PARK DR  
COLUMBUS OH 43235

HALL JEROLD L  
HALL KARLA LYNN  
OR CURRENT OCCUPANT  
5310 BETHEL PARK DR  
COLUMBUS OH 43235

JEFFCOTT DAVID R  
PO BOX 779  
POWELL OH 43065

KIM HEA KYUNG  
KIM BYONG CHUL, KIM HEA SUN  
OR CURRENT OCCUPANT  
2209 VICTORIA PARK DR  
COLUMBUS OH 43235

LACASA HOLDINGS LLC  
PO BOX 20438  
COLUMBUS OH 43220

LOCKLIN EVELYN H  
OR CURRENT OCCUPANT  
5336 BETHEL PARK DR  
COLUMBUS OH 43235

MALHOTRA ARUN  
41 BLACKHORSE RUN  
BELLE MEAD NJ 08502

MINOT BETTY J TR  
3 BATEAU RD  
HILTON HEAD ISLA SC 29928

PIASECKI MEGAN  
OR CURRENT OCCUPANT  
5354 BETHEL PARK DR  
COLUMBUS OH 43235

RAMIREZ MARGARITA  
AMIRA ABRAHAM  
7746 WILLOW LAC CT  
DUBLIN OH 43016

SAN MIGUEL CHRISTOPHER  
SAN MIGUEL EDUARDO  
391 SUMMERWALK CIR  
CHAPEL HILL NC 27517

HASKINS WYMAN M  
FRANCES R CO-TRS  
OR CURRENT OCCUPANT  
5332 BETHEL PARK DR  
COLUMBUS OH 43235

JEFFCOTT DAVID R  
185 W SENECA DR  
POWELL OH 43065

KUHN KATHERINE L TR  
96 N 4TH ST  
COLUMBUS OH 43215

LAXMI GANESH HOLDINGS LLC  
6773 BARONET BLVD  
DUBLIN OH 43017

LUTZ JACK R & JOHANNA D  
OR CURRENT OCCUPANT  
5311 BETHEL PARK DR  
COLUMBUS OH 43235

MDMR L P  
1557 WESTWOOD AVE  
COLUMBUS OH 43212-6700

NISSIMOV FLORENCE  
OR CURRENT OCCUPANT  
5313 BETHEL PARK DR  
COLUMBUS OH 43235

PIOCH BEVERLY S  
OR CURRENT OCCUPANT  
2196 HEDGEROW RD  
COLUMBUS OH 43220-6399

RHINEHART WAYNE H  
RHINEHART JOYCE  
1861 ZOLLINGER RD  
COLUMBUS OH 43221

SEELIG RICHARD R  
OR CURRENT OCCUPANT  
5331 BETHEL PARK DR  
COLUMBUS OH 43235

SEIFERT DAVID A  
SEIFERT SHEILA R  
OR CURRENT OCCUPANT  
5353 BETHEL PARK DR  
COLUMBUS OH 43235

SOUTHERN MAGNOLIA  
PROPERTIES LTD  
PO BOX 1301  
POWELL OH 43065-1301

TALIAFERRO STEPHEN A  
OR CURRENT OCCUPANT  
2181 VICTORIA PARK DR  
COLUMBUS OH 43235

VEB PROPERTIES LLC  
3839 WOODBRIDGE RD  
COLUMBUS OH 43220

YANG BI-JONG  
1155 RETREAT LN  
MARION OH 43302

SHAN MEI H  
SHAN YUENG Y  
OR CURRENT OCCUPANT  
5335 BETHEL PARK DR  
COLUMBUS OH 43235

SUMMIT BUSINESS AND  
PROPERTIES LLC  
7646 PLEASANT COLONY CT  
LEWIS CENTER OH 43035

TARINI STEVEN M TR  
TARINI NANCY S TR  
1766 ARDLEIGH RD  
COLUMBUS OH 43221

WEIKART CYNTHIA A  
OR CURRENT OCCUPANT  
5316 BETHEL PARK DR  
COLUMBUS OH 43235

ZIGLER DAVID M  
ZIGLER LAMAR G, ZIGLER SONDR A E  
OR CURRENT OCCUPANT  
5334 BETHEL PARK DR  
COLUMBUS OH 43235

SIGLER JASON  
YU JUHUI  
OR CURRENT OCCUPANT  
5348 BETHEL PARK RD  
COLUMBUS OH 43235

SWARTHOUT JANET D SOTO  
SOTO LOURDES M  
2144 EASTWOOD LN  
PORTSMOUTH OH 45662

VAZIRANI JOGESH N  
OR CURRENT OCCUPANT  
2200-F HEDGEROW RD  
COLUMBUS OH 43220

WU XI  
245 LAWRENCE ST APT 2  
NEW HAVEN CT 06511

**REZONING APPLICATION**

Department of Building & Zoning Services  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

**PROJECT DISCLOSURE STATEMENT**

Parties having a 5% or more interest in the project that is the subject of this application.  
**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #: 218-019

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Richard Graeter  
of (COMPLETE ADDRESS) 1175 Regina Way Drive, Cincinnati, OH 45216  
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. <u>GRAETER'S ICE CREAM COMPANY</u> <u>1175 REGINA WAY DRIVE</u> <u>CINCINNATI, OH 45216</u> <u>COLUMBUS EMPLOYEES: 250</u>	2. <u>ACV LIVERMORE, LLC</u> <u>465 FIRST STREET WEST, 2ND FLOOR</u> <u>SANOMA, CA 95476</u> <u>COLUMBUS EMPLOYEES: 0</u>
3. <u>RICHARD GRAETER</u> <u>(513) 721-6610</u>	4. <u>PETER W. WOHLFEILER</u> <u>(707) 935-3700</u>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

[Signature]

Subscribed to me in my presence and before me this 20th day of FEBRUARY, in the year 2018

SIGNATURE OF NOTARY PUBLIC

[Signature]  
MAY 26 2020

My Commission Expires:

*This Project Disclosure Statement expires six months after date of notarization.*



**DAVID BLINK**  
**NOTARY PUBLIC**  
**STATE OF OHIO**  
**Comm. Expires**  
**May 26, 2020**

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## **Z18-019 – Legal Description**

### **Description of 2.413 acres at Bethel and Dierker Roads**

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Quarter Township 4, Township 2, Range 19, United State Military Lands, and being 2.413 acres out of a 164.419 acre tract conveyed to Bethel Road Investments Co. in Official Record (OR) 2642 C-16 and corrected in OR 4391 H-01, found in the Franklin County Recorders Office, said 2.413 acre tract being shown on a plat of survey of 17.900 acres by R.D. Zande & Associates, Lmt. in June 1993, found in the records at the Franklin County Engineers (FCE) survey records office;

All records referred to were found in the Franklin County Recorders Office, unless otherwise noted;

TO FIND the place of beginning, COMMENCE at FCE monument AFCGS 1173" at the intersection of Bethel Rd. (120 feet wide) and Dierker Rd. South (60 feet wide), as shown on the centerline plat of Bethel Rd., Plat Book (PB) 73, pgs.52 and on the Dedication of Dierker and Bethel Rods. Plat, PB 2, pg. 40;

THENCE North 86 degrees 29 minutes 57 seconds West, a distance of 48.34 feet, along the centerline of Bethel Rd., to a point;

THENCE North 3 degrees 30 minutes 03 seconds East, a distance of 60.00 feet to a set iron pin, being in the north line of Bethel Rd. and being a southeast corner of the said 2.413 acre tract, for the TRUE PLACE OF BEGINNING;

THENCE 86 degrees 29 minutes 57 seconds West, a distance of 284.91 feet, along the north line of Bethel Rd. and the south line of the said 2.413 acre trace, to a set iron pin, being the southeast corner of The Lakes at Bethel Park, Condominium Plat (CP) 59, pg. 69;

THENCE 3 degrees 30 minutes 21 seconds East, a distance of 344.99 feet, along the west line of the said 2.413 acre tract, the east line of the said The Lakes at Bethel Park, and an east line of The Lakes at Bethel Park, 2nd Amd., CP 64, pg. 57, to a found 3/4 inch iron pipe (0.2 feet below grade), being a northeast corner of the said The Lakes at Bethel Park, 2nd Amd., a corner of a 17.900 acre tract conveyed to Borrer Corporation in OR 23131 C-04, and the northwest corner of the said 2.413 acre tract;

THENCE South 86 degrees 28 minutes 58 seconds East, a distance of 304.76 feet, along the north line of the said 2.413 acre tract and south line of the said 17.900 acre tract, to a found 3/4 inch iron pipe with cap (stamped RDZ), being northeast corner of the said 2.413 acre trace, the southeast corner of the said 17.900 acre trace, and a point in the west line of Dierker Rd.;

THENCE around a curve in a clockwise direction having a delta angle of 01 degrees 10 minutes 09 seconds, an arc distance of 15.20 feet, a radius of 745.00 feet, and a chord of South 2 degrees 55 minutes 16 seconds West, a distance of 15.20 feet, along the east line of the said 2.413 acre tract and the west line of Dierker Rd., to a found 3/4 inch iron pipe, being a corner of the said 2.413 acre tract and a point of tangency in the west line of Dierker Rd.;

THENCE South 3 degrees 30 minutes 21 seconds West, a distance of 309.70 feet, along the east line of the said 2.413 acre tract and the west line of Dierker Rd., to a set iron pin, being a southeast corner of the said 2.413 acre tract;

THENCE around a curve in a clockwise direction having a delta angel of 89 degrees 59 minutes 42 seconds, an arc distance of 31.41 feet, a radius of 20.00 feet, and chord of South 48 degrees 30 minutes 12 seconds West, a distance

of 28.28 feet, along a line of the said 2.413 acre trace, to the TRUE PLACE OF BEGINNING containing 105100 square feet or 2.413 acres, according to the survey by Paul K. Moore and Associates in December of 1995;

All iron pins set are 30 inches long and 5/8 inch in diameter with a yellow cap stamped AP K MOORE RS 5883" and all iron pipes found are at grade and in good condition, unless otherwise notes;

The Basis of Bearings for this survey is the centerline of Bethel Rd. as being North 86 degrees 29 minutes 57 seconds West, as shown on the said plat of survey of 17.900 acres;

## COMMERCIAL PLANNED DEVELOPMENT DISTRICT TEXT

**PROPOSED DISTRICT:** CPD  
**PROPERTY ADDRESS:** 2136 Bethel Road  
**OWNER:** ACV Livermore, LLC  
**APPLICANT:** Graeter's Ice Cream Company  
**DATE OF TEXT:** 2/20/2018  
**APPLICATION NUMBER:** Z18-019

**1. INTRODUCTION:** The site was previously zoned CPD in 2004 to permit an appliance store to operate on the property and in 1997 a pharmacy / drug store to operate on the property. The site was subsequently rezoned in 2011 to permit a Family Dollar to operate on the Property. The applicant is seeking to reuse the existing building and site as a Graeter's Ice Cream with office space with only minor modifications to the CPD text. The site is fully developed with a brick building, parking and landscaping to the west and north as detailed in the previous rezoning application Z04-023.

**2. PERMITTED USES:** The permitted uses shall be retail uses as permitted by the C-3, Commercial District, Ice Cream and Yogurt Stores, a discount department store, and all other uses permitted in the C-2, Commercial District of the Columbus Zoning Code excepting the following uses: art studio, post office, public park and recreation centers, radio and television broadcasting stations and studios, and schools. The business shall close by 10:00 p.m. every night.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated in the text or the Site Plan, the development standards for C-2 as contained in Chapter 3353 of the Columbus City Code shall apply.

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

1. Minimum building setback is eighty feet 80' from Dierker Road and 130' from Bethel Road.
2. The setback for the parking shall be 10' from Dierker Road and 60' from Bethel Road.

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

1. All circulation, curb cuts and access points shall be maintained in their existing locations as indicated on the attached site plan subject to the approval of the Planning and Operations Division.
2. Loading areas shall be screened by opaque material and/or landscaping to a minimum of height of seven 7' feet. Loading area along the north side of the building is screened by a seeded 8' mound with tree and shrub planting per the attached landscape plan.

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

The existing landscaping on the site as of the date of this approval shall be maintained.

1. Landscaping is provided parallel and adjacent to Bethel Road for a minimum of 50% of the frontage.
2. Existing tree planting will be maintained at the minimum 3" caliper located a minimum of 1 per 40 linear feet of Bethel Road frontage, located a minimum of 70 feet from the Bethel Road centerline (85' max).

3. All existing parking areas along Bethel Road and Dierker Road have headlight screening. Bethel Road screening of 3' continuous seeded earth mounding will be maintained. Continuous existing shrubbery row of minimum 30" height will be maintained along Dierker Road. Height measured from the adjacent parking area.

4. The required screening in this section shall be counted in determining compliance with the required landscaping sections in Chapter 3312 of the Columbus City Code. No additional landscaping of the parking area shall be required.

5. Dead items will be removed and replaced with identical type and size material. Landscaping will be maintained on an ongoing basis.

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

1. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.

2. Dumpsters and all ground-mounted mechanical equipment shall be located at the rear of the building.

3. An attached outdoor patio, as and where depicted on the attached Site Plan, shall be permitted.

#### E. Lighting, Outdoor Display Areas, and/or Other Environmental commitments.

1. All accent lighting shall be concealed from the adjacent right of way.

2. Light poles in parking lot shall not exceed 20' in height.

#### F. Graphics and Signage Requirements

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 District and the Regional Commercial Overlay. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

2. The existing monument sign boxes shall be reused to advertise the business. The existing monument sign boxes may be replaced with Graeter's sign boxes. No other freestanding signs shall be installed.

#### G. Miscellaneous

1. The site shall be developed in general conformance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

2. The former drive thru window and access lane on the west side of the building may be used to serve ice cream store customers during all business hours.

#### H. CPD Criteria

1. Natural Environment

The site developed as a vacant Family Dollar Store

2. Existing Land Use

To the west and north are condominiums, to the south and east are commercial developments.

3. Proposed Use: Ice Cream and Yogurt Store/Office

4. Transportation and Circulation

Access will be from Dierker Road and Bethel Road via the existing curb cuts.

5. Visual Form of the Environment

The visual form of the development has been established and will not change.

6. View and Visibility

View and visibility of the development has been determined and will remain as it is now.

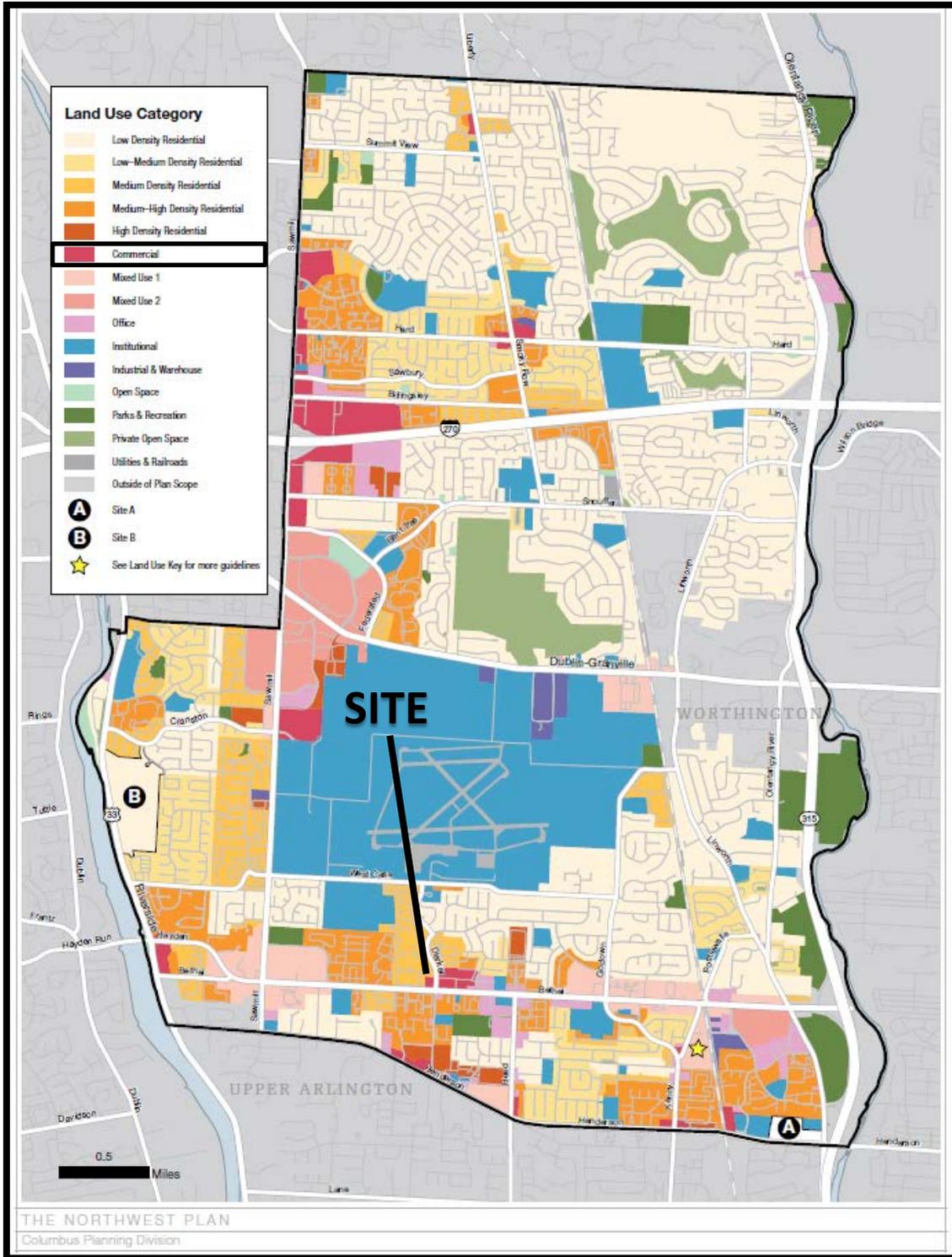
7. Emissions

No adverse emissions are expected from this development.

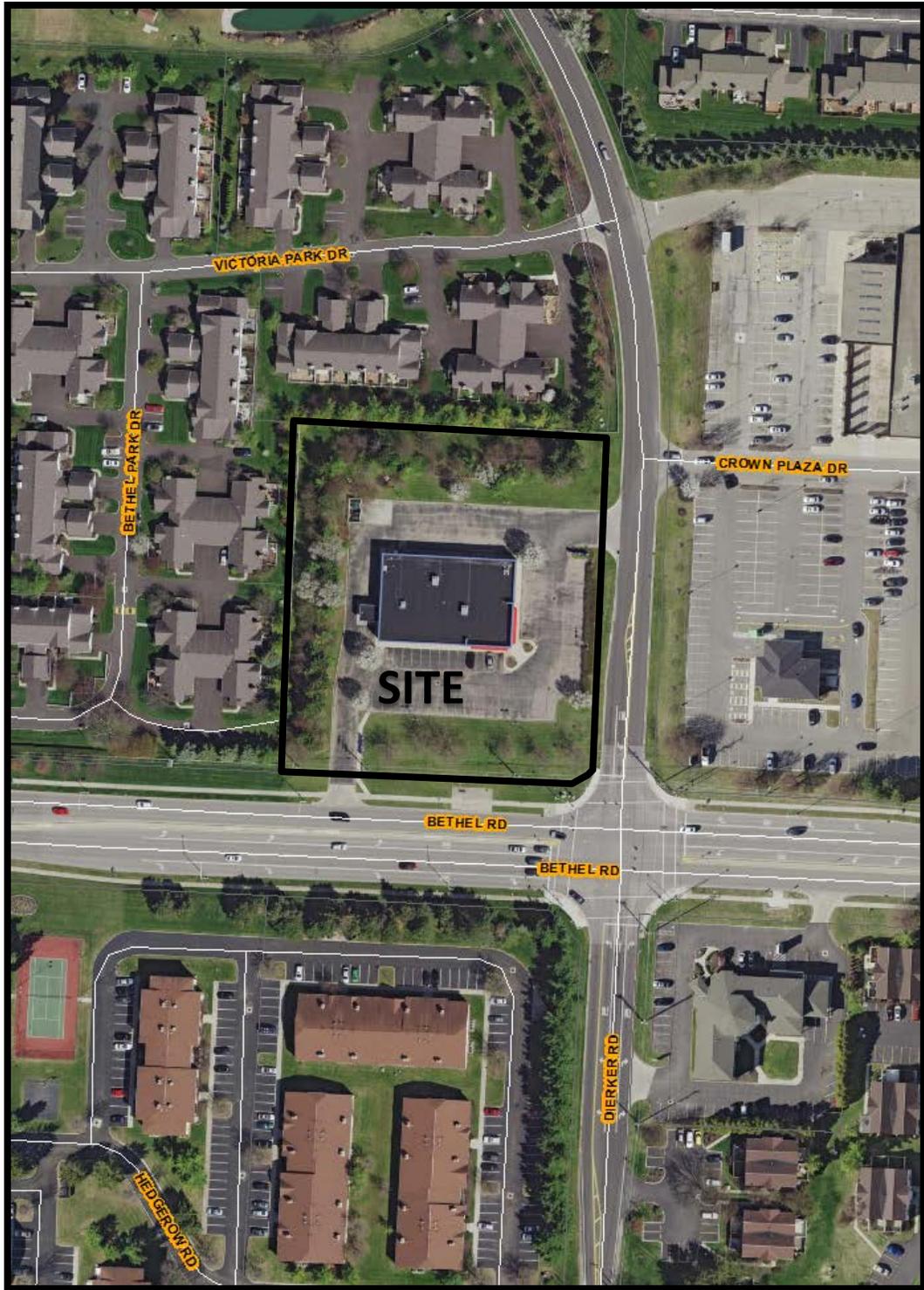




Z18-019  
2136 Bethel Road  
Approximately 2.41 acres  
From CPD to CPD



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