



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(April 29, 2025 Meeting)**

STAFF REPORT

Docket No. / Project Title: CDS-2025-009 (7Brew)
Staff: Melissa Begley

Applicant: NetLease Properties, LLC – 7Brew
Property Size: 15,246 square feet
Current Zoning: CC (Commercial: Community)
Location: 2310 North National Road, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed 2 variances are for the purpose of redeveloping the property for a new drive-thru coffee shop totaling 510 square feet. The applicants are requesting to waive the Type A buffer that is required along the west property line and to reduce the parking lot setback along National Road from 10 feet to 5 feet.

Preliminary Staff Recommendation:

Variance #1 (Buffer) - Approval, all criteria have been met.
Variance #2 (Parking Lot Setback) – Approval, all criteria have been met.

Zoning Ordinance Considerations:

District Intent: The intent of the CC (Commercial: Community) zoning district is as follows: to establish appropriate locations for a variety of businesses providing a variety of goods and services to (1) community-wide consumers and (2) those who travel through or visit the area. This zoning district is not intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.

Development Standards:

Zoning Ordinance Section 8.2(D) states a Buffer Yard Type A is required where a CC zoning district abuts a RS4 zoning district and shall include a minimum width of 25 feet in addition to the minimum setback required by the Zoning Ordinance.

Zoning Ordinance Section 7.2(Part 4)(B)(1) Parking Lot Front Setback: All parking spaces and driveways shall maintain a minimum setback of 10 feet from the existing or planned right-of-way, whichever is greater, of all adjacent streets and roads.

Current Property Information:	
Land Use:	Expressions Ink Tattoo & Mine, Yours & Theirs Thrift Store

Site Features:	2 small commercial buildings and associated parking
Flood Hazards:	No flood hazards exist on the property.
Vehicle Access:	23rd Street (Local, Commercial, Suburban) National Road / US 31 (Principal Arterial, Commercial, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CC (Commercial: Community)	Commercial Strip Center (State Farm Insurance, A Cut Above Hair Salon)
South:	CC (Commercial: Community) RS4 (Residential: Single Family 4)	Chipotle Restaurant Single family residential
East:	CC (Commercial: Community)	Walgreens, Pizza Hut Restaurant
West:	RS4 (Residential: Single Family 4)	Single family residential

Interdepartmental Review:	
City Engineering:	No concerns.
City Utilities:	No concerns.
Code Enforcement:	No comments.
INDOT:	No comments.
Fire Department:	The parking lot and the west drive are a little narrow for fire department access. I know the building is small but it is really a benefit for the fire department to have at least 16 feet drive lanes. The 16 feet allows us drive around other emergency response vehicles such as ambulances in the event of an EMS call. The 24 feet wide entrances allow our apparatus sufficient turning radius if another vehicle is waiting to turn out of the parking lot.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. There are currently 2 commercial buildings (4,430 square feet total) and 15 parking spaces on the subject property. The existing buildings, parking, and other site features were developed in the 1960s and 1980s and are not compliant with a number of current zoning regulations, specifically related to parking lot design. The applicants would like to demolish the existing buildings and construct a new

510 square foot drive-thru coffee shop with 8 parking spaces. The proposed redevelopment of the property will require all site features, including parking and buffering, to be brought into compliance with the current regulations.

2. The applicants have indicated the site will be a drive-thru restaurant with no internal seating. The Zoning Ordinance requires 10 vehicle stacking spaces per service window for drive-thru restaurants. The applicants are proposing a single service window in the building with 2 drive-thru lanes and approximately 12 stacking spaces.
3. The subject property is zoned CC (Commercial: Community) and abuts residential property zoned RS4 (Residential: Single-Family) to the west. A Buffer Yard Type A of 25 feet, plus a 10 foot building setback, for a total setback of 35 feet is required along the west property line abutting the adjacent residential. In addition, landscaping is required within the buffer. For example, a staggered row of evergreen trees would be required within the buffer, or a 100% opaque fence with landscaping. The applicants are proposing to provide a 12-foot wide setback from the west property line and include in that space a 6 foot tall masonry fence and 6 evergreen trees. For a Type A buffer with a fence, 80 landscape "points" are required; 90 landscape points have been provided with the 6 emerald arborvitae trees.
4. The commercial properties to the north and the south of the subject property do not provide any buffer and little to no setback along their similar west property lines, that also adjoin homes. However 100% opaque fences are present. The property to the north was developed in the 1960's. The property to the south received a variance to eliminate the buffer to the west in 1989.
5. As shown on the drawings provided by the applicant, the subject property's dumpster is located on the northwest side of the property adjacent to the home and 9 feet from that shared property line. Dumpsters can be associated with odor, overflowing trash and noise, particularly when being emptied by a garbage truck.
6. The carport for the home to the west sits approximately 4 feet from the east property line and the living portion of the home sits approximately 16 feet from the property line. The proposed dumpster enclosure would be 25 feet from the home.
7. The applicants are requesting to reduce the required 10 foot parking lot setback along National Road to 5 feet. They have indicated this allows for additional space to be provided along the west property line. As currently developed, the property provides no parking lot setback.
8. A five foot parking lot setback with the required landscaping will not restrict intersection sight visibility for drivers with parked vehicles at the corner of 23rd Street and National Road, as shown in the graphic below.



9. The property is 15,246 square feet in size. The Zoning Ordinance requires a 10 foot building and parking lot setback along 23rd Street and a 10 foot building and parking lot setback along National Road. A 10 foot wide building and 5 foot wide parking lot setback is required along the north property line and the 35 foot wide buffer is required along the western property line. The remaining buildable area is approximately 8,838 square feet. 41% of the site is encumbered by setback and buffer requirements.

Provisional Findings of Fact/Decision Criteria – Buffer:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The applicants are proposing a 12 foot setback with a 6-foot tall masonry wall and landscaping rather than the 35 foot required buffer. Landscaping and a masonry wall be provided and the reduced width for this overall setback will not be injurious to the public health, safety, morals, and general welfare of the community. *This criterion has been met.*

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The applicants propose a 6 foot tall masonry wall and evergreen plants to create a visual screen between the subject property and the neighboring residential property. It will not be a 35 foot wide buffer, however, with the masonry wall and evergreen plants the residential property will not be affected in a substantially adverse manner. *This criterion has been met.*

- 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The redevelopment of this site is presented with a practical difficulty due to its relatively small size in a suburban context. The zoning ordinance requires a 35 foot buffer along the west property line. A ten foot setback is required along US 31 and along 23rd Street. And, a 10 foot building and 5 foot parking lot setback are required along the north property line. These setbacks reduce the buildable area to 8,838 square feet (59% of the property), making it practically difficult to accommodate the required parking, required drive widths, a commercially viable building, and dumpster associated with contemporary commercial development. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria – Parking Lot Setback:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The parking lot will be setback a minimum of 5 feet along National Road and cars parked in those parking spaces will not create a sight visibility issue at the nearby National Road / 23rd Street intersection. The City Engineer's Office indicated no concerns and INDOT has provided no comment, indicating no objections to the reduced setback. Therefore, the reduced setback will not be injurious to the public health, safety, morals, and general welfare of the community. *This criterion has been met.*

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The proposed parking lot setback will be a minimum of 5 feet in width. In many cases, parking lots of the adjacent uses have even lesser setbacks and extend to the edge of the existing right-of-way. Therefore, nearby properties should not be affected in a substantially adverse manner. *This criterion has been met.*

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The redevelopment of this site is presented with a practical difficulty due to its relatively small size in a suburban context. The zoning ordinance requires a 35 foot buffer along the west property line. A ten foot setback is required along US 31 and along 23rd Street. And, a 10 foot building and 5 foot parking lot setback are required along the north property line. These setbacks reduce the buildable area to 8,838 square feet (59% of the property), making it difficult to accommodate the required parking, required drive widths, a commercially viable building, and dumpster associated with contemporary commercial development. *This criterion has been met.*

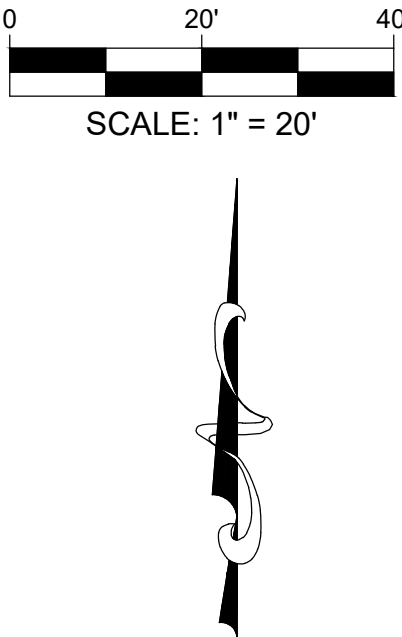
Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

P:_7252 Net Lease General\8528 Columbus IN 7Brew (2310 N National)\8528 Plan Submittal\1. Board of Zoning Appeals Variance Submittal\CAD\Buildable Area - Topographic Survey - 04-11-25.dwg
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BUILDABLE AREA EXHIBIT



SITE NOTES:

1. This site is zoned to CC Commercial Community District per the City of Columbus, IN.
2. Building setback lines as per the City of Columbus, IN Zoning Code:
Front Yard (Along National Road)= 10' (Per City Staff)
Front Yard (Along 23rd Street)= 10'
Side Yard= 10'
Rear Yard= 10'
3. Buffer yard requirements as per the City of Columbus, IN Zoning Code:
Along West Property Line= 25'
Where a CC-Commercial Community District abuts a RS4-Residential Single Family 4, a 'Type A' Buffer Yard is required.
Per Article 8.2.D - Buffer Yard Type A shall include a minimum width of 25' in addition to the minimum setback required.
4. Parking lot landscaping setbacks as per the City of Columbus, IN Zoning Code:
Front Yard (Along National Road)= 10'
Front Yard (Along 23rd Street)= 10'
Side Yard= 5'
Rear Yard= 5'

AREA SUMMARY in SQUARE FEET	
PARKING/DRIVES RESTRICTED AREA	5,918± 38% OF SITE
BUILDING RESTRICTED AREA	6,408± 41% OF SITE
TOTAL TRACT	15,471±

TOPOGRAPHIC LEGEND	
DESCRIPTION	EXISTING
AERIAL ELECTRIC	— AE —
UNDERGROUND ELECTRIC	— UE —
UNDERGROUND TELEPHONE	— UT —
GAS LINE	— G —
WATERLINE	— W —
SANITARY SEWER	— SS —
STORM SEWER	=====
EASEMENT	— — —
PROPERTY LINE	— — —
GUARD RAIL	— X — X — X —
CHAINLINK FENCE	— X — X — X —
BARBWARE FENCE	— X — X — X —
CONTOURS	— 100 —
UTILITY POLE	o
GUARD POST	o
SANITARY MANHOLE	o
WATER VALVE	o
FIRE HYDRANT	o
CATCH BASIN	o
JUNCTION BOX	o
FLARED END SECTION	o
CLEANOUT	o
GRATED INLET	o
SOIL BORING	o

NOTE:
EXISTING FIELD DATA SHOWN HEREON WAS
GATHERED BY KUHN & GUSTAFSON LAND
SURVEYING ON FEBRUARY 2, 2025

Three working days prior to the
start of any excavation on this
site the Contractor shall contact
1-800-382-5544 for utility
location information.

The contractor shall verify and implement all
the required Federal Occupational Safety and
Health Administration (OSHA) and/or OSHA
approved state-plan regulations established for
the type of construction required by these plans.

PRELIMINARY DRAWING

FOR REVIEW PURPOSES ONLY
NOT TO BE USED FOR CONSTRUCTION

bfaeng.com

TELEPHONE: (636) 239-4751

103 ELM STREET WASHINGTON, MISSOURI 63090

COLUMBUS, INDIANA
Net Lease Properties LLC
PO BOX 100843
Fort Worth, TX 76185

REVISIONS

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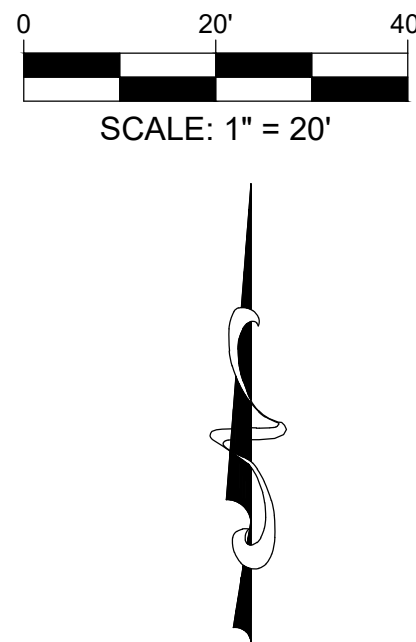
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BUILDABLE AREA
EXHIBIT

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SITE PLAN



TWO VARIANCES REQUESTED:

1. TYPE A BUFFER YARD ALONG WEST PROPERTY LINE

REQUIRED:
MINIMUM OF 25' WIDTH ALONG WEST PROPERTY LINE (ADJACENT PROPERTY ZONED RS4) IN ADDITION TO THE MINIMUM 10' BUILDING SETBACK.

TOTAL REQUIRED BUFFER WIDTH = 35'

PROPOSED:
12' LANDSCAPE SETBACK ALONG WEST PROPERTY LINE. LANDSCAPED AREA IS PROPOSED TO INCLUDE A 6' TALL MASONRY FENCE AND PLANTINGS (I.E. GRASS AND TREES ANTICIPATED).

2. FRONT YARD PARKING LOT LANDSCAPE SETBACK

REQUIRED:
10' LANDSCAPE SETBACK FROM RIGHT OF WAY

PROPOSED:
5' LANDSCAPE SETBACK FROM RIGHT OF WAY
(EXISTING SITE HAS A 0' SETBACK)

SITE NOTES:

1. This site is zoned to CC Commercial Community District per the City of Columbus, IN.

2. Building setback lines as per the City of Columbus, IN Zoning Code:

Front Yard (Along National Road) = 10' (Per City Staff)
Front Yard (Along 23rd Street) = 10'
Side Yard = 10'
Rear Yard = 10'

3. Buffer yard requirements as per the City of Columbus, IN Zoning Code:

Along West Property Line = 25'

Where a CC-Commercial Community District abuts a RS4-Residential Single Family 4, a 'Type A' Buffer Yard is required.

Per Article 8.2.D - Buffer Yard Type A shall include a minimum width of 25' in addition to the minimum setback required.

4. Parking lot landscaping setbacks as per the City of Columbus, IN Zoning Code:

Front Yard (Along National Road) = 10'
Front Yard (Along 23rd Street) = 10'
Side Yard = 5'
Rear Yard = 5'

SITE PLAN LEGEND		
DESCRIPTION	PROPOSED	EXISTING
AERIAL ELECTRIC	—AE—	—AE—
UTILITY POLE	•	•
GUARD POST	GP	GP
SANITARY MANHOLE	●	●
CATCH BASIN	■	■
JUNCTION BOX	●	○
FLARED END SECTION	▤	▤
CLEANOUT	•	•
GRATED INLET	⊠	⊠
GUARD RAIL	—>—	—>—
FENCE	—•—	—•—
WATER VALVE	•	•
FIRE HYDRANT	•	•
EASEMENT	----	----
PROPERTY LINE	=====	=====

PARKING DATA

PROPOSED BUILDING (7BREW) 510 S.F.

CITY REQUIRED PARKING:

RETAIL USE:
1 SPACE PER 250 SQ FT OF GFA.

TOTAL REQUIRED: 2 SPACES

PROVIDED STANDARD SPACES 7 SPACES
PROVIDED H.C. ACCESSIBLE SPACES 1 SPACES
PROVIDED TOTAL PARKING 8 SPACES

PROVIDED OVERALL PARKING RATIO: 15.69/1,000 S.F.

Three working days prior to the start of any excavation on this site the Contractor shall contact 1-800-382-5544 for utility location information.

The contractor shall verify and implement all the required Federal Occupational Safety and Health Administration (OSHA) and/or OSHA approved state-plan regulations established for the type of construction required by these plans.

PRELIMINARY DRAWING

FOR REVIEW PURPOSES ONLY
NOT TO BE USED FOR CONSTRUCTION

bfoeng.com

TELEPHONE: (636) 239-4751

BFA

Engineering•Surveying

103 ELM STREET WASHINGTON, MISSOURI 63090

COLUMBUS, INDIANA
Net Lease Properties LLC
PO BOX 100843
Fort Worth, TX 76185

REVISIONS

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2	By:	App:
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SITE PLAN

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