



## Legislation Details (With Text)

**File #:** 1342-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/4/2022      **In control:** Zoning Committee

**On agenda:** 5/23/2022      **Final action:** 5/26/2022

**Title:** To rezone 3573 AGLER RD. (43219), being 28.38± acres located on the south side of Agler Road, 875± feet west of Stelzer Road, From: AR-12, Apartment Residential District, SR, Suburban Residential District, R-1, Residential District, and R, Rural District, To: L-M, Limited Manufacturing District (Rezoning #Z21-087).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1342-2022\_Attachments, 2. ORD1342-2022\_Labels

Date	Ver.	Action By	Action	Result
5/26/2022	1	CITY CLERK	Attest	
5/25/2022	1	MAYOR	Signed	
5/23/2022	1	COUNCIL PRESIDENT	Signed	
5/23/2022	1	Zoning Committee	Approved	Pass
5/16/2022	1	Columbus City Council	Read for the First Time	

**Rezoning Application: Z21-087**

**APPLICANT:** Keith Massa; Schottenstein Property Group; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Industrial or commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0-1) on February 10, 2022.

**NORTHEAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 28.38± acre site consists of four undeveloped parcels in the AR-12, Apartment Residential, SR, Suburban Residential, R-1, Residential, and R, Rural districts. The requested L-M, Limited Manufacturing District will permit an intended office and warehouse development or future commercial or industrial development. The site is subject to the I-670 Graphics Control overlay and is located within the boundaries of the *Port Columbus Joint Economic Development Strategy* (2008), which recommends “Office” land uses for this location. The site is also located within the boundaries of the *Northeast Area Plan* (2007), which recommends “Office-Light Industrial” land uses for this location. The *Northeast Area Plan* design guidelines recommend the inclusion of street trees in all new developments, and landscaped screening of parking lots abutting roadways if parking cannot be provided behind buildings. The limitation text proposes all commercial and less objectionable manufacturing uses with adult uses prohibited, and includes development standards addressing site access and lot coverage, with commitments to develop the site in accordance with the submitted site and landscaping plans and building elevations. The requested L-M, Limited Manufacturing District will allow an intended industrial development that is consistent with the land use

recommendations of both the *Northeast Area Plan* and the *Port Columbus Joint Economic Development Strategy*. The proposal also incorporates landscaping and screening as recommended by the *Northeast Area Plan* design guidelines. Ordinance #1343-2022; CV21-112 is included as a concurrent Council variance request to permit maneuvering areas, parking spaces, and loading spaces to be divided by parcel lines, to reduce the parking setback along Agler Road, and to permit headlight screening in the right-of-way, subject to the approval of the Department of Public Service.

To rezone **3573 AGLER RD. (43219)**, being 28.38± acres located on the south side of Agler Road, 875± feet west of Stelzer Road, **From:** AR-12, Apartment Residential District, SR, Suburban Residential District, R-1, Residential District, and R, Rural District, **To:** L-M, Limited Manufacturing District (Rezoning #Z21-087).

**WHEREAS**, application #Z21-087 is on file with the Department of Building and Zoning Services requesting rezoning of 28.36± acres From: AR-12, Apartment Residential District, SR, Suburban Residential District, R-1, Residential District, and R, Rural District, To: L-M, Limited Manufacturing District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District will allow an intended industrial development that is compatible with the plan recommendations of both the *Northeast Area Plan* and the *Port Columbus Joint Economic Development Strategy*. The proposal also incorporates street trees and landscaping provisions as recommended by the *Northeast Area Plan* design guidelines; 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:

**3573 AGLER RD. (43219)**, being 28.38± acres located on the south side of Agler Road, 875± feet west of Stelzer Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, in the City of Columbus and Township of Mifflin, and being in Quarter Township 3, Township 1, Range 17, United States Military Lands, being a part of a 10.186 acre parcel as conveyed to TRUSTEES AGLER RD PARCEL #2 LLC in Instrument Number 201008230108138, a part of a 10.321 acre parcel as conveyed to TRUSTEES AGLER RD PARCEL #2 LLC in Instrument Number 201008230108139, a part of a 5.000 acre parcel as conveyed to TRUSTEES AGLER RD PARCEL #3 LLC in Instrument Number 201008190106494, and the remainder of 4.07 acre parcel as conveyed to NIAM STELZER ROAD LLC in Instrument Number 201704190052755, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

COMMENCING on the easterly line of said 5.000 acre tract being (60 feet from centerline of Agler Road), said point being the TRUE POINT OF BEGINNING;

Thence along the easterly line of said 5.000 acre tract, South 04°03'29" West, 678.00 feet to a point on the northwesterly corner of the remainder of said 4.07 acre tract;

Thence along the northerly line of the remainder of said 4.07 acre tract, South 85°53'31"E, 881.77 feet to a point on the northeasterly corner of the remainder of said 4.07 acre tract and on the westerly right of way line of Stelzer Road;

Thence along the easterly line of the remainder of said 4.07 acre tract and the westerly right of way line of Stelzer Road, South 02°45'58" West, 110.83 feet to a point on the easterly line of the remainder of said 4.07 acre tract and on the

westerly right of way line of Stelzer Road;

Thence continuing along the easterly line of the remainder of said 4.07 acre tract and the westerly right of way line of Stelzer Road, South 04°04'48" West, 77.20 feet to a point on the southeasterly corner of the remainder of said 4.07 acre tract and the westerly right of way line of Stelzer Road;

Thence along the southerly line of the remainder of said 4.07 acre tract, North 85°53'31" West, 1119.94 feet to a point on the southwesterly corner of said 5.000 acre tract and the easterly line of said 10.321 acre tract;

Thence along the easterly line of said 10.321 acre tract, South 04°07'19" West, 790.75 feet to a point on the southeasterly corner of said 10.321 acre tract;

Thence along the southerly line of said 10.321 acre tract and said 10.186 acre tract, North 85°46'05" West, 530.05 feet to a point on the southwesterly corner of said 10.186 acre tract;

Thence along the westerly line of said 10.186 acre tract, North 04°44'26" East, 1655.70 feet to a point on the westerly line of said 10.186 acre tract;

Thence 60 feet from and parallel to the centerline of Agler Road and across said 10.186 acre tract, said 10.321 acre tract, and said 5.000 acre tract, South 85°53'32" East, 746.90 feet to a point on the northeasterly corner of the remainder of said 5.000 acre tract, said point being the TRUE POINT OF BEGINNING, containing 28.30± acres, more or less.

**To Rezone From:** AR-12, Apartment Residential District, SR, Suburban Residential District, R-1, Residential District, and R, Rural District,

**To:** L-M, Limited Manufacturing District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the L-M, Limited Manufacturing 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 changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved L-M, Limited Manufacturing 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 site plan titled, "**ZONING PLAN SHEETS 1-2,**" said landscape plans titled, "**OVERALL LANDSCAPE CONCEPT,**" and "**LANDSCAPE CONCEPT ENLARGEMENTS,**" said building elevations titled, "**AGLER STELZER SHELL BUILDING,**" and said text titled, "**LIMITATION TEXT,**" all dated April 28, 2022, and signed by Eric Zartman, Attorney for the Applicant, and said text reading as follows:

**LIMITATION TEXT**

Application No.: Z21-087

Location: 3573 Agler Road

Existing Zoning: AR12, SR, R1, and R

Request: To rezone to L-M

Proposal: To develop site for warehouse, distribution, and office use.

Applicant(s): Schottenstein Property Group c/o Keith Massa

Attorney/Agent: David Hodge, Underhill and Hodge

Property Owner(s): Niam Stelzer Road LLC, Trustees Agler Rd. Parcel #2 LLC, and Trustees Agler Rd. Parcel #3 LLC

Date of Text: April 28, 2022

I. Introduction:

Applicant requests to rezone the site located at 3573 Agler Road to L-M to permit the development of three buildings which will provide approximately 285,850 square feet of warehouse, distribution, and office uses. The 28.38 +/- acre property is located on the south side of Agler Road and approximately 900 feet west of Stelzer Road.

The site is situated within the boundary of the Northeast Area Commission. The site is also within the boundary of the Northeast Area Plan.

## II. Permitted Uses:

Those uses permitted in Chapter 3363, M-Manufacturing District of the Columbus City Code, excluding therefrom more objectionable uses in Sections 3363.09 through 3363.16. However, adult entertainment establishment and adult store uses are explicitly prohibited.

## III. Development Standards:

Unless otherwise indicated in this text or Zoning Exhibit, the applicable development standards are contained in Chapter 3363, M-Manufacturing District of the Columbus City Code.

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

1. The parcels with the same taxing district shall be combined.
2. Lot coverage for structures and paved areas shall not exceed eighty-five percent (85%) of the total lot area.

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

1. The site shall be limited to one full-access point on Agler Road and one full-access point on Stelzer Road, subject to the review and approval of the Department of Public Service.
2. The property owner shall work cooperatively with the owner(s) of Parcel #445-305596 immediately south of the site and subject to Rezoning Application #Z21-049, and parcels contiguous to Parcel #445-305596, in the event those parcels are redeveloped together, for the purpose of providing access to Stelzer Road. The access to Stelzer Road shall be by mutually agreeable cross-access easement and joint maintenance agreement or by similar instrument.

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

The site shall provide buffering, landscaping, open space, and screening in general conformance with the submitted landscape plan.

### D. Building Design and/or Exterior Treatment Commitments:

Exterior building materials shall incorporate but are not limited to natural materials, and the design shall be in general conformance with the submitted elevations.

### E. Lighting and/or other Environmental Commitments: N/A

### 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 M, Manufacturing District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

### G. Miscellaneous:

1. The site shall be developed in general conformance with the submitted Site Plan attached hereto as “Site Layout Plan.” The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that 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.
2. The site shall provide buffering, landscaping, open space, and screening in general conformance with the submitted landscape plan titled “Landscape Concept.” The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that 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.
3. The buildings shall be designed in general conformance with the submitted elevations titled “Agler Stelzer Shell Building.” The elevations may be adjusted to reflect engineering, topographical or other site data developed at the time that 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.
4. This application is filed in companion with Council Variance Application CV21-112.

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