

SCREENING EXHIBIT



Jeffrey S. Brown
2-12-2021

DECIDUOUS

EVERGREEN

SECTION



100' OF FRONTAGE ZONE

PLAN

Z20-070 Final Received 2/12/2021

**STAFF REPORT
DEVELOPMENT COMMISSION
SPECIAL ZONING MEETING
CITY OF COLUMBUS, OHIO
JANUARY 14, 2020**

- 10. APPLICATION:** **Z20-070**
- Location:** **5076 S. HIGH ST. (43207)**, being 496.07± acres located at the southeast corner of South High Street and Rathmell Road (510-180711; Far South Columbus Area Commission).
- Existing Zoning:** CPD, Commercial Planned Development, C-2, Commercial, ARLD and AR-12, Apartment Residential, R-2F, Residential, and SR, Suburban Residential Districts.
- Request:** L-M-2, Limited Manufacturing District (H-110).
- Proposed Use:** Limited industrial development.
- Applicant(s):** PFK Company II, LLC et al; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.
- Property Owner(s):** The Applicant.
- Planner:** Shannon Pine; 614-645-2208; spine@columbus.gov

BACKGROUND:

- The 496.07± acre site is primarily used for farm/rural uses and is zoned in the CPD, Commercial Planned Development, C-2, Commercial, ARLD and AR-12, Apartment Residential, R-2F, Residential, and SR, Suburban Residential districts. The requested L-M-2, Limited Manufacturing District will allow the site to be developed with a data center/server facility with ancillary warehouse, storage, and office uses.
- North of the site is undeveloped land in the CPD, Commercial Planned Development District across Rathmell Road, a single-unit subdivision in the PUD-6, Planned Unit Development District, and an electric substation in Hamilton Township. East of the site across Parsons Avenue are Hamilton Local School District educational facilities in Hamilton Township, agricultural land in the R, Rural District, and a City of Columbus water treatment plant in the L-M, Limited Manufacturing District. South of the site is the Scioto Downs racino complex in the CPD, Commercial Planned Development District. West of the site across South High Street is a quarry in the M and M-2, Manufacturing districts.
- The site is located within the boundaries of the *South Central Accord* (1997), which recommends “Low-Density Residential,” “High-Density Residential,” and “Commercial” land uses at this location, and includes adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Although the proposed industrial use is inconsistent with the Plan’s recommendation for residential and commercial uses, Planning Division staff recognizes that the Plan recommendations are based on the existing zoning. In addition, C2P2 recommendations state that the protection and expansion of employment-related uses is a priority throughout the City. Further, staff finds the data center/server use to have a lesser impact on the neighborhood compared to other industrial and commercial uses, and supports the site design as it provides significant buffering from adjacent residential uses to the north and preserves significant open space which is also consistent with C2P2 Design Guidelines. Staff also has reviewed conceptual building elevations and finds them consistent with C2P2 Design Guidelines.

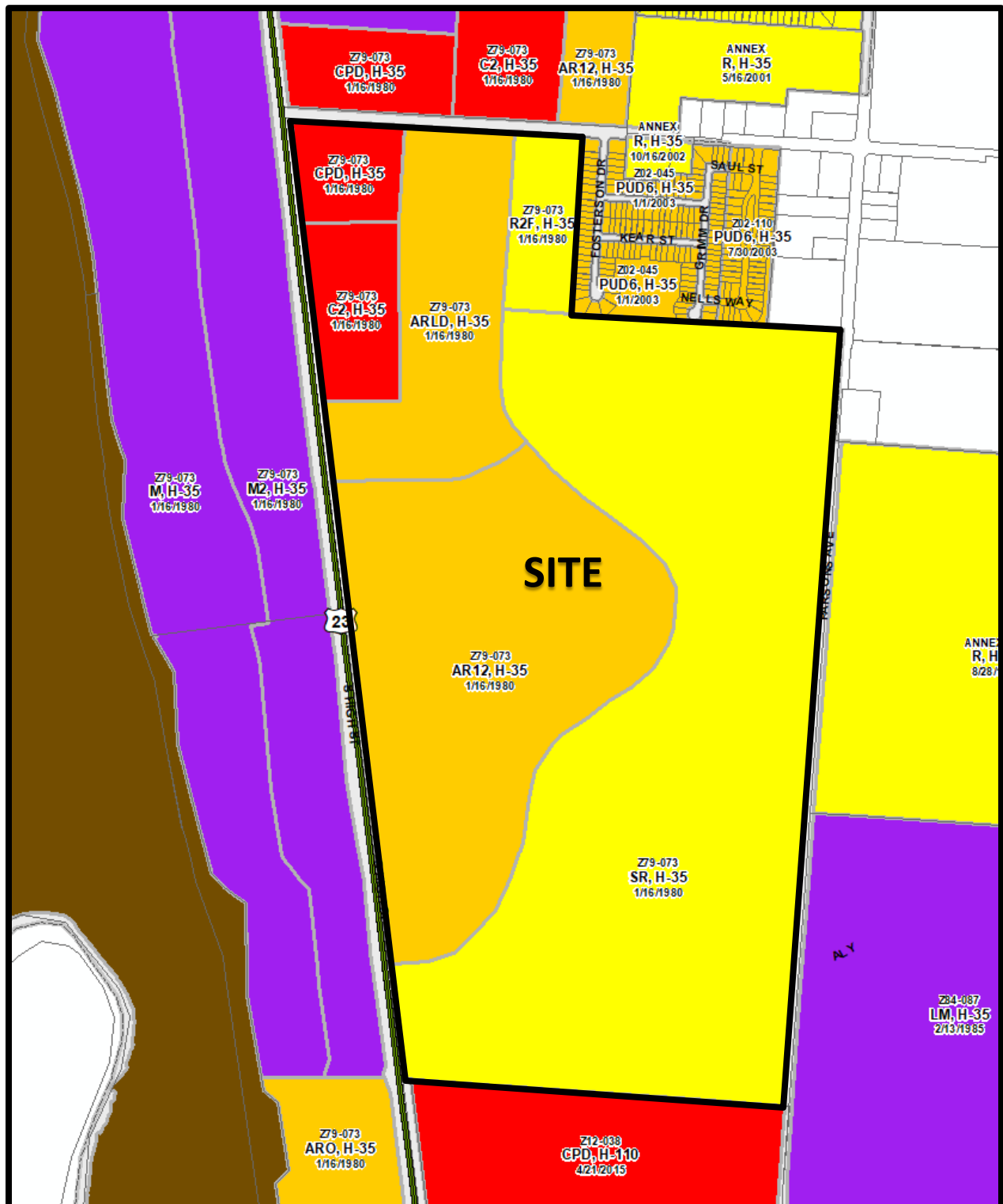
- The site is located within the boundaries of the Far South Area Commission whose recommendation is for disapproval. Opposition letters from neighborhood residents have also been received.
- The limitation text proposes computer data center/server uses, with ancillary warehouse, storage, and office uses, and includes provisions for setbacks, building height limitations, access, buffering and landscaping, tree preservation and open space, and lighting controls. A site plan depicting setbacks, access points, and development, open space, and tree preservation areas is included as a text commitment.
- At the time this report was finalized, the required Traffic Impact Study had been reviewed, but resubmission has been requested, and final traffic commitments are yet to be determined.
- The *Columbus Multimodal Thoroughfare Plan* identifies South High Street and Rathmell Road as Suburban Commuter Corridors requiring a minimum of 160 feet and 120 feet of right-of-way, respectively, and Parsons Avenue as a Suburban Community Connector requiring a minimum of 100 feet of right-of-way.

CITY DEPARTMENTS' RECOMMENDATION: Conditional approval.E

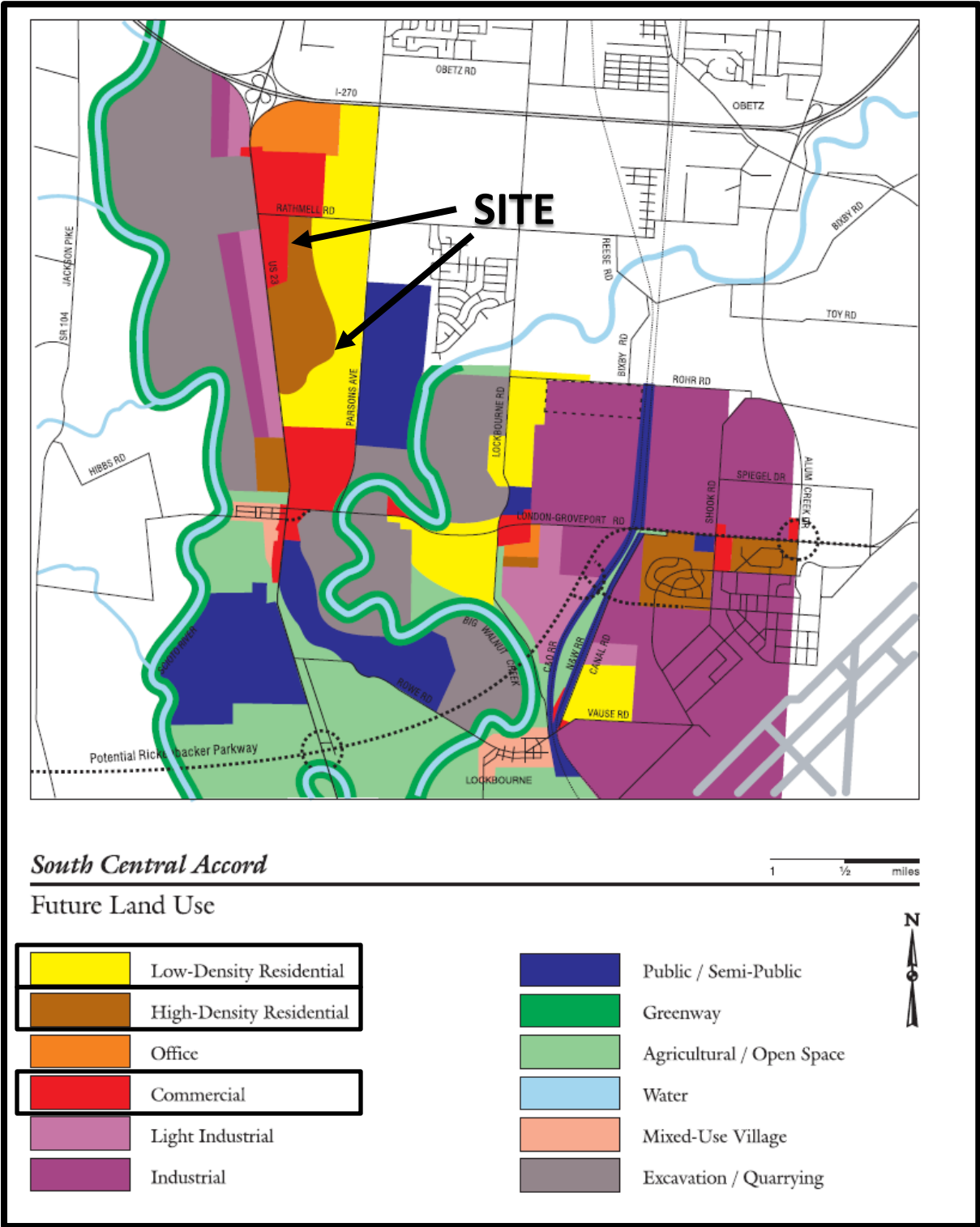
The requested L-M-2, Limited Manufacturing District will allow development of the site with a data center/server facility with ancillary warehouse, storage, and office uses. Although the proposed industrial use is inconsistent with the *South Central Accord* recommendations for residential and commercial development, deviation from the Plan is supported as the use will have a lesser impact on the neighborhood compared to other industrial or commercial uses, and the site design provides significant buffering from adjacent residential uses and preserves significant open space which is consistent with C2P2 Design Guidelines. The City Departments' recommendation will be updated to approval upon addition of necessary traffic commitments resulting from the approved Traffic Impact Study.

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Z20-070
5076 S. High St.
Approximately 496 acres
CPD, C-2, ARLD, AR-12, R-2F, and SR to L-M-2



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Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.bzs.columbus.gov

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

Case Number Z20-070

Address 5076 S. High St.

Group Name Columbus Far South Area Commission

Meeting Date December 3, 2020

Specify Case Type

- ☐ BZA Variance / Special Permit
- ☐ Council Variance
- ☒ Rezoning
- ☐ Graphics Variance / Plan / Special Permit

Recommendation
 (Check only one)

- ☐ Approval
- ☒ Disapproval

NOTES: The Commission held several hearings concerning this issue. There were several concerns expressed, but not limited to a reduction in property value for adjacent properties, unsightliness of a data center and potential traffic problems, just to name a few. The measure received full support from the Hamilton Local Schools and some residents citing the preservation of natural habitat, reduction of traffic and the overall professional maintenance of data centers in general. There is a letter from the Commission further explaining the stance of the Commission and three letters from area residents opposing the action.

Vote

AYE:4 NAY:7 ABSTAIN 2

Signature of Authorized Representative

Michael D. Walker, Sr

Recommending Group Title

FAR SOUTH COLUMBUS AREA COMMISSION

Daytime Phone Number

740-649-5376

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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

HARTMAN FARMS

Meeting Date: 1/14/2021

Application #: Z20-070	Request: L-M	Address: 5076 S HIGH ST (43207)				
# Hearings: _____	Length of Testimony: <u>35</u> <u>8:40 → 9:15</u>	Staff Position: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval <input checked="" type="checkbox"/> Conditional Approval				
<u>3</u> # Speakers <u>2</u> Support: _____ Opposition: _____	Development Commission Vote: ____ Yes ____ No ____ Abstain	Area Comm/ Civic Assoc: <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval <input type="checkbox"/> Conditional Approval				
Position Y=Yes N=No (type out ABSENT or ABSTAIN)	Fitzpatrick <u>Y</u>	Ingwersen <u>Y</u>	Anderson <u>NO</u>	Golden <u>Y</u>	Conroy <u>Y</u>	Onwukwe <u>Y</u>
+ = Positive or Proper - = Negative or Improper						
Land Use	+	+	+	+	+	+
Use Controls	+	+	-			
Density or Number of Units		+				
Lot Size	+	+				
Scale	+	+	-			
Environmental Considerations	+	+				
Emissions	+	+				
Landscaping or Site Plans	+	+	-	+		
Buffering or Setbacks	+	+		+	+	
Traffic Related Commitments	+	+				+/-
Other Infrastructure Commitments	+	+				
Compliance with City Plans	+	+	+		-	-
Timeliness of Text Submission						
Area or Civic Assoc. Recommendation	+	+	+		-	-
Governmental or Public Input	+	+	-			
MEMBER COMMENTS:						
FITZPATRICK: <u>33% OPEN SPACE, EFFECTIVE BUFFERING, LESS INTENSE USE THAN EXISTING ZONING, AND A GENERATOR FOR "SPIN-OFF" JOBS = VERY APPROPRIATE USE.</u>						
INGWERSEN: Large scale buildings for a Fortune 100 data center with very large setbacks and good buffering. It will be a very low traffic generator, which is a plus for South High, but bringing in jobs and a good corporate partner for the City.						
ANDERSON: The proposed zoning leaves the site open to inappropriate use in the future if the proposed plan for use fails.						
GOLDEN: Because the planned development has less impact compared to other industrial uses and preserves significant open space, approval is recommended with the City Departments' review of the outcome of the traffic study. Despite some opposition, this is an appropriate land use and one that does not negatively affect the surrounding community.						
CONROY: Proposal is not supported by AC and is not in line with the plan. However staff are in conditional support and the use appears to be overall appropriate and beneficial.						
ONWUKWE: Deviation from land use and inconsistent with South Central Accord but good use overall.						



December 3, 2020

Dear City Councilmembers:

The Far South Area Commission welcomes future development into our area that is in line with the City's long-term strategies to create and maintain vibrant communities. The Commission received an application, BZA20-070, to approve the rezoning of the Hartman Farm District. The nearly 500-acre property is currently zoned Agricultural (A). Recommendations from the South Central Accord were to develop the property into six (6) parcels zoned for residential and apartments, with a small portion designated for commercial and mixed use. This zoning application seeks to rezone the entire property to Limited Manufacturing 2 (LM2) to accommodate the construction of a data center and associated warehouses. The applicant is requesting the rezoning, with limited text regarding setbacks and building use. While many construction jobs would be created temporarily, twenty (20) fulltime positions are anticipated on-site upon project completion.

A variety of concerns regarding this zoning application were expressed by Area Commissioners and residents. Issues included the impact to local traffic, future land uses, total jobs brought to the area, obstruction of scenic views, mounding, barriers, and setbacks. Commissioners also noted the omission of a traditional site plan and a named primary developer in the initial application. Several of the Commissioners did see the rare opportunity for growth with a Fortune 500 company, support from the Hamilton Local School District, and the applicant's commitment to maintaining a significant portion of the land as undeveloped as positives.

The applicant's representative met several times with the residents and Commissioners to address concerns raised. A virtual site visit was granted, and the applicant provided additional detail regarding building locations, landscaping, and construction entrances. Still, questions and concerns remain regarding future land uses permitted under LM2 zoning and the impact on the community.

While the applicant was responsive to many of the concerns expressed, the Commission voted AGAINST support for this zoning application in a roll call vote of 7-against, 4-for, and 2-absentions. The City of Columbus has identified the availability of housing as a major priority to meet our existing and future needs through 2030. In addition to the concerns above, approval of this application would further divulge from previously recommended development in South Columbus and reduce the amount of property potentially available for residential use to address a growing crisis in Columbus. The Far South Area Commission, therefore, does NOT recommend approval of BZA20-070.

Thank you for hearing our concerns.

Sincerely,

Far South Area Commissioners

PROJECT DISCLOSURE STATEMENT

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

APPLICATION #: Z20-070

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown
of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, Columbus, OH 43215
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 (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

1. PFK Company II, LLC c/o Jeffrey L. Brown 37 W. Broad Street, Suite 460 Columbus, OH 43215 614-221-4255 jlbrown@smithandhale.com 0 Columbus based employees	2. Tamarack Enterprises II, LP c/o Jeffrey L. Brown 37 W. Broad Street, Suite 460 Columbus, OH 43215 614-221-4255 jlbrown@smithandhale.com 0 Columbus based employees
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24th day of August, in the year 2020

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020
This Project Disclosure Statement expires six months after date of notarization.

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 all checks payable to the Columbus City Treasurer