



## Legislation Details (With Text)

**File #:** 1584-2005      **Version:** 1

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

**File created:** 9/20/2005      **In control:** Zoning Committee

**On agenda:** 12/5/2005      **Final action:** 12/8/2005

**Title:** To rezone 736 NORTH WILSON ROAD (43204), being 1.80± acres located on the east side of Wilson Road, 195± feet south of Enterprise Avenue, From: R, Rural District To: L-M, Limited Manufacturing District (Rezoning # Z05-028).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1584-2005Report&Maps.pdf, 2. ORD1584-2005Labels.pdf, 3. ORD1584-2005DataSheet.pdf

Date	Ver.	Action By	Action	Result
12/8/2005	1	ACTING CITY CLERK	Attest	
12/7/2005	1	MAYOR	Signed	
12/5/2005	1	Zoning Committee	Approved	Pass
12/5/2005	1	COUNCIL PRESIDENT	Signed	
11/28/2005	1	Columbus City Council	Read for the First Time	
11/21/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
11/17/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/16/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
11/16/2005	1	Dev Zoning Drafter	Sent for Approval	
11/15/2005	1	Dev Zoning Drafter	Sent for Approval	

**Rezoning Application Z05-028**

**APPLICANT:** Stephen Paynter; c/o Alison Crumley; 2781 Olentangy River Road; Columbus, Ohio 43202.

**PROPOSED USE:** Limited commercial and industrial development.

**GREATER HILLTOP AREA COMMISSION RECOMMENDATION:** Approval.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on July 14, 2005.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-M, Limited Manufacturing District will allow limited commercial and industrial development. With the proposed development standards, including use restrictions and a one-hundred foot no- build/tree and flood plain preservation zone adjacent to a single family subdivision, the request is consistent with the zoning and development patterns of the area.

To rezone **736 NORTH WILSON ROAD (43204)**, being 1.80± acres located on the east side of Wilson Road, 195± feet south of

Enterprise Avenue, **From:** R, Rural District **To:** L-M, Limited Manufacturing District (Rezoning # Z05-028).

**WHEREAS**, application #Z05-028 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.80± acres from R, Rural District, to L-M, Limited Manufacturing District; and

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

**WHEREAS**, the Development 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 limited commercial and industrial development. With the proposed development standards, including use restrictions and a one-hundred foot no-build/tree and flood plain preservation zone adjacent to a single family subdivision, the request is consistent with the zoning and development patterns of the area, 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**736 NORTH WILSON ROAD (43204)**, being 1.80± acres located on the east side of Wilson Road, 195± feet south of Enterprise Avenue, and being more particularly described as follows:

Situated in the County Of Franklin, in the State of Ohio and Township of Franklin, and being part of Survey No. 875, Virginia Military Lands, and also being part of Lot Nos. 3 And 4 of an amicable partition among the heirs of Elisha Wilson, Deceased, as the same is shown of record in Plat Book 4, Page 249, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a spike in the center of Wilson Road which spike bears s. 24d 0' e. 59.86 feet from the southwest corner of a tract deeded by Charles Kuder and Mary M. Kuder to John Wilderwuth, as the same is shown of record in Deed Book 823, Page 478, Recorder's Office, Franklin County, Ohio;

Thence N. 66d 12' E., parallel with the south line of said tract and 59.86 feet therefrom, 873.67 feet to an iron pin which bears S. 24d 8' E. from the southeast corner of said tract (passing an iron pin on line in the east line of Wilson Road at 20 feet);

Thence 24d 08' E. 99.71 feet to an iron pin;

Thence S. 66d 12' W., parallel with the north line of the herein described tract 873.9 feet to a spike in the center of Wilson Road, passing an iron pin on line in the east of said road at 853.9 feet;

Thence with the center of said road N. 24d 0' W. 99.71 feet to the place of beginning, containing two acres, more or less, subject to legal highways.

Excepting therefrom a certain parcel deeded to the City of Columbus on September 5, 1984 and shown of record in official records Volume 4741, Page A11 of the Office of the Recorder of Franklin County, Ohio and further described as follows;

Situated in the Township of Franklin, County of Franklin, State of Ohio and being in Virginia Military Survey No. 875 and more particularly described as follows:

Commencing at the intersection of Wilson Road and Fisher Road, said point being Station 145+46.67 in the centerline of survey of Fisher Road and Station 48+48.03 in the centerline of survey of Wilson Road; Thence along the centerline of survey of Wilson Road, N. 24d 0' 40" W. a distance of 873.99 feet to the true point of beginning of the tract herein described, said point being the Grantor's southwesterly corner, Station 57+22.02 in the centerline of survey of Wilson Road;

Thence along the Grantor's westerly property line and the easterly line of Commercial Movers, Inc. (as recorded in Deed Book 3626, Pages 510 and 514 and Deed Book 3617, Page 288 Franklin County Recorder's Office), N. 24d 00' 40" W. a distance of 99.71 feet to the Grantor's northwesterly property corner and the southwesterly property corner of James O. Neff (as recorded in Deed Book 2768, Page 557, Franklin County Recorder's Office), said point being Station 58+21.73 in the centerline of survey of Wilson Road;

Thence along the Grantor's northerly property line and the southerly line of James O. Neff, N. 66d 10' 04" E. a distance of 46.00 feet to a point 46.00 feet right of Station 58+21.88;

Thence along the right-of-way line, S. 24d00' 40"E. a distance of 99.71 feet to a point in the Grantor's southerly property line and the northerly line of James E. Vaughn, Et Al (as recorded in the official records of Volume 1896, Page E03, Franklin County Recorder's

Office), said point being 46.00 feet right of Station 57+21.88;

Thence along the Grantor's southerly property line and a northerly line of James E. Vaughn, Et Al, S. 66d 10; 04" W. a distance of 46.00 feet to the point of beginning, containing 0.105 acres more or less, inclusive of the present road which occupies 0.069 acres, more or less.

Grantor retains the right of ingress and egress to and from and residual area.

This description is based on a survey made in 1980 by Erikson Engineering, Ltd., Juris Lazdins, Registered Surveyor No. 6213.

**To Rezone From:** 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 Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled "**LIMITATION TEXT**," signed by Thouk Rin, Owner, dated April 25, 2005, and reading as follows:

#### **LIMITATION TEXT**

<b>PROPOSED DISTRICT:</b>	<b>L-M, Limited Manufacturing District</b>
<b>PROPERTY ADDRESS:</b>	<b>736 N. Wilson Road, Columbus, OH 43204</b>
<b>OWNER:</b>	<b>Thouk Rin</b>
<b>APPLICANT:</b>	<b>Stephen Paynter</b>
<b>DATE OF TEXT:</b>	<b>April 25, 2005</b>
<b>APPLICATION NUMBER:</b>	<b>Z05-028</b>

### **1. INTRODUCTION**

The subject property consists of 1.8+/- acres abutting the east side of N. Wilson Road approximately 195+/- feet south of Enterprise Avenue. Properties to the north and east of subject property are zoned residential, property to the south is zoned commercial, and properties to the west, across Wilson Road, are zoned commercial.

### **2. PERMITTED USES**

All uses in C-2 Office Commercial Uses, specifically a Contractors Office for an Asbestos Abatement Company, as listed in Title 33, Chapter 3353 of the Columbus City Code.

All C-4 uses, specifically Automotive Maintenance and Repair, as listed in Title 33, Chapter 3356 of the Columbus City Code with the following uses being prohibited: Automobile and Light Truck Dealers, Bars, Cabarets and Nightclubs.

A single use under Chapter 3363.02 of the Columbus City Code, "Warehouse, storage in bulk or sales establishment," specifically contractors equipment and storage for contracting equipment. Outside and underground storage are prohibited.

### **3. DEVELOPMENT STANDARDS:**

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

1. For any new structures, the building setback shall be a minimum of sixty (60) feet from the right-of-way of Wilson Road; the parking setback shall be a minimum of twenty (20) feet from the right-of-way of Wilson Road for commercial

use. The parking setback shall be a minimum of twenty-five (25) feet from the right-of-way of Wilson Road for industrial use. To preserve the existing flood way, the minimum setback for building and parking from the east property line shall be one-hundred (100) feet. Within this one-hundred foot setback will be a no-build/tree preservation zone.

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

All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.

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

1. Landscaped elements shall be planted along the west side of the property along the Wilson Road frontage. Within the parking setback area there will be a minimum five (5) foot landscaped strip which will include but is not limited to: shrubs spaced one (1) feet apart and deciduous trees spaced thirty (30) feet apart. There shall be a minimum of twelve (12) shrubs.
2. There is currently a six-foot tall fence along the north edge of the property; this must remain as long as the property to the north of subject site is used residentially. All fencing is to be well maintained at all times.
3. Minimum tree size at installation for deciduous trees is 2 ½ "caliper.
4. Minimum tree size at installation for ornamental trees is 1 ½" caliper.
5. Minimum tree size at installation for evergreen trees is 5'-0" in height.
6. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping, fencing, or a wall utilizing compatible building materials.

**E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.**

1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage. Accent lighting shall be permitted provided such light source is concealed. Any wall-mounted lighting shall be shielded to prevent offsite spillage. Light poles are to be maximum of 18 feet in height. Light poles within 100 feet of the residentially zoned property to the east shall be a maximum of 14 feet in height.
2. External lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.

**F. Graphics and/or Signage Commitments.**

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous Commitments.**

At the time of zoning clearance, the applicant is to pay a \$400 per acre fee as required by the Parkland Dedication Ordinance of the City of Columbus.

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