



## Legislation Details (With Text)

**File #:** 0859-2023      **Version:** 1

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

**File created:** 3/13/2023      **In control:** Zoning Committee

**On agenda:** 4/3/2023      **Final action:** 4/5/2023

**Title:** To rezone 6500 TUSSING RD. (43068), being 46.68± acres located on the north side of Tussing Road, 900± feet east of Brice Road, From: CPD, Commercial Planned Development District and L-M, Limited Manufacturing District, To: L-M, Manufacturing District (Rezoning # Z22-091).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0859-2023.Attachments, 2. ORD0859-2023.Labels

| Date     | Ver. | Action By         | Action                | Result |
|----------|------|-------------------|-----------------------|--------|
| 4/5/2023 | 1    | CITY CLERK        | Attest                |        |
| 4/4/2023 | 1    | MAYOR             | Signed                |        |
| 4/4/2023 | 1    | MAYOR             | Signed                |        |
| 4/4/2023 | 1    | MAYOR             | Signed                |        |
| 4/3/2023 | 1    | COUNCIL PRESIDENT | Signed                |        |
| 4/3/2023 | 1    | COUNCIL PRESIDENT | Signed                |        |
| 4/3/2023 | 1    | COUNCIL PRESIDENT | Signed                |        |
| 4/3/2023 | 1    | Zoning Committee  | Waive the 2nd Reading | Pass   |
| 4/3/2023 | 1    | Zoning Committee  | Approved              | Pass   |

### Rezoning Application: Z22-091

**APPLICANT:** 93 OHRPT LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

**PROPOSED USE:** Limited manufacturing or industrial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on March 9, 2023.

**FAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This site is developed with a parking lot from a former shopping center in the CPD, Commercial Planned Development District. A portion of the site (34 acres) was rezoned in 2018 (Z17-044; ORD #1415-2018) to permit four warehouses / flex space buildings. The proposed L-M, Limited Manufacturing District will expand the proposed industrial / warehouse development and modify the previously approved site plan committed to with Z17-044. The limitation text includes use restrictions for less objectionable M, Manufacturing uses, specifically office warehouse uses, self-storage units, and related accessory uses, and supplemental development standards addressing setback requirements, traffic access, buffering, and lighting. The site is within the planning boundaries of the *Far East Land Use Plan* (2018), which recommends "Employment" land uses at this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design

Guidelines (2018). The requested L-M district permits uses that are consistent with the Plan's recommendations, commits to a site plan demonstrating compatible development standards with adjacent manufacturing districts, and includes building elevations consistent with C2P2 Design Guidelines.

To rezone **6500 TUSSING RD. (43068)**, being 46.68± acres located on the north side of Tussing Road, 900± feet east of Brice Road, **From:** CPD, Commercial Planned Development District and L-M, Limited Manufacturing District, **To:** L-M, Manufacturing District (Rezoning # Z22-091).

**WHEREAS**, application # Z22-091 is on file with the Department of Building and Zoning Services requesting rezoning of 46.68± acres from CPD, Commercial Planned Development District and L-M, Limited Manufacturing District., to L-M, Limited Manufacturing District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the intended uses are compatible with the density and development standards of adjacent industrial developments, and include commitments to develop the site in accordance with the submitted site plan and building elevations; 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:

**6500 TUSSING RD. (43068)**, being 46.68± acres located on the north side of Tussing Road, 900± feet east of Brice Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 41, Section 24, Township 12, Range 21 of the Refugee Lands, being a part of that 50.431 acre and 11.148 acre tracts conveyed to 93 OHRPT, LLC, by deed of record in Instrument Number 201709010121349, and Instrument Number 201903060025724, (all records of the Recorder's Office, Franklin County, Ohio);

Beginning at the northeasterly corner of said 50.431 acre tract;

Thence South 03°58'16" West, a distance of 1754.66 feet, along the said easterly lines of said 50.431 acre and 11.148 acre tracts to a point at the intersection with the northerly right-of-way line of Tussing Road (varies in width);

Thence the following courses across the said 11.148 acre and 50.431 acre tracts:

1. North 85°43'39" West, a distance of 962.15 feet, along the said northerly right-of-way line of Tussing Road, 40 feet north of and parallel with the centerline to a point;
2. Along an arc of a curve to the left having a central angle of 48°50'05", a radius of 50.00 feet, an arc length of 42.62 feet, with a chord bearing of North 28°41'02" East, and a chord length of 41.34 feet, to a point;
3. North 04°15'59" East, a distance of 62.50 feet, to a point;
4. Along the arc of a curve to the left having a central angle of 45°46'00", a radius of 153.00 feet, an arc length of 122.21 feet, with a chord bearing of North 18°37'01" West, and a chord length of 118.99 feet, to a point;

5. North 41°30'01" West, a distance of 153.25 feet, along the to a point;
  6. Along the arc of a curve to the left having a central angle of 44°06'22", a radius of 50.00 feet, an arc length of 38.49 feet, with a chord bearing of North 63°33'12" West, and a chord length of 37.55 feet, to a point;
  7. North 85°36'23" West, a distance of 289.73 feet, along the to a point;
  8. North 04°16'21" East, a distance of 29.91 feet, along the to a point;
  9. South 85°36'01" East, a distance of 195.92 feet, along the to a point;
  10. North 04°19'46" East, a distance of 763.75 feet, along the to a point;
  11. North 40°39'53" West, a distance of 226.55 feet, along the to a point on the limited access right-of-way interstate 70;
- Thence North 49°20'07" East, a distance of 603.60 feet, along the limited access right-of-way interstate 70 to a point;
- Thence South 88°19'40" East, a distance of 953.48 feet, continuing along the said southerly Limited Access Right-of-way line to the Point of beginning, containing 46.68 acres.

This description is for rezoning purposes only and is not to be used for the transfer of real property.

The bearings shown hereon are based on the Bearing of North 85°43'39" West for the centerline of Tussing Road.

**To Rezone From:** CPD, Commercial Planned Development District and L-M, Limited Manufacturing District,

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

**SECTION 2.** That a Height District of sixty (60) 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 change on the said original zoning map 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 plans being titled, "**SITE PLAN, SHEETS 1-3,**", elevations being titled, "**CONCEPTUAL ELEVATIONS, SHEETS 1-4,**" and text titled, "**LIMITATION TEXT,**" all dated March 13, 2023, and signed by Jill S. Tangeman, Attorney for the Applicant, and the text reading as follows:

### **LIMITATION TEXT**

**Property Location:** 6500 Tussing Road, Columbus, Ohio 43068

**Parcel No.:** 010-007362

**Owner:** 93 OHRPT LLC

**Applicant:** 93 OHRPT LLC

**Proposed District:** L-M - Limited Manufacturing

**Date of Text:** March 13, 2023

**Application No.:** Z22-091

### **I. INTRODUCTION**

The subject property consists of 46.68 +/- acres (the "Site") located north of Tussing Road, south of I-70 and east of Brice Road. The property to the west and south of the Site is zoned CPD. The property to the east of the Site is zoned M-2.

Approximately 34 +/- acres of the site was rezoned in 2018 to L-M for industrial /warehouse use. The applicant now

proposes to rezone the remaining 12+/- acres to L-M to allow for construction of an industrial / warehouse use and to revise the site plan.

## II. PERMITTED USES

Those uses in Sections 3363.02 through 3363.08 inclusive, consisting of those less objectionable uses in the M-Manufacturing District under the Columbus City Zoning Code, shall be permitted. Specifically, office warehouse uses and self-storage units and related accessory uses will be permitted uses.

## 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

The minimum building and parking setback from all property lines shall be twenty-five (25) feet.

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

The Site may utilize two curb cuts or three curb cuts on Tussing Road for access. In order to remove the center access point, a traffic access study will need to be completed and approved unless otherwise approved by the Department of Public Service, Division of Traffic Management. Depending on the results of said traffic access study, there may be a need to for improvements at the western, signalized access point or other site layout or revisions to the site access configuration.

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

1. A retention basin will be constructed as shown on the site plan titled "Conceptual Site Plan" attached hereto as Exhibit A (the "Conceptual Site Plan").

2. Unless a sidewalk construction exemption is granted to remove the required pedestrian improvements along the north side of Tussing Road, a sidewalk will be installed along Tussing Road frontage. If a sidewalk construction exemption is granted for the north side of Tussing Road, other means for pedestrian connectivity to the planned shared use path on the south side of Tussing Road will be established through the site compliance plan.

3. Landscaping will be installed along Tussing Road consisting of a single deciduous tree every 50 feet and evergreen trees in clusters every 100 feet, planted 10 feet on center. Landscaping will also be installed along the perimeter on the east and west side of the site and will include a mixture of evergreen and shade trees.

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

N/A

### E. Lighting and/or other Environmental Commitments

Pole lighting shall not exceed 25 feet in height.

### F. Graphics and Signage Commitments

N/A

### G. Miscellaneous Commitments

1. The developer shall comply with the park land dedication ordinance by contributing money to the City's Recreation and Parks Department.

2. The site shall be developed in general conformance with the submitted Site Plans, however building number, footprints, square footages and parking areas are conceptual only. Building design will be consistent with the Conceptual Elevations. The plans 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.

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