



Legislation Details (With Text)

File #: 2161-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/25/2015 **In control:** Zoning Committee

On agenda: 9/21/2015 **Final action:** 9/23/2015

Title: To rezone 5221 EBRIGHT ROAD (43110), being 2.63± acres located on the west side of Ebright Road, 180± feet north of US 33, From: CPD, Commercial Planned Development District, To: L-M, Limited Manufacturing District (Rezoning # Z15-012).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2161-2015.Attachments, 2. Notice Of Public Hearing - Council Mtg20150921

Date	Ver.	Action By	Action	Result
9/23/2015	1	CITY CLERK	Attest	
9/22/2015	1	MAYOR	Signed	
9/21/2015	1	COUNCIL PRESIDENT	Signed	
9/21/2015	1	Zoning Committee	Waive the 2nd Reading	Pass
9/21/2015	1	Zoning Committee	Approved	Pass

Rezoning Application Z15-012

APPLICANT: Bright Innovations, LLC; c/o Jackson B. Reynolds, III, Atty.; Smith & Hale LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Contractor's office with storage.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on July 9, 2015.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned in the CPD, Commercial Planned Development District and was used as a retail nursery and landscaping business. The requested L-M, Limited Manufacturing District would allow a contractor's office with storage. The site is located within the boundaries of the *Southeast Area Plan* (2000), which recommends hamlet/open space residential uses. Due to the existing use and zoning of the subject site, and the industrial use to the north, Staff supports deviation from the Plan recommendation noting that the proposed use restrictions and development standards mitigate negative impacts on future residential development to the east across Ebright Road.

To rezone **5221 EBRIGHT ROAD (43110)**, being 2.63± acres located on the west side of Ebright Road, 180± feet north of US 33, From: CPD, Commercial Planned Development District, To: L-M, Limited Manufacturing District (Rezoning # Z15-012).

WHEREAS, application #Z15-012 is on file with the Department of Building and Zoning Services requesting rezoning of 2.63± acres from CPD, Commercial Planned Development District, to L-M, Limited Manufacturing District; and

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

WHEREAS, the Greater South East 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, contains use restrictions and development standards that mitigate negative impacts on future residential development to the east across Ebright Road. Due to the existing use and zoning of the subject site, and the industrial use to the north, Staff supports deviation from the *Southeast Area Plan* land use recommendations; 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:

5221 EBRIGHT ROAD (43110), being 2.63± acres located on the west side of Ebright Road, 180± feet north of US 33, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, in the northwest quarter of Section 15, Township 11, Range 21, Congress Lands, being 2.630 acres of land as conveyed to Barefoot Grass Lawn Services, Inc. in Official Record Volume 33781 E11 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning for reference at an existing Franklin County Monument No. 5563, at the southeast property corner of said Barefoot Grass Lawn Services, Inc. in the centerline intersection of Ebright Road and Bachman Road also being the northeast property corner of Stephen H. Eichhorn (IN 199811170294533);

Thence North 87 deg. 45' 38" West a distance of 30.00 feet, along the southerly property line of said Barefoot Grass Lawn Services, Inc., to a point on the westerly right of way of said Ebright Road being the Point of Beginning;

Thence North 87 deg. 45' 38" West a distance of 302.60 feet, along the southerly property line of said Barefoot Grass Lawn Service and northerly property line of said Eichhorn, to a point in the northeasterly right of way U.S. Route 33;

Thence North 48 deg. 28' 28" West a distance of 395.86 feet, along the northeasterly right of way of said U.S. Route 33, to a point at the southwesterly property corner of M.G. Abbott, Inc. (IN 200007270148923) and northwesterly property corner of said Barefoot Grass Lawn Services, Inc.;

Thence South 87 deg. 46' 30" East a distance of 611.23 feet, along the northerly property line of said Barefoot Grass Lawn Service, Inc. and southerly property line of said M.G. Abbott, Inc., to a point in the westerly right of way of said Ebright Road;

Thence South 2 deg. 45' 00" West a distance of 250.83 feet, along the westerly right of way of said Ebright Road, to the Point of Beginning containing 2.630 acres more or less.

This legal description for rezoning purposes was derived from previous deeds of record and not an actual field survey.

To Rezone From: CPD, Commercial Planned Development 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 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 text titled, “**TEXT**,” dated June 25, 2015, and signed by Jackson B. Reynolds, III, Attorney for the Applicant, and the text reading as follows:

TEXT

PROPOSED DISTRICTS: L-M

PROPERTY ADDRESS: 5221 Ebright Road

OWNER: Bright Innovations LLC

APPLICANT: Bright Innovations LLC

DATE OF TEXT: June 25, 2015

APPLICATION: Z15-012

1. **INTRODUCTION:** The subject property ("Site") is located along Ebright Road north of Route 33, on Columbus's far southeast side. The property was rezoned to CPD in 2005 under case Z04-054 to provide for a comparable zoning district as found on the property upon annexation. The owner is leasing the property to an electrical contractor so the request is to add the requested use in the L-M district and maintain those uses found in the existing CPD.

2. **PERMITTED USES:** All uses permitted in the C-4, Commercial District (C.C.C. Section 3355.02), except as prohibited and restricted below and those uses. Those uses permitted in Sections 3363.01 and 3363.02 M, Manufacturing District of the Columbus City Code except for Section 3363.01(D) and Section 3363.02(c). Prohibited uses: All uses permitted under C-5 Commercial District (Section 3361.02); bars, cabarets and nightclubs; blood and organ banks; bowling centers; check cashing and loans; drive-in motion picture theaters; hospitals; linen and uniform supply; missions/temporary shelters; pawn brokers; performing arts, spectator sports and related industries; supermarkets; warehouse clubs and super centers.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated, the applicable development standards shall be those contained in Chapter 3355 (C-4, Commercial) of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements: N/A

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

Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Department of Public Service.

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

1. The existing landscaping consisting of four bushes and six trees in the front setback area shall be maintained.
2. The existing green space along Ebright Road, abutting the customer parking area, shall be maintained.
3. Mature trees existing on site shall be preserved.
4. Evergreen trees with a height of 6’ to 8’ will be planted 25’ to 30’ on center along the SR 33 right of way and along the south side of the storage area to provide screening to the abutting properties and roadways.

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

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

All external outdoor lighting shall be consistent in design and color with each other. Any new lighting shall be a maximum of eighteen (18) feet in height.

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Code, as it applies to the M, Manufacturing District classification. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

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