



Legislation Details (With Text)

File #: 2010-2007 **Version:** 1

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On agenda: 2/11/2008 **Final action:** 2/14/2008

Title: To rezone 2135 NOE BIXBY ROAD (43232), being 6.4± acres located on the west side of Noe Bixby Road, 200± feet north of Foxcroft Court, From: L-M, Limited Manufacturing District To: L-M, Limited Manufacturing District (Rezoning # Z07-043).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2010-2007Atchmnts.pdf, 2. City Council Data Form_Z07-043.pdf, 3. Z07-043Labels.pdf

Date	Ver.	Action By	Action	Result
2/14/2008	1	CITY CLERK	Attest	
2/12/2008	1	MAYOR	Signed	
2/11/2008	1	Zoning Committee	Approved	Pass
2/11/2008	1	COUNCIL PRESIDENT	Signed	
2/4/2008	1	Columbus City Council	Read for the First Time	
1/22/2008	1	Dev Zoning Drafter	Sent for Approval	
1/22/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
1/22/2008	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
1/18/2008	1	Dev Zoning Reviewer	Reviewed and Approved	
1/18/2008	1	Dev Reviewer	Reviewed and Approved	
11/20/2007	1	Dev Zoning Drafter	Sent for Approval	

Rezoning Application Z07-043

APPLICANT: Thomas Bal; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200, Columbus, OH 43206.

PROPOSED USE: Light manufacturing / metal fabrications business

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on October 11, 2007.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant seeks a rezoning from the L-M, Limited Manufacturing District to the L-M, Limited Manufacturing to permit a light manufacturing / metal fabrication business. A rezoning is necessary because the existing ordinance permits only a self-storage facility with a specific site plan. Staff recommends approval because the proposed light manufacturing / metal fabrication business will be surrounded by a large wooded wetland. The applicant is committing to the site plan which limits the area that can be developed and the applicant is committing to maintain the existing vegetation making it compatible with the zoning, and land uses in the area.

To rezone **2135 NOE BIXBY ROAD (43232)**, being 6.4± acres located on the west side of Noe Bixby Road, 200± feet north of Foxcroft Court, **From:** L-M, Limited Manufacturing District **To:** L-M, Limited Manufacturing District (Rezoning # Z07-043).

WHEREAS, application #Z07-043 is on file with the Building Services Division of the Department of Development requesting rezoning of 6.4± acres from 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 City Departments recommend approval of said zoning change because the proposed light manufacturing / metal fabrication business will be surrounded by a large wooded wetland. The applicant is committing to the site plan which limits the area that can be developed and the applicant is committing to maintain the existing vegetation making it compatible with the zoning, and land uses in 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:

2135 NOE BIXBY ROAD (43232), being 6.4± acres located on the west side of Noe Bixby Road, 200± feet north of Foxcroft Court, and being more particularly described as follows:

Legal Description

2135 NOE BIXBY ROAD, Columbus, Ohio

Situated in the City of Columbus, Franklin County, Ohio and being a part of Section 22, of the Refugee Lands, and being a part of a 201 acre tract as described in Deed Book 2326, Pg. 369 of the records of the Recorder of said County and being more particularly described as follows:

Beginning at an iron pin set in the north line of said 201 acre tract at the intersection of the old centerline of Noe Bixby Road as described in the 10 acre exception of said 201 acre tract; thence, S 12°36'03" W along said centerline 93.44 feet to a spike set at northeast corner of Parcel 160-BWD as recorded in Deed Book 2615, Pg. 28; thence, N 73° 42' 03" W along the north line of said parcel 30 feet to a pin set; thence, S 23° 00' 33" W along the west line of said parcel 102.70 feet to a pin set; thence, S 16° 17' 58" W along said line 79.36 feet to a pin set at the north R/W line of the Conrail tract; thence, along a curve to the left 230.59 feet, which radius is 2514.90 feet, the chord of which bears N 86° 44' 53" W. 230.51 feet to a pin set; thence, the following courses along the north line of said Conrail tract: N 89° 22' 29" W 373.80 feet to a pin set; N 00° 37' 31" E 20.00 feet to a pin set; N 89° 22' 29" W 482.00 feet to a pin set; S 00° 37' 31" W 10.00 feet to a pin set; N 89° 22' 29" W 94.60 feet to the southwest corner of the herein described tract being in the center of Big Walnut Creek; then, N 06° 44' 46" E with the creek 219.95 feet to the northwest corner of the herein described tract; thence, N 89° 55' 41" E along the south line of the Loyal Order of the Moose tract, as described in DR 6791, Pg. G07, 1266.13 feet to the place of beginning. Containing 6.403 Acres of land.

To Rezone From: from L-M, Limited Manufacturing 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, "**DEVELOPMENT TEXT**," and said plan being titled, "**2135 NOE BIXBY RD. COLUMBUS OHIO**," both signed by Michael T. Shannon, Attorney for the Applicant, dated September 25, 2007, and the text reading as follows:

DEVELOPMENT TEXT
LM, LIMITED MANUFACTURING DISTRICT
6.403± ACRES

Existing District: L-M, Limited Manufacturing District

Proposed District: L-M, Limited Manufacturing District

Property Address: 2135 Noe-Bixby Road (43232)

Owner/Applicant: Thomas and Mary Bal, c/o CRABBE, BROWN & JAMES, LLP: Michael T. Shannon, Esq., 500 S. Front St., Suite 1200, Columbus, Ohio 43215, Mshannon@cbjlawyers.com.

Application No.: Z07-043

Date of Text: September 25, 2007

I. INTRODUCTION:

The subject site ("Site") consists of 6.403± acres situated on the west side of Noe-Bixby Road, south of I-70 on the City's east side. The Site is surrounded on the west by Big Walnut Creek and various commercial and industrial properties across the Creek; on the north by the Moose Lodge #1245 zoned L-C-4; on the east by Woodcrest Road and single-family residences; and on the south by railroad tracks and condominium development below the tracks. The Site lies within a significantly mixed-use neighborhood which is fairly industrial in nature, with some remaining large-lot single-family residential parcels in the area.

Applicant proposes to rezone the Site from L-M to L-M, to allow additional light manufacturing uses than are currently permitted by the existing L-M text, which text permits only the development of mini storage units, which were never constructed. The property is currently vacant, and the Applicant/Owner's proposed use will allow their single-family residence (through a companion council variance, CV07-032) and their sole-proprietor light manufacturing / metal fabrication business.

II. PERMITTED USES:

Only the following uses shall be permitted: Metal products (fabrication); Mini-warehouse storage facility; Office for research and development in conjunction with metal fabrication business; Tool, die, gauge and machine (shops).

III. DEVELOPMENT STANDARDS:

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

1. Noe-Bixby Road is a C-Class arterial street requiring a minimum right-of-way width of sixty (60) feet. The minimum building setback from Noe-Bixby Road shall be thirty (30) feet.

2. A significant setback/no-build area shall be established from the rear property line, to preserve the bank and adjacent area along Big Walnut Creek. The final setback and use of this no-build area shall be as agreed to between the Owner and the City of Columbus Recreation and Parks Department. If and/or until a specific agreement is in place between the Owner and Department, a minimum 200' setback shall be maintained, as shown on the submitted site plan.

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

1. The Applicant shall maintain one full-service access point along Noe-Bixby Road, for access to the onsite residential and manufacturing uses.

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

1. Applicant shall maintain the existing landscaping of the property, which shall be maintained in a healthy state. Should any future landscaping be added, the minimum size of all trees shall be 2.5-inch caliper for deciduous; 1.5 inch caliper for ornamentals, and 5 feet in height for evergreens. Caliper shall be measured 6 inches above grade. Trees may be equally spaced or grouped.

2. Any dead materials shall replaced within six (6) months or the next planting season, whichever occurs first.

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

1. All building exteriors shall be constructed of wood, brick, real or synthetic stone, real or synthetic stucco, glass, vinyl siding, wood shingles, textured or coated metal, concrete, marble, textured concrete, or any combination of these materials.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. External outdoor lighting shall be cutoff down-style fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. Outdoor lighting fixtures shall be from the same or similar manufacturers type to insure aesthetic compatibility.
3. Except for decorative lighting, all light poles shall be metal and such light poles shall be of the same color. Light poles in the parking lots shall not exceed 18 feet in height.
4. All lighting shall be so positioned as to not be directed toward any abutting residentially-zoned area.
5. There shall be no outdoor public address system, outdoor call system, or other outdoor audible system permitted on the Site.

F. Graphics and Signage Commitments.

All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments.

The site shall be developed in accordance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the plan is subject to review and approval by the director of the Department of Development, or his 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.