



Legislation Text

File #: 0944-2024, **Version:** 2

Rezoning Amendment: Z89-093A

Ordinance #1130-90, passed June 13, 1990 (Z89-093), rezoned 34.57± acres at 4080 Business Park Road from R-1, Residential District and L-M, Limited Manufacturing District to L-M, Limited Manufacturing District to allow limited commercial and manufacturing uses within three parcels known as Parcel A, Parcel B, and Parcel C. This ordinance amends the allowable uses within Parcels A and B to include truck, utility trailer, RV sales, rental, and leasing, and automotive maintenance and repair uses. The remaining development standards from Ordinance #1130-090 remain unchanged.

WEST SCIOTO AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #1130-90, passed June 13, 1990 (Z89-093), for property located at **4080 BUSINESS PARK DR. (43204)**, by repealing Section 3 and replacing with a new Section 3 to modify the limitation text as it pertains to the allowable uses within Parcel A and Parcel B **and to declare an emergency.** (Rezoning Amendment #Z89-093A).

WHEREAS, Ordinance #1130-90, passed June 13, 1990 (Z89-093), rezoned 34.57± acres at **4080 BUSINESS PARK DR. (43204)**, from R-1, Residential District and L-M, Limited Manufacturing to the L-M, Limited Manufacturing to allow limited manufacturing and commercial uses; and

WHEREAS, that rezoning established specific allowable uses within Parcel A and Parcel B; and

WHEREAS, the Applicant proposes to modify the limitation text to allow the addition of truck, utility trailer, and RV sales, rental, and leasing, and automotive maintenance and repair uses within Parcels A and B; and

WHEREAS, it is necessary to amend Section 3 of Ordinance #1130-90, passed June 13, 1990 (Z89-093), to revise the limitation text to allow the addition of truck, utility trailer, and RV sales, rental, and leasing, and automotive maintenance and repair uses within Parcels A and B; and

WHEREAS, all other aspects of Ordinance #1130-90 are unaffected by this amendment and remain in effect, and are repeated below for clarity; now, ~~therefore;~~ **and**

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the Large financial transaction held up after Applicant's/Property Owner's internal review discovered long-practiced uses were not in compliance with applicable L-M District for the immediate preservation of the public peace, property, health and safety; 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:

4080 BUSINESS PARK DR. (43204), being 9.27± acres located at the terminus of Business Park Drive, and being more particularly described as follows:

PARCEL "A"

**DESCRIPTION OF 4.689 ACRES
NORTH OF INTERSTATE ROUTE 70
EAST OF INTERSTATE ROUTE 270
WEST OF WILSON ROAD**

Situated in the State of Ohio, County of Franklin, City of Columbus, being 4.689 acres located within that 32.616 acre tract of land as described in a deed to Linclay, a Missouri general partnership, of record in Official Record Volume 12117, Page I10 (all references herein are to the records located in the Recorder's Office, Franklin County, Ohio), said 4.689 acre being more particularly described as follows:

Beginning, FOR REFERENCE, at the most northwesterly corner of said 32.616 acre tract; thence South 11 degrees 37' 46" West, along the westerly line of said 32.616 acre tract, a distance of 559.09 feet to a point; thence South 47 degrees 20' 37" East, along the southerly line of same, a distance of 967.17 feet to the TRUE POINT OF BEGINNING;

Thence through said 32.616 acre tract the following two (2) courses and distances;

1. North 42 degrees 39' 23" East, a distance of 277.55 feet to a point;
2. South 78 degrees 42' 58" East, a distance of 500.00 feet to a point in the easterly line of said 32.616 acre tract;

Thence along the easterly line of said 32.616 acre tract the following five (5) courses and distances;

1. South 36 degrees 33' 17" East, a distance of 210.89 feet to a point;
2. South 53 degrees 26' 43" West, a distance of 24.36 feet to a point of curvature;
3. With the arc of a curve to the right, having a radius of 281.00 feet, central angle of 35 degrees 29' 58", the chord of which bears South 71 degrees 11' 42" West, a chord distance of 171.33 feet to a point;
4. South 1 degree 03' 19" East, a distance of 38.00 feet to a point;
5. South 11 degrees 18' 49" West, a distance of 37.37 feet to a point in the southerly line of said 32.616 acre tract;

Thence North 78 degrees 42' 58" West, along said southerly line, a distance of 508.15 feet to a point;

Thence North 47 degrees 20' 36" West, continuing along said southerly line, a distance of 159.49 feet to the TRUE POINT OF BEGINNING and containing 4.689 acres of land.

PARCEL "B"

**DESCRIPTION OF 4.581 ACRES
NORTH OF INTERSTATE ROUTE 70
EAST OF INTERSTATE ROUTE 270**

Situated in the State of Ohio, County of Franklin, City of Columbus, being 4.581 acres located within that 32.616 acre tract of land as described in a deed to Linclay, a Missouri general partnership, of record in Official Record Volume 12117, Page 110 (all references herein are to the records located in the Recorder's Office, Franklin County, Ohio), said 4.581 acres being more particularly described as follows:

Beginning, FOR REFERENCE, at the most northwesterly corner of said 32.616 acre tract; thence South 11 degrees 37' 46" West, along the westerly line of said 32.616 acre tract, a distance of 429.09 feet to the TRUE POINT OF BEGINNING;

Thence through said 32.616 acre tract the following three (3) courses and distances;

1. North 84 degrees 34' 34" East, a distance of 119.06 feet to a point;
2. South 47 degrees 20' 37" East, a distance of 954.63 feet to a point;
3. South 42 degrees 39' 23" West, a distance of 200.00 feet to a point on the southerly line of said 32.616 acre tract;

Thence North 47 degrees 20' 36" West, along said southerly line, a distance of 967.17 feet to a point;
Thence North 11 degrees 37' 46" East, along the westerly line of said 32.616 acre tract, a distance of 130.00 feet to the TRUE POINT OF BEGINNING and containing 4.581 acres of land.
Bearings herein are based on the recorded plat of "70/270 WEST BUSINESS PARK" of record plat book 68 pages 81 and 82.

To Rezone From: R-1, Residential District and 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 Section 3 of Ordinance #1130-90, passed June 13, 1990 (Z89-093), be hereby repealed and replaced with new Section 3 reading as follows:

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 3311.12 of the Columbus City Codes; said plan being titled, "**SITE PLAN - AMENDMENT TO REZONING,**" and said text titled, "**LIMITED TEXT - APPLICATION TO AMEND REZONING,**" both dated February 23, 2024, and signed by Matthew Cull, Attorney for the Applicant, and the text reading as follows:

Limited Text - Application to Amend Rezoning

DATE: February 23, 2024

PROPERTY ADDRESS: 4080 Business Park Drive, Columbus, Ohio 43202

Parcel ID: 570-105100-00

Calculated Acres: 34.57 ac

Property as labeled and depicted on Site Plan and described in Exhibit 1, attached hereto.

PROPERTY OWNER: Star Leasing Company, LLC

APPLICANT: Star Leasing Company, LLC

CURRENT ZONING DISTRICT: L-M, Limited-Manufacturing District, Z89-093 (06/13/1990, H-35) and L-M, Limited Manufacturing District, Z01-053 (11/28/2001 LM, H-35)

PROPERTY SUBJECT TO AMENDMENT: 9.27 ac consisting of Parcel "A" (4.689 ac) and Parcel "B" (4.581 ac) only, as labeled and depicted on Site Plan and described in Exhibit 2, attached hereto.

PURPOSE: To Amend Rezoning of L-M, Limited-Manufacturing District, Z89-093, Manufacturing, LM, 6/13/1990, H-35, in order to allow trailer maintenance and service performed for 3rd parties as a permitted use.

APPLICATION #: Z89-093A

INTRODUCTION & BACKGROUND: The subject Property, which currently consists of one Franklin County Parcel ID 570-105100-00, was rezoned in two phases. In 1990, approximately 32.62 ac of the Property was rezoned from R-1, Residential District and L-M, Manufacturing District, to L-M, Limited-Manufacturing District, (Z89-093, 06/13/1990, H-35). In 2001, the western-most 1.77 ac portion of the Property (at the time a separate tax parcel 570-105100) was rezoned from R-1, Residential District to L-M, Limited Manufacturing District (Z01-053, 11/28/2001 LM, H-35).

Applicant/Property Owner/Star Leasing Company LLC ("Star"), has occupied the Property since 1996, initially as a lessee pursuant to a lease with an affiliate, and since 2012 as the Property Owner. Star has been using the Property principally for its general corporate offices and trailer storage, as well as trailer maintenance and inspection. A recent internal zoning review prompted Star to reach out to the City of Columbus Building and Zoning Department to verify that

Star's historical and current uses were in compliance with the Columbus Zoning Code. Additional zoning reviews determined that a small portion of Star's historical/current use of the Property for the provision of maintenance and inspection services for 3rd parties (i.e., trailers not owned or operated by Star) was neither a permitted primary nor accessory use under the Property's current zoning.

Star is applying for the subject Amendment to the Rezoning in order to allow for all its historical uses of the Property to be included as Permitted Uses under the Zoning Code.

PERMITTED USES:

Parcels A and B:

- (a) Those uses contained in Section 3353.01, C-2, Commercial (ancillary retail sales, warehouse and distribution where the primary use is office);
- (b) Hotels and motels with retail and service shops as a part thereof;
- (c) Restaurants;
- (d) Those uses contained in Section 3363.02(a) (b) (d), 3363.04, 3363.05, 3363.06, 3363.07, 3363.08, M, Manufacturing District, and ancillary retail sales of those items permitted in said sections;
- (e) Truck, Utility *Trailer*, and RV (Recreational Vehicle) Sales, Rental and Leasing; and
- (f) Automotive (including Truck and Trailer) Maintenance and Repair

Parcel C:

- (a) Retention pond;
- (b) Recreational activities, including boating; and
- (c) The uses which are permitted in Parcels A and B may cantilever their buildings a maximum of fifty (50) feet over the retention pond.

DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter 3363 of the Columbus City Code.

ADDITIONAL DEVELOPMENT STANDARDS:

Setbacks:

- 1. Along and adjacent to I-70/I-270 a twenty-five (25) foot building, maneuvering and parking setback shall be maintained.
- 2. Along and adjacent to the proposed private road situated along the south line of Parcels A and B, a ten (10) foot building maneuvering and parking setback shall be maintained.

Lighting:

- 1. All external lighting shall be cutoff type fixtures and shall not spill any light off the property onto the abutting residential area or I-70/I-270.
- 2. All types of parking, pedestrian and other exterior lighting shall be on poles and shall be from the same manufacturer type and style.
- 3. Parking lot lighting shall be no higher than 28 feet.

Environmental Treatments:

- 1. Tree plantings shall be required at a density of one per forty (40) lineal feet of frontage at a minimum distance of five (5) feet from and parallel to I-70/I-270 and any interior streets. Minimum tree size at installation shall be 2 1/2 inches.

2. All parking areas adjacent to I-70/I-270 and any interior streets shall have headlight screening of thirty (30) inches minimum height along and parallel to the site frontage as measured from the highest elevation of the nearest section of the adjacent parking area. This screening may be accomplished by the change of the topography.

3. No truck parking shall be permitted between any building and any residential use.

4. For any building located adjacent to residential properties, no loading door or truck doors shall face such residentially used property. Only pedestrian doors shall be allowed in such areas. This restriction shall not prevent the applicant from having loading and/or truck doors on the interior side of a building away from the residentially zoned property.

5. For any building located adjacent to I-70/I-270, no loading doors or truck doors shall face I-70/I-270. Only pedestrian doors shall be allowed in such areas. This restriction shall not prevent the applicant from having loading and/or truck doors on the interior side of a building away from I-70/I-270 so long as those doors are screened by other buildings to the height of the loading and/or truck door.

6. For any building located adjacent to the retention pond, no loading doors or truck doors shall face the retention pond. Only pedestrian doors shall be allowed in such areas. This restriction shall not prevent the applicant from having loading and/or truck doors on the interior side of a building away from the retention pond.

7. Lot coverage for structures and paved areas shall not exceed eighty-five percent (85%). Sidewalks and paved plazas at building entrance shall not be considered a part of lot coverage.

8. Loading areas shall be screened by structures and/or landscaping to minimum height of seven (7) feet from view on all sides.

9. No buildings shall be constructed on Parcel C; however, the buildings which are permitted in Parcels A and B may be cantilevered a maximum of fifty (50) feet over Parcel C.

10. No outdoor music shall be permitted on Parcels A, B and C.

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

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.