



## Legislation Details (With Text)

**File #:** 0988-2018      **Version:** 1

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

**File created:** 3/28/2018      **In control:** Zoning Committee

**On agenda:** 4/16/2018      **Final action:** 4/18/2018

**Title:** To rezone 826 EAST DUBLIN-GRANVILLE ROAD (43229), being 1.2± acres located on the north side of East Dublin-Granville Road, 160± feet east of Huntley Road, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning # Z17-055).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0988-2018.Attachments, 2. ORD0988-2018.Labels

Date	Ver.	Action By	Action	Result
4/18/2018	2	CITY CLERK	Attest	
4/17/2018	2	MAYOR	Signed	
4/16/2018	2	COUNCIL PRESIDENT	Signed	
4/16/2018	1	Zoning Committee	Approved	Pass
4/9/2018	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z17-055

**APPLICANT:** Ohio Mulch; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Landscaping and mulch retail and wholesale.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on March 8, 2018.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This 1.2 acre site is zoned L-M, Limited Manufacturing, and consists of two parcels, each developed with a vacant non-conforming single-unit dwelling. The current L-M district (Ordinance #0504-2016/Z15-050), approved on March 14, 2016, permits limited commercial uses and a landscaping and mulch retail and wholesale business as the only allowed manufacturing use. That L-M district also established supplemental development standards addressing landscaping and screening, material height; and a commitment to a site plan. The applicant now desires to convert the former dwellings and use them for the business. This rezoning request will maintain the L-M district and merely replaces the registered site plan with a new site plan that accommodates the incorporation of those structures. All other use restrictions and development standards established by Ordinance #0504-2016, Z15-050 are unchanged and will remain in effect with this ordinance. Staff recognizes the incorporation of the two existing structures into the site plan as a negligible change from the current L-M, Limited Manufacturing District, and, therefore, supports this request.

To rezone **826 EAST DUBLIN-GRANVILLE ROAD (43229)**, being 1.2± acres located on the north side of East Dublin-Granville Road, 160± feet east of Huntley Road, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning # Z17-055).

**WHEREAS**, application # Z17-055 is on file with the Building and Zoning Services Department requesting rezoning of 1.2± 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 requested L-M, Limited Manufacturing District is consistent with the zoning and development patterns in the area. The proposal will permit the development of a retail and wholesale landscaping and mulch business with appropriate use restrictions and development standards, 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:

**826 EAST DUBLIN-GRANVILLE ROAD**, being 1.2± acres located on the north side of East Dublin-Granville Road, 160± feet east of Huntley Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 4, Township 2, Range 18, United States Military Lands and being all of that 0.354 acre tract and all of the residual land in that 3.91 acre tract (with exceptions) described in deeds to Judith E. Burgess of record in the following deeds: D.B. 2025, Pg. 87, Inst. 199711190147695, Inst. 200206240155032, Inst. 200907130101870 and D.B. 3616, Pg. 628, Inst. 200206240155030, Inst. 200907130101868 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, at the intersection of the westerly line of said 3.91 acre tract with the northerly right-of-way line of East Dublin Granville Road (State Route 161), being the southeasterly corner of that 1.153 acre tract described in a deed to B & N Company of record in O.R. 134 H01;

Thence North 5° 56' 46" West 404.22 feet, along the easterly line of said 1.153 acre tract, and the westerly line of said 3.91 acre tract, to the southerly line of lands of Garrison Huntley LLC of record in Inst. 201209280145908;

Thence North 84° 41' 29" East 125.98 feet along the southerly line of said Garrison Huntley LLC, to the westerly line of lands of 2089 Webster LLC of record in Inst. 2015013300039419;

Thence South 5° 52' 47" East 411.43 feet, along the westerly line of said 2089 Webster LLC, and the easterly line of said 3.91 acre tract, to the northerly right-of-way line of said Dublin Granville Road;

Thence South 84° 20' 00" West 76.50 feet, along said right-of-way line, and the southerly line of said 0.354 acre tract, to a point;

Thence North 77° 57' 54" West 12.83 feet, continuing along said line, to a corner of said 0.354 acre tract;

Thence North 89° 20' 51" West 37.25 feet, along the northerly right-of-way line of East Dublin Granville Road, to the POINT OF BEGINNING, and containing 1.18 acres of land, more or less.

The above description was prepared from available records and does not represent an actual field survey.

**To Rezone 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 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 plan being titled, "**SITE PLAN,** " and text titled, "**DEVELOPMENT TEXT,**" both signed by Jeffrey L. Brown, Attorney for the Applicant, dated March 28, 2018, and reading as follows:

### **DEVELOPMENT TEXT**

**PROPOSED DISTRICTS: L-M**

**PROPERTY ADDRESS: 826 East Dublin-Granville Road**

**OWNER: Weber Holdings North LLC**

**APPLICANT: Ohio Mulch**

**DATE OF TEXT: 3/28/2018**

**APPLICATION: Z17-055**

**1. INTRODUCTION:** This site is located on the north side of East Dublin-Granville Road east of Huntley Road. The applicant wants to combine his retail and wholesale operations at the site as well as yard waste drop off. There are different development standards for retail vs. wholesaling uses. The applicant has been granted an accompanying council variance to address the setback and parking issues. See CV15-068. The site was zoned in 2016 and the applicant committed to a site plan. The applicant was going to demolish the two existing buildings on the site and then construct a new building. The applicant now wants to keep the two buildings so a revised site plan has been created.

### **2. PERMITTED USES:**

Those uses permitted under Section 3363.01 M, Manufacturing District of the Columbus City Code (including wholesale activities) except for the following uses which are prohibited:

- ☐ Adult entertainment establishment or an adult store
- ☐ Animal Shelter
- ☐ Bars, Cabarets and Nightclubs
- ☐ Blood and Organ Banks
- ☐ Check Cashing and Loans
- ☐ Halfway House
- ☐ Missions/Temporary Shelters
- ☐ Monopole Telecommunication Antennas
- ☐ Motorcycle and Boat Dealers
- ☐ Pawn Brokers
- ☐ Recreational Vehicle Dealers
- ☐ Utility and RV (Recreational Vehicle) Sales, Rental and Leasing
- ☐ Used Automobile Sales unless part of a new automobile dealership
- ☐ Those uses listed in C-5, Commercial District (Chapter 3357) and those uses listed in Sections 3363.16 and 3363.17 of Columbus City Code.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicted in the text or submitted drawings the applicable development standards are contained in Chapter 3363 M, Manufacturing District of the Columbus City Code.

### **A. Density, Height, Lot and/or Setback Requirements**

N/A

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

N/A

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

The frontage along East Dublin-Granville Road shall be landscaped as follows: 1 tree per 30 linear feet. Trees maybe grouped or evenly spaced.

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

N/A

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

The height of the bulk storage and storage bins shall not exceed six feet.

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the appropriate M, Manufacturing District.

G. Miscellaneous

1. The applicant has submitted a site plan as part of its zoning application. The site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the site plan shall be subject to review 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 proposed adjustment.

2. See also CV15-068.

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