



## Legislation Details (With Text)

**File #:** 1979-2018      **Version:** 2

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

**File created:** 7/3/2018      **In control:** Zoning Committee

**On agenda:** 7/23/2018      **Final action:** 7/25/2018

**Title:** To rezone 5089 TRABUE ROAD (43228), being 1.48± acres located 1,820± feet south of Trabue Road along I-70 West, From: R, Rural District, To: M-2, Manufacturing District (Rezoning # Z18-029) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1979-2018.Attachments.pdf, 2. ORD1979-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
7/25/2018	2	CITY CLERK	Attest	
7/24/2018	2	ACTING MAYOR	Signed	
7/23/2018	2	COUNCIL PRESIDENT	Signed	
7/23/2018	1	Zoning Committee	Approved as Amended	Pass
7/23/2018	1	Zoning Committee	Amended to Emergency	Pass
7/16/2018	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z18-029

**APPLICANT:** BT OH LLC; c/o Thaddeus M. Boggs; 10 West Broad Street, Suite 2300; Columbus, OH 43215.

**PROPOSED USE:** Parking to serve adjacent industrial uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on June 14, 2018.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel zoned in the R, Rural District. The applicant proposes the M-2, Manufacturing District to expand the parking lot for the adjacent industrial use to the west. Because the parcel cannot be combined with the adjacent industrial parcel, a Council variance (Ordinance # 1980-2018; CV18-030) is also being sought to allow parking as a primary use in the M-2, Manufacturing District and to reduce parking setback, maneuvering, and parking lot landscaping requirements. The site is located within the boundaries of the *Trabue/Roberts Area Plan* (2011), which recommends “light industrial” uses for this location. While the intended use requires a Council variance, staff finds the proposed parking consistent with the Plan’s recommendation and with established zoning and development patterns in the area.

To rezone **5089 TRABUE ROAD (43228)**, being 1.48± acres located 1,820± feet south of Trabue Road along I-70 West, **From:** R, Rural District, **To:** M-2, Manufacturing District (Rezoning # Z18-029) **and to declare an emergency.**

**WHEREAS,** application # Z18-029 is on file with the Department of Building and Zoning Services requesting rezoning

of 1.48± acres from the R, Rural District, to the M-2, Manufacturing District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change as the proposed M-2, Manufacturing District is consistent with the *Trabue/Roberts Area Plan's* land use recommendation, and the established zoning and development patterns in the area;

**WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**5089 TRABUE ROAD (43228)**, being 1.48± acres located 1,820± feet south of Trabue Road along I-70 West, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, and being a part of Virginia Military District Survey No. 2988, being part of Lots I of the Plat of the Farm of Christian Carl as recorded in Plat Book 5, Page 476 and also being a part of the railroad Right of Way, declared "Used in Operations" commonly known as Norfolk Southern Corporation's portion of the Buckeye Yard (PPN: 570-146296) as conveyed to Pennsylvania Lines, LLC in Instrument No. 200212180325195, now known as the Norfolk Southern Railway Company, successor by merger in the Merger Affidavit recorded in Instrument No. 200710260186473 as recorded in the Franklin County Deed Records, and more fully bounded and described as follows:

Beginning at a monument found (Franklin County Monument FCGS 7742, Ohio State Plane Reference System coordinates of (N:722,256.20, F: 1,790,371.82 Ohio South Zone NAD83 2011) in the centerline of Trabue Road, as dedicated in Plat Book 42, Page 88, thence along said centerline, N 78°10'09" E, 1,557.40 feet to a point and the westerly line of said Virginia Military District Survey No.2988; thence S 14°02'55"- W, along said westerly VMDS line, 110.00 feet to a capped "CTL Engineering S-7176" iron pin found and the said platted southerly right of way line of said Trabue Road and the northeasterly corner of a parcel of land as conveyed to Ohio Corporation as described in Official Record 7388 E02 and Official Record 7388 E07, now known as BT-011, LLC (PPN.560-205289-00) successor by merger, see Official Record 15852 A04 and in Instrument No. (IN) 201612300179715; thence S 14°02'55" W, along the westerly line of said Norfolk Southern parcel and the easterly line of said BT-OH, TLC parcel and also the westerly line of said VMD survey 2988, a distance of 1,943.16 feet to an iron pin found (N:720,983.749, E: 1,791,397.740 Ohio South Zone NAD83 2011) in the northerly common corner of Lots 1 and 3 of said Plat of the Farm of Christian Carl and the True Place of Beginning of the parcel herein described:

Course No. 1; Thence S 78°43'57" E, along a new line of division through said Norfolk Southern parcel in the common line of said Lots I and 3 and the Corporation line of the City of Columbus in the northerly line of said PPN:570-146296, a distance of 378.70 feet to an iron pin set, coordinates on plat;

Course No. 2; Thence S 00°08'10" W, continuing along said new division line, a distance of 131.52 feet to an iron pin set and the northerly right of way line of Interstate Route 70 appropriated as Parcel 1067E-X (Fra-270-0.00N/0.00S) by the State of Ohio in Franklin County Court of Common Pleas Case No.232341, (Ohio State Plane Reference System coordinates of N: 720,778.236, E: 1,791,768.829 Ohio South Zone NAD83 2011);

Course No. 3; Thence N 87°44'51" W, along said northerly Interstate Route 70 right of way line, a distance of 418.72 to a 5/8" iron pin found;

Course No.4; Thence N 14°02'55" E, along the westerly line of said Norfolk Southern parcel and the easterly line of said BT-OH, LLC parcel and also the westerly line of said VMD survey 2988, a distance of 194.89 feet the Place of Beginning and containing 1.478 acres of land, more or less, as surveyed by Terence R. Allison, P.S., Ohio Registration No. S-7176, for CTL Engineering Inc., in August, 2017, but subject to all legal roads, highways, right of ways, easements and leases of record.

The Basis of Bearing is S 13°19'27" E, as recorded in Instrument # 20150624008467 of the Franklin County Deed Records. June 2015

**To Rezone From:** R, Rural

**To:** M-2, Manufacturing District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the M-2, 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 in the office of the Department of Building and Zoning Services.

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