



Legislation Details (With Text)

File #: 3302-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/19/2018 **In control:** Zoning Committee

On agenda: 12/10/2018 **Final action:** 12/13/2018

Title: To rezone 1030 ALUM CREEK DRIVE (43209), being 3.47± acres located on the east side of Alum Creek Drive, 350 feet south of East Livingston Avenue, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning # Z18-026).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3302-2018_Attachments, 2. ORD3302-2018_Labels

Date	Ver.	Action By	Action	Result
12/13/2018	1	ACTING CITY CLERK	Attest	
12/12/2018	1	MAYOR	Signed	
12/10/2018	1	COUNCIL PRESIDENT	Signed	
12/10/2018	1	Zoning Committee	Approved	Pass
12/3/2018	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z18-026

APPLICANT: WCOL, LLC; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

PROPOSED USE: Self-storage facility with accessory truck rental.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on October 11, 2018.

LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 3.47± acre site is developed with a self-storage facility in the L-M, Limited Manufacturing District. The applicant requests a new L-M district to allow accessory truck rental in conjunction with the self-storage facility. The limitation text includes customary use restrictions while also maintaining the existing parking setback, traffic access, and street trees along Alum Creek Drive. The site is within the boundaries of the *Near Southside Area Plan* (2011), which recommends community-commercial land uses at this location. The proposal is consistent with the development pattern along Alum Creek Drive.

To rezone **1030 ALUM CREEK DRIVE (43209)**, being 3.47± acres located on the east side of Alum Creek Drive, 350 feet south of East Livingston Avenue, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning # Z18-026).

WHEREAS, application # Z18-026 is on file with the Department of Building and Zoning Services requesting rezoning of 3.47± 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 Livingston Avenue 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 includes customary use restrictions while also maintaining the existing parking setback, traffic access, and street trees along Alum Creek Drive; 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:

1030 ALUM CREEK DRIVE (43209), being 3.47± acres located on the east side of Alum Creek Drive, 350± feet south of East Livingston Avenue, and being more particularly described as follows:

Situated in the State of Ohio, in the County of Franklin, and in the City of Columbus:

Being a part of East Section 33, Township 4, Range 22, Refugee Lands; also being a part of that certain 49.02 acre tract as conveyed to Arthur L. Smith, by deed shown of record in Deed Book 1145, Page 187, Recorder's Office, Franklin County, Ohio; also being a part of Half Section 34, Section 24, Township 5, Range 22, Refugee Lands, being part of Lot 1 of E. Livingston's Heirs Subdivision, as numbered and delineated on the Record Plat thereof in Plat Book 10, Page 278, Recorder's Office, Franklin County, Ohio, and being part of Florence M. Bulen, et. Al., original 11.71 acre tract as recorded in Deed Book 3024, Page 448 (Parcel 11), Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing, for reference, at a point at the intersection of the centerlines of Old Alum Creek Drive and East Livingston Avenue, said point being the northwest corner of said Lot I, and also being the northeast corner of the above mentioned 11.71 acre tract and being the northeastern corner of the 49.02 acre tract;

Thence, along the centerline of Old Alum Creek Drive and along the west line of said Lot #1, South 5 degrees 00 minutes 00 seconds west, a distance of 45.00 feet to a point, said point being along the southern right-of-way line for East Livingston Avenue, as shown on Sheets 13-20 of the right-of-way plan Fra-40-13.83 I-70-3 (22) 101, of the Office of Division Six engineer, State of Ohio Highway Department, Delaware, Ohio, and also being the northwestern corner of a 2.079 acre tract, as recorded in official Record Number 19393 H01, Recorder's Office, Franklin County, Ohio;

Thence, along the right-of-way line and parallel to the centerline of East Livingston Avenue, South 85 degrees 35 minutes 56 seconds east, a distance of 34.00 feet to an iron pin, said iron pin being in the western Limited Access Right-of-Way line for the East Freeway (Interstate 70) as shown on said right-of-way plans, and also being the TRUE point of beginning for the parcel herein described;

Thence along said western Right-of-Way line of the Limited Access Highway, and the eastern line of said 2.079 acre tract, south 5 degrees 00 minutes 33 seconds west, a distance of 188.91 feet to a found iron pin;

Thence, along said western Limited Access Right-of-Way, along the eastern line of said 2.079 acre tract, south 7 degrees 28 minutes 14 seconds east, a distance of 392.73 feet to a set iron pin;

Thence, along said westerly Limited Access Right-of-Way and the eastern line of said 2.079 acre tract, south 12 degrees 30 minutes 54 seconds east, a distance of 338.52 feet to a found iron pin, said pin being the southeastern corner of said

2.079 acre tract and being the northeast corner of the Max Lowy and Irene Lowy 1.338 acre tract as recorded in Deed Book 2650, page 199, Recorder's Office, Franklin County, Ohio;

Thence, along the southerly line of said 2.079 acre tract and along the northerly line of said 1.338 acre tract, north 85 degrees 03 minutes 54 seconds west, a distance of 220.73 feet to a found spike in the centerline of Old Alum Creek Drive, said pike being the northwest corner of said 1.338 acre tract, and also being the southwest corner of said 2.079 acre tract;

Thence, along the centerline of Old Alum Creek Drive and along the west line of said 2.079 acre tract, north 5 degrees 10 minutes 03 seconds east, a distance of 37.51 feet to a found spike, said spike being the southeast corner of Dailey Enterprise, Inc. 1.388 acre tract as recorded in Official Record Number 260 F07, Recorder's Office, Franklin County, Ohio;

Thence, along the southerly line of said 1.388 acre tract, north 85 degrees 02 minutes 25 seconds west, a distance of 88.47 feet to a found iron pin, said iron pin being in the easterly right-of-way of relocated Alum Creek Drive, as shown on said right-of-way plans;

Thence, along said eastern right-of-way line, and the western line of said 1.388 acre tract, north 4 degrees 41 minutes 29 seconds west, a distance of 476.78 feet to a found iron pin, said pin being the northwest corner of said 1.388 acre tract, and the southwest corner of the Franchise Realty Interstate Corps. 1.034 acre tract of record in Deed Book 3651, Page 805, Recorder's Office, Franklin County, Ohio;

Thence, along the northerly line of said 1.388 acre tract, and the southerly line of said 1.034 acre tract, south 85 degrees 02 minutes 20 seconds east, a distance of 168.71 feet to a found spike in the centerline of Old Alum Creek drive, said spike being the northeastern corner of said 1.388 acre tract, and the southeastern corner of said 1.034 acre tract;

Thence, along the centerline of Old Alum Creek Drive, and the eastern line of said 1.034 acre tract and the western line of said 2.079 acre tract, north 5 degrees 00 minutes 00 seconds east, a distance of 387.58 feet, to the TRUE point of beginning, passing a found spike at the northeasterly corner of said 1.034 acre tract at a distance of 237.98 feet, containing 3.466 acres, more or less, and subject to all easements or record.

DESCRIPTION OF VACATION OF A PORTION OF OLD ALUM CREEK DRIVE

Situated in the State of Ohio, in the County of Franklin, and in the City of Columbus and being fully described:

Beginning at a point in the southerly right-of-way line of Livingston Avenue and the westerly right-of-way line of Old Alum Creek Drive;

Thence following the southerly right-of-way line of Livingston Avenue, a distance of 80.00 feet to a point;

Thence following the easterly right-of-way line of Old Alum Creek Drive, a distance of 870.58 feet to a point;

Thence crossing Old Alum Creek Drive, a distance of 80.01 feet to a point;

Thence following the westerly right-of-way line of Old Alum Creek Drive, a distance of 870.00 feet to the point of beginning, containing 1.540 acres, more or less, which is included in the 3.466 acre description above.

Parcel Number: 010-016649

Known as: 1030 Alum Creek Drive, Columbus, OH 43209

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 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 3370.03 of the Columbus City Codes; said plan titled “**U-HAUL, 1030 ALUM CREEK DRIVE,**” and text titled, “**DEVELOPMENT TEXT,**” both dated November 19, 2018, and signed by David B. Perry, Agent for the Applicant and Donald Plank, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING: L-M, Limited Manufacturing District (Z98-081)

PROPOSED ZONING: L-M, Limited Manufacturing District

PROPERTY ADDRESS: 1030 Alum Creek Drive, Columbus, OH 43209

PID: 010-016649

APPLICANT: U-Haul Company of Ohio, Inc. c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215.

PROPERTY OWNER: Amerco Real Estate Company c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215.

DATE OF TEXT: November 19, 2018

APPLICATION NUMBER: Z18-026

1. INTRODUCTION: The 3.466 +/- acre site is located on the east side of Alum Creek Drive, 365 +/- feet south of E. Livingston Avenue. The site is zoned L-M, Limited Manufacturing (Z98-081). The site is developed with a self-storage facility. Applicant proposes to rezone the site from L-M to L-M to permit outside display and rental of vehicles (vans, pickup trucks, trucks and trailers) in conjunction with and accessory to the self-storage use. The site abuts property to the north, south and west zoned M, Manufacturing. The site abuts I-70 to the east. The large self-storage building and grade difference between I-70 and the site limits view of the site from I-70.

2. PERMITTED USES: The permitted uses shall be all uses of Chapter 3356, C-4, Regional Scale Commercial District, except the following uses: bars, cabarets, nightclubs, restaurants, off-premise graphics and vehicle repair. Normal vehicle service functions related to the outside display and rental of vehicles (vans, pickup trucks, trucks and trailers), including, but not limited to, motor vehicle fluids, light bulbs, wiper blades and similar vehicle servicing, shall not be considered vehicle repair. In addition, permitted uses shall also include all uses of Chapter 3363, M, Manufacturing District, Sections 3363.02- 3363.08, inclusive, except fuel storage, and there shall be no outside storage permitted.

3. DEVELOPMENT STANDARDS: The applicable development standards shall be those standards contained in this development text and Chapter 3356, M, Manufacturing District, of the Columbus City Code.

A.) Density, Height, Lot and/or Setback commitments.

1. The existing ten (10) foot parking setback shall be maintained.
2. Height District: H-60, subject to a maximum height of 47 feet.

B.) Access, Loading, Parking and/or other Traffic related commitments.

Vehicular access to the site shall be by existing access points which include a full-turning movement curbcut on Alum Creek Drive, and access to the site by off-site curbcuts on E Livingston Avenue and Alum Creek Drive by easement.

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

1. There are thirteen (13) deciduous trees in the Alum Creek Drive parking setback. These existing trees shall be retained, but, if dead, diseased or damaged will be replaced with street trees in accordance with applicable specifications of 3312.21, Landscaping and Screening.

2. Parking lot screening (Section 3312.21(D), Landscaping and Screening), shall be installed along Alum Creek Drive between the existing trees in the existing Alum Creek Drive parking setback.

D.) Building design and/or Interior-Exterior treatment commitments.

N/A.

E.) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

N/A

F.) Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applies to the M, Manufacturing District. The following graphics are prohibited: flashing lights, changeable copy, projecting signs, billboards, co-op signs, rotating signs, trailer-type signs, directory signs and off-premise graphics. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

I.) Miscellaneous commitments.

1. Rental vehicles associated with the on-premise self-storage use shall be permitted to be parked and displayed in the areas indicated on the Site Plan.

2. The Site Plan titled “U-Haul, 1030 Alum Creek Drive” dated November 19, 2018 and signed by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, depicts the permitted locations(s) for parking and display of truck(s)/trailer(s), van(s) and pickup truck vehicles available for lease. The site plan is referenced in this text solely for the purpose of depicting the permitted locations for parking and display of truck(s)/trailer(s), van and pickup truck vehicles for lease at the premises. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services 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.