



Legislation Details (With Text)

File #: 3078-2019 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 11/18/2019 **In control:** Zoning Committee

On agenda: 12/9/2019 **Final action:** 12/12/2019

Title: To rezone 1775 STELZER RD. (43219), being 4.7± acres located on the east side of Stelzer Road, 980± feet north of Johnstown Road, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning #Z19-028) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3078-2019.Attachments, 2. ORD3078-2019.Labels

Date	Ver.	Action By	Action	Result
12/12/2019	2	CITY CLERK	Attest	
12/11/2019	2	MAYOR	Signed	
12/9/2019	2	COUNCIL PRESIDENT	Signed	
12/9/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
12/9/2019	1	Zoning Committee	Approved as Amended	Pass
12/9/2019	1	Zoning Committee	Amended to Emergency	Pass

Rezoning Application: Z19-028

APPLICANT: Bavelis Family LLC; c/o Jeffrey L. Brown, Atty.; 37 W. Broad St., Suite 460; Columbus, OH 43215.

PROPOSED USE: Industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on October 10, 2019.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the L-M, Limited-Manufacturing District. The applicant proposes the L-M, Limited-Manufacturing District to update the development standards for a future industrial development. A concurrent Council variance (Ordinance #3079-2019; CV19-035) has been submitted to vary height and area regulations, building line, parking setback line, and number of loading spaces. The limitation text includes appropriate use restrictions and provisions for access, landscaping and screening, lighting, and graphics commitments. The site is subject to the I-670 Graphics Control overlay and is located within the boundaries of the *Port Columbus Joint Economic Development Strategy* (2008), which recommends "Mixed Use" land uses for this location. The site is also located within the boundaries of the *Northeast Area Plan* (2007), which recommends "Office-Light Industrial" land uses for this location. The requested L-M, Limited Manufacturing District will allow an industrial development that is compatible with the land use recommendations of both the *Northeast Area Plan* and the *Port Columbus Joint Economic Development Strategy*.

To rezone **1775 STELZER RD. (43219)**, being 4.7± acres located on the east side of Stelzer Road, 980± feet north of Johnstown Road, **From:** L-M, Limited Manufacturing District, **To:** L-M, Limited Manufacturing District (Rezoning #Z19-028) **and to declare an emergency.**

WHEREAS, application #Z19-028 is on file with the Department of Building and Zoning Services requesting rezoning of 4.7± 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 Northeast 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 will allow an industrial development that is compatible with the land use recommendations of both the *Northeast Area Plan* and the *Port Columbus Joint Economic Development Strategy*;

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 # 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1775 STELZER RD. (43219), being 4.7± acres located on the east side of Stelzer Road, 980± feet north of Johnstown Road, and being more particularly described as follows:

TRACT I:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, being located in the Third Quarter of Township 1, Range 17, United States Military Lands, and being part of those tracts of land as conveyed to the Peralta Group, by deeds of record in Deed Book 3412, page 890, Deed Book 3412, page 893 and Deed Book 3344, page 186, all references being to records of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows;

Beginning at an iron pin in the centerline of Stelzer Road at the northeasterly corner of Tract No. 34 of Hugo Kaiser's Parcels, also being the southeasterly corner of Tract No. 33 as conveyed to Harold G. and Janet G. White, by deed of record in Deed Book 1980, page 76;

thence South 3 degrees 31' 33" West, with the centerline of said Stelzer Road, also being the easterly line of said Tract No. 34, a distance of 46.62 feet to an iron pin;

thence North 86 degrees 28' 27" West, with a northerly right-of-way line of relocated U.S. Route No. 62, a distance of 60.00 feet to an iron pin;

thence South 59 degrees 08' 45" West, with a northwesterly right-of-way line of said relocated U.S. Route No. 62 (passing an iron pin at 18.18 feet), a distance of 289.42 feet to an iron pin located at the top of bank of a drainage ditch;

thence North 86 degrees 11' 45" West, with the top of bank of said drainage ditch, also being parallel with and 10.00 feet southerly from (as measured at right angles), the southerly line of Tract No. 35, a distance of 278.48 feet to an iron pin;

thence North 3 degrees 23' 03" East, a distance of 210.56 feet to an iron pin in the northerly line of said Tract No. 34, also

being the southerly line of Tract No. 33;

thence South 86 degrees 17' 25" East, with the northerly line of said Tract No. 34, also being the southerly line of said Tract No. 33 (passing an iron pin at 502.86 feet), a distance of 577.86 feet to the place of beginning, containing 2.119 acres of land, more or less.

TRACT II:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, Third Quarter of Township 1, Range 17, United States Military Lands, being four parcels of land, all references being to records in the Recorder's Office, Franklin County, Ohio, said four parcels being more particularly described as follows:

Being 2.558 acres of land, said 2.558 acres being part of parcel 1, all of parcel 3, tract A and tract, as described in a deed to the Rimrock Corporation, of record in Official Record Volume 8776 G20, said 2.558 acre tract being more fully described as follows:

Beginning at an iron pin found at the northeasterly corner of said parcel 3, tract A, at the northwesterly corner of that 2.110 acre tract as described in a deed to Lewis J. Agin and Joan F. Agin, of record in Deed Book 3557, Page 910, said from pin being located North 3 degrees 29'35" East, 388.69 feet and North 86 degrees 17' 52" West, 587.33 feet from the intersection of the Stelzer Road property line and the centerline of U.S. Route 62:

Thence South 3 degrees 20' 54" West, along the westerly line of said 2.119 acre tract, the easterly line of said parcel 3, tract A and Tract B, a distance of 210.47 feet to an iron pin found in the northerly line of said parcel 1, at the southwesterly corner of said 2.119 acre tract;

Thence South 86 degrees 13' 44" East, along the northerly line of said parcel 1, the southerly line of said 2.119 acre tract, a distance of 280.71 feet to an iron pin found in the northerly limited access right-of-way line of U.S. Route 62, as delineated on the Ohio Department of Transportation highway plan FRA-62-19.06, at the southeasterly corner of said 2.119 acre tract, at a northeasterly corner of said parcel 1:

Thence South 59 degrees 38' 15" West, along said Limited access line, along a southerly line of said parcel 1, a distance of 124.65 feet to an iron pin found at southeasterly corner of said parcel 1, at the northeasterly corner of that 0.704 acre tract (parcel#2), as described in a deed to the Big 8 Companies, Incorporated, of record in Deed Book 3143, Page 263:

Thence North 86 degrees 12' 45" West, along a southerly line of said parcel 1, the northerly line of said 0.704 acre tract, a distance of 517.78 feet to an iron pin found at the Northwesterly corner of said 0.704 acre tract:

Thence North 3 degrees 20' 15" East, crossing said parcel 1, along the westerly line of said parcel 3, tract A and tract B, a distance of 279.86 feet to an iron pin found at the northwesterly corner of said parcel 3, tract B, at the southwesterly corner of that 2.112 acre tract (parcel 2) as described in a deed to Harold G. and Jane G. White, of record in Deed Book 1980, Page 76:

Thence South 86 degrees 17' 52' East, along the northerly line of said parcel 3, tract B, along the southerly line of said 2.112 acre tract, a distance of 340.81 feet to the place of beginning and containing 2.558 acres of land:

For the purpose of this description a bearing of North 54 degrees 47' 56" East was used on the centerline of U.S. Route 62, as shown on the Ohio Department of Transportation highway plan FRA-62-19.06, and all other bearing then calculated from this meridian.

To Rezone From: L-M, Limited Manufacturing District.

To: L-M, Limited Manufacturing District.

SECTION 2. That a Height District of Sixty (60) 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 in the office of the Department of Building and Zoning Services and shall register a copy of the approved LM, 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, "**GS MARBLE AND GRANITE**," and said text titled, "**LIMITATION TEXT**," both dated November 12, 2019, both signed by Jeffrey L. Brown, attorney for the Applicant, said text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICTS: L-M, Limited Manufacturing

PROPERTY ADDRESS: 1775 Stelzer Road

OWNER: Bavelis Family LLC

APPLICANT: Bavelis Family LLC

DATE OF TEXT: 11/12/19

APPLICATION: Z19-028

1. **INTRODUCTION:** This site is west of Stelzer Road adjacent to Ole Country Lane. These two parcels were part of a 64 acre zoning approved by City Council in 1991. The property owner wants to update the development standards for these two parcels.

2. **PERMITTED USES:** Those uses permitted in Sections 3363.01, M, Manufacturing districts excluding C-1, C-3, C-4, C-5, Commercial districts, adult entertainment and those uses listed in Sections 3363.09 thru 3363.175.

Notwithstanding the exclusion of retail uses, a permitted manufacturing use may include a retail showroom. The use of cutting, processing, finishing granite/marble and other materials for building projects is a less objectionable use.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in the limitation text, the applicable development standards are contained in Chapter 3363 M, Manufacturing of the Columbus City Code. See variances contained in CV19-035.

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

N/A

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

The access to the site shall be from Ole Country Lane unless the City approves additional access.

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

1. The north property line shall be screened with a six feet fence.

2. Existing trees along the south property line as shown on the submitted site plan shall be maintained subject to sound forestry practice. Dead and diseased trees/shrubbery shall be removed. The applicant shall work with the City's Department of Public Service and Department of Recreation and Parks to install all street trees within the right-of-way of Ole Country Lane, thirty feet on center. These trees may be evenly spaced or grouped together.

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 light poles shall not exceed 14 feet so long as adjacent parcels are zoned residential.

F. Graphics and Signage Commitments

The applicable graphics standards shall be those contained in the City Code as they apply to M, Manufacturing District. The style of any freestanding sign shall be a monument style sign unless varied by the Graphics Commission. Any variances shall be submitted to the Columbus City Graphics Commission.

G. Miscellaneous

Site Plan Revision Allowance. The Property shall be developed in accordance with the Site Plan (as approved by Ordinance #3079-2019, CV19-035); however, the Site Plan shall be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department of Building and Zoning Services or the Directors' designee may approve any slight adjustment to the Site Plan 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.~~
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.