



Legislation Details (With Text)

File #: 2335-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/3/2021 **In control:** Zoning Committee

On agenda: 9/20/2021 **Final action:** 9/23/2021

Title: To rezone 3756 AGLER RD. (43219), being 3.89± acres located on the north side of Agler Road, 414± feet east of Stelzer Road, From: R, Rural District, To: M-2, Manufacturing District (Rezoning #Z21-034).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2335-2021_Attachments, 2. ORD2335_Labels

Date	Ver.	Action By	Action	Result
9/23/2021	1	CITY CLERK	Attest	
9/22/2021	1	MAYOR	Signed	
9/20/2021	1	Zoning Committee	Approved	Pass
9/20/2021	1	COUNCIL PRESIDENT	Signed	
9/13/2021	1	Columbus City Council	Read for the First Time	

Rezoning Application: Z21-034

APPLICANT: Agler Properties LLC; c/o James Monsul; 592 Office Parkway; Westerville, OH 43081.

PROPOSED USE: Industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on July 8, 2021.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with industrial buildings and contractor's storage in the R, Rural District as a result of a 2018 annexation from Mifflin Township. The proposed M-2, Manufacturing District will secure proper zoning for the site and will permit additional industrial buildings and storage areas. The site is located within the boundaries of the *Northeast Area Plan* (2007), which recommends "Medium Density Residential" land uses at this location. Staff recognizes the longstanding use of the site, compatibility with surrounding industrial uses on Agler Road, and the site being annexed in its existing condition as mitigating factors for supporting the use. A concurrent Council Variance (Ordinance #2336-2021; CV21-046) has been requested to reduce the minimum number of parking spaces, to not provide parking lot trees, and to reduce parking, building, and storage setbacks, most of which are existing conditions. That proposal also includes a site plan commitment which provides new landscaping in addition to an existing masonry wall along Agler Road, and a new building whose conceptual elevations are consistent with the Plan's design guidelines. The requested M-2, Manufacturing District will not introduce incompatible uses to the area as the site has been historically used for similar purposes.

To rezone **3756 AGLER RD. (43219)**, being 3.89± acres located on the north side of Agler Road, 414± feet east of

Stelzer Road, **From:** R, Rural District, **To:** M-2, Manufacturing District (Rezoning #Z21-034).

WHEREAS, application #Z21-034 is on file with the Department of Building and Zoning Services requesting rezoning of 3.89± acres from R, Rural District, to M-2, 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 M-2, Manufacturing District will permit continued use of an industrial site compatible with the *Northeast Area Plan*'s design guidelines, and does not introduce incompatible uses to the area; 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:

3756 AGLER RD. (43219), being 3.81± acres located on the north side of Agler Road, 414± feet east of Stelzer Road, and being more particularly described as follows:

Situated in Quarter Township 1, Township 1 North, Range 17 West, United State Military Lands, located in the Mifflin Township, County of Franklin and State of Ohio.

Being the tract of land described to Agler Properties, LLC, an Ohio Limited Liability Company in Instrument Number 201407010083489 of the Franklin County Recorders' Office, Franklin County, Ohio.

Commencing at Franklin County Geodetic Survey Monument 4458, located in the centerline of Agler Road, 0.28 miles east of Stelzer Road;

Thence North 86 degrees 17 minutes 49 seconds West (N 86°17'49" W), along the centerline of Agler Road, a distance of 993.30 feet (993.30') to a point at the southwesterly corner of a 0.146-acre tract of land described as Parcel 87WD to the Franklin County Commissioners in Official Record 07596 F-03;

Thence leaving the centerline of said Agler Road, North 03 degrees 31 minutes 15 seconds East (N 03°31'15" E), along the westerly line of said 0.146 acre tract and a 0.037 acre tract of land described as Parcel 91WD to the Franklin County Commissioners in Instrument Number 200409280226315, and the easterly line of a 0.184 acre tract of land described as Parcel 83WD, Take Two to the Franklin County Commissioners in Official Record 07628 A-08, and the easterly line of a 0.046 acre tract of land described as parcel 65WD2 to the Franklin County Commissioners in Instrument Number 200407090159970, a distance of 50.00 feet (50.00') to a 5/8 inch diameter steel rebar w/ cap inscribed "Franklin County Engineer", found and held, on the northerly right of way line of said Agler Road at the southeasterly corner of a 2.000 acre tract of land described to Paul S. Lawrence Memorial Post 9857, Veterans of Foreign Wars of the U.S., an Ohio Non-Profit Corporation, being the **Point of Beginning** of the tract herein described;

Thence leaving the said northerly right of way line, North 03 degrees 31 minutes 15 seconds East (N 03°31'15" E), along the easterly line of the said 2.000 acre tract, the easterly line of a 0.873 acre tract described to Sena C. Lyons and James M. Eisinger in Instrument Number 200505120090392, a 0.873 acre tract of land described to Lisa Alley as Parcel One in Official Record 33967 E-05, a 0.873 acre tract of land described as Parcel Two to Lisa Alley in Official Record 33967 E-05, a 1.749 acre tract of land described to Clinton Roese and Charlene F. Roese in Instrument Number 199709050086841 and Instrument Number 200108150189286, a 0.873 acre tract of land described to JLH Group, Ltd. in Instrument Number 199712300177407, a 0.873 acre tract of land described to Michael J. Ciak and Debra J. Ciak in Volume 3648,

Page 870, and a 0.926 acre tract of land described to Robert L. Mathews and Mark Ellen Mathews in Volume 3122, Page 308, Volume 3358, Page 645, and Official Record 05405 E-04, a distance of 1,034.02 feet (1,034.02') to a 3/4 inch diameter steel pipe, found & held, on the southerly line of a 15.679 acre tract of land described to The New Salem Missionary Baptist Church in Instrument Number 200507110135048, also being the City of Columbus Corporation line as described in Ordinance Number 1507-00, and of record in Instrument Number 200009130184747;

Thence leaving the northeasterly corner of the said 0.926 acre tract, South 87 degrees 13 minutes 45 seconds East (S 87° 13'45" E), along the southerly line of said 15.679 acre tract and said City of Columbus Corporation line, a distance of 160.49 feet (160.49') to a pin set at the northwesterly corner of a 2.000 acre tract of land described to 3790 Agler Road, LLC, an Ohio Limited Liability Company in Instrument Number 201412110164778;

Thence leaving the southerly line of said 15.679 acre tract, South 03 degrees 31 minutes 15 seconds West (S 03°31'15" W), along the westerly line of the said 2.000 acre tract, a distance of 1,036.65 feet (1,036.65') to a pin set on the northerly right of way line of said Agler Road, at the northeasterly corner of said 0.037 acre tract of land described to the Franklin County Commissioner;

Thence leaving the westerly line of said 2.00-acre tract, North 86 degrees 17 minutes 26 seconds West, along the northerly right of way of said Agler Road and the northerly line of said 0.37-acre tract, a distance of 160.48 feet (160.48') to the **Point of Beginning**, consisting of 3.814 acres of land (166,147 square feet), more or less.

This description is for annexation purposes only and is not to be used for transfer.

All pins set are 5/8-inch diameter steel rebar, 30 inches in length, with an orange cap inscribed "GHG LLC".

Bearings in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), with Agler Road having a bearing of North 86 degrees 16 minutes 46 seconds West (N 86°16'46" W), as established in the area of the subject tract by a Global Positioning Survey (GPS) performed by Gandee Heydinger Group, LLC during March 2017.

To Rezone From: R, Rural District,

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.