



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 3/21/2024 **In control:** Zoning Committee

On agenda: 4/8/2024 **Final action:** 4/10/2024

Title: To rezone 2976 LAZAR RD. (43123), being 5.68± acres located on the east side of Lazar Road, 90± feet south of Tanis Drive, From: L-M-2, Limited Manufacturing District, To: L-M-2, Limited Manufacturing District (Rezoning #Z23-048).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#0892-2024_Attachments, 2. ORD#0892-2024_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|-----------------------|--------|
| 4/10/2024 | 1 | CITY CLERK | Attest | |
| 4/9/2024 | 1 | MAYOR | Signed | |
| 4/8/2024 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 4/8/2024 | 1 | Zoning Committee | Approved | Pass |
| 4/8/2024 | 1 | COUNCIL PRESIDENT | Signed | |

Rezoning Application: Z23-048

APPLICANT: Good Nature; c/o Dave Perry, Agent; Dave Perry Co.; 411 East Town Street, Floor 1; Columbus, OH 43215 and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Floor 2; Columbus, OH 43215.

PROPOSED USE: Limited manufacturing uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on March 14, 2024.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two parcels developed with limited manufacturing uses in the L-M-2, Limited Manufacturing District. The requested L-M-2, Limited Manufacturing District updates the allowed uses to include those uses involving insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only), and a residence for a security/watchperson. The site is located within the planning boundaries of the *Southwest Area Plan* (2009), which recommends “Low Density Residential” land uses at this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff supports the requested L-M-2 District, because although it is not consistent with the Plan’s recommendation, the property is currently zoned for limited manufacturing uses, with this request adding specific less-objectionable uses with minimal physical changes to the site. Additionally, the limitation text includes commitments demonstrating screening, buffering, and preservation of existing vegetation.

To rezone **2976 LAZAR RD. (43123)**, being 5.68± acres located on the east side of Lazar Road, 90± feet south of Tanis

Drive, **From:** L-M-2, Limited Manufacturing District, **To:** L-M-2, Limited Manufacturing District (Rezoning #Z23-048).

WHEREAS, application #Z23-048 is on file with the Department of Building and Zoning Services requesting rezoning of 5.68± acres from L-M-2, Limited Manufacturing District, to L-M-2, Limited Manufacturing District; and

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

WHEREAS, the Southwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M-2, Limited Manufacturing District includes appropriate commitments addressing preservation of existing vegetation, and screening and buffering to maintain the compatibility of this development with the surrounding residential uses; 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:

2976 LAZAR RD. (43123), being 5.68± acres located on the east side of Lazar Road, 90± feet south of Tanis Drive, and being more particularly described as follows:

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

Being part of a tract containing 26.36 acres conveyed to Dimitar Traikovich by Deed of record in Deed Book 1591, Page 641, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

TRACT I (570-193905):

Beginning at an iron pin in the north line of V.M.S. No. 6843 and in the West line of F.M.S. No. 426; thence along the West line of F.M.S. 426 south 35 deg. 42-½' West 159.12 feet to an iron pin thence North 77 deg. 04' West (passing an iron pin at 1400.6 feet) 1425.6 feet to a point in the center of a 50 foot roadway; thence along the centerline of said roadway North 13 deg. 02' East 150.25 feet to an iron pin; thence South 77 deg. 04' East (passing an iron pin at 25 feet) 864.36 feet to an iron pin; thence along the North line of V.M.S. 6843 South 76 deg. 44' 30" East 622.6 feet to the place of beginning, containing 5 acres, more or less. Said parcel being known as Tract 37 of a certain unrecorded parcel plat.

TRACT II (570-193906):

Beginning at an iron pin in the West line of V.M.S. 426 and being South 35 deg. 42' 30" West 159.12 feet from an iron pin where the West line of V.M.S. 426 intersects the North line of V.M.S. 6843; thence along the West line of V.M.S. 426 South 35 deg. 42' 30" West 169.60 feet to an iron pin; thence North 77 deg. 04' West (passing an iron pin at 1335.23 feet) 1360.23 feet to a point in the centerline of a 50 foot roadway; thence along the centerline of said roadway North 13 deg. 02' East 156.37 feet to a point; thence South 77 deg. 04' East (passing an iron pin at 25 feet) 1425.6 feet to the place of beginning, containing 5 acres, more or less. Said parcel being known as Tract 38 of a certain unrecorded parcel plat. Subject to the use of a roadway 50 feet wide running from the Southwest corner of the above described Tract No. 2 northerly to Dyer Road, said roadway centerline being described as beginning at the Southwest corner of the above described Tract No. 2, along the centerline, North 13 deg. 02' East 1941.84 feet to iron pin at an angle in the roadway; thence North 19 deg. 43' West 311.89 feet to an iron pin in the centerline of Dyer Road, being now dedicated as Lazar Road.

EXCEPTING THEREFROM a tract of land known as Parcel No. 100-D-WL appropriated by the State of Ohio in Case No. 215153, Court of Common Pleas, Franklin County, Ohio, more particularly described as follows, and also subject to all legal highways, and the perpetual highway easement appropriated in Case No. 229758, Court of Common Pleas,

Franklin County, Ohio, and recorded in Deed Book 2809, Page 614.

Beginning at a point in the owners southerly property line, said point also being the owners southeast property corner located 11.3 feet left of and at right angles from Station 493 plus 38.7 in the centerline of a survey made in 1956 for the Department of Highways of Fra-62 in Franklin County; thence north 77 degrees 57 minutes 43 seconds west, 943.13 feet with the owners said southerly property line, passing through a point in the existing right of way line of said survey, 150 feet left of and at right angles from Station 492 plus 71.5; thence continuing with the owners said property line to a point 427.36 feet left of and at right angles from Station 373 plus 41.51 in the centerline of a survey made in 1961 for the Department of Highways of Fra-200 in Franklin County; thence leaving said point in the owners southerly property line south 85 deg. 08' 02" east 194.79 feet to a point 528.72 feet left of and at right angles from Station 375 plus 08.34 of said Fra-200 survey; thence leaving said point north 77 deg. 46' 16" east, 291.84 feet to a point 746.88 feet left of and at right angles from Station 377 plus 02.19 of said Fra-200 survey; thence leaving said point north 69 deg. 33' 17" east, 264.78 feet to a point 370.36 feet left of and at right angles from Station 494 plus 83.11 of said Fra-62 survey; thence leaving said point north 59 deg. 14' 35" east, 31.03 feet to a point in the owners northerly property line 359.35 feet left of and at right angles from Station 495 plus 11.89 of said Fra-62 survey; thence leaving said point south 77 deg 03' 50" east, 364.36 feet with the owners said northerly property line, passing through a point in the existing right of way line 150 feet left of and at right angles from Station 496 plus 09.3 of said Fra-62 survey to a point 29.0 feet left of and at right angles from Station 496 plus 65.6 of said Fra-62 survey, said point also being the owners northeast property corner; thence leaving said point south 34 deg. 47' 21" west, 327.39 feet with the owners easterly property line to the place of beginning, containing 3.942 acres, more or less, of which 0.99 of an acre, more or less, is occupied by Highway Fra-62, leaving a residue of 2.952 acres, more or less.

Parcel Numbers: 570-193905 and 570-193906

Property Address: 2976 Lazar Road, Columbus, OH 43123

To Rezone From: L-M-2, Limited Manufacturing District,

To: L-M-2, Limited Manufacturing District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-M-2, 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-2, 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 text titled, "**LIMITATION TEXT**," dated February 26, 2024, signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

PROPERTY ADDRESS: 2976 Lazar Road, Columbus, OH 43123
AREA/PID: 5.68 +/- ac (570-193906, 570-193905)
EXISTING ZONING: L-M-2, Limited Manufacturing (Z15-035)
PROPOSED DISTRICT: L-M-2, Limited Manufacturing District
APPLICANT: LAZARCHARMANGRANO, LLC c/o Dave Perry, David Perry Company, Inc., 411 E Town Street, Fl 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E Town Street, Fl 2, Columbus, OH 43215
PROPERTY OWNER: Lazarcharmangrano, LLC, c/o Alec McClennan, 7621 Old Rockside Road, Cleveland, OH 44131.
DATE OF TEXT: February 26, 2024
APPLICATION NUMBER: Z23-048

I. INTRODUCTION

The site was rezoned from R, Rural to L-M-2 in 2017 (Ordinance 2254-2017, passed 9/11/2017, Z15-035). Z15-036 prohibits uses of Section 3367.04, Chemicals, Petroleum, Coal and Allied Products - Less Objectionable Uses. Good Nature Organic Lawn Care (GNOLC) proposes to operate from the premises. GNOLC is an organic lawn care company using natural, organic and/or feed quality organic fertilizers and pesticides. GNOLC stores and mixes applicable products for application off-site at customer sites. The site is at the dead end of Lazar Road and is surrounded by various industrial properties. Traffic is very light at all times.

II. PERMITTED USES

Those uses contained within Chapter 3367 M-2, Manufacturing of the Columbus City Code.

The following uses shall be prohibited:

Adult entertainment, inclusive of bookstore; adult motion picture theater; adult-only entertainment facility; all uses of §3367.04 (Chemicals, petroleum, coal and allied products, except Insecticides, fungicides, disinfectants and related industrial and household chemical compounds (blending only)); all uses of §3367.06 (Wood and paper products); all uses of §3367.07 (Food and beverage products); all uses of §3367.08 (Miscellaneous uses), except that a residence for a resident watchman under that Section is specifically permitted.

III. DEVELOPMENT STANDARDS

Unless otherwise indicated the applicable development standards are contained in Chapter 3367 M-2, Manufacturing of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments: N/A.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments. Parking for employees and work trucks shall be addressed by utilizing the existing gravel area behind the metal building located on the south side of Parcel #570-193906, which is at least 400 feet from the adjacent residential property. This is an area approximately 50' x 65' and already consists of packed gravel. See also Ordinance 2255-2017 / CV16-049.

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

1). Outdoor storage shall be permitted provided the following occurs:

a). Outdoor storage is completely screened from view from Lazar Road and Interstate 270. Screening along I-270 shall be satisfied by the preservation of the existing on-premise tree line parallel to I-270.

b). Outdoor storage shall not occur any closer than approximately 275' to the east of the west property line.

c). The rear (east) triangle portion of the property which measures approximately 256' west along the northern property line and approximately 308' southwest along the east property line shall be left in its natural state with all trees being preserved.

d). A 50' minimum tree buffer shall be maintained along the freeway side (south side) of the property line. For purpose of this buffer, the 50' buffer is approximately the width of the existing tree area buffer parallel to I-270 right of way. The existing tree area shall satisfy the 50' buffer.

2. The site area referenced in C.1.c. shall be open space, undeveloped remain in its natural state and shall be permitted to naturalize over time.

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

N/A

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

N/A

F. Graphics and/or Signage Commitments

All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M-2, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments

N/A

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