



Legislation Text

File #: 1239-2015, **Version:** 1

Rezoning Application Z14-058

APPLICANT: Pinnacle Property Maintenance LLC, c/o Laura MacGregor Comek; 300 East Broad Street, Suite 450; Columbus, Ohio 43215.

PROPOSED USE: Landscaping and property maintenance company.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on April 9, 2015.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-M-2, Limited Manufacturing District, is consistent with the land use recommendations of *The Northeast Area Plan*, which recommends office, commercial and light industrial uses for the site. This proposal would allow the site to be developed in a manner consistent and compatible with surrounding uses, and includes provisions for screening, access, tree preservation, and maintenance of the existing setback from Westerville Road. Staff considers the proposed use of a landscaping and property maintenance company to be consistent with surrounding development and the recommendations set forth in the plan.

To rezone **3535 WESTERVILLE ROAD (43224)**, being 8.59± acres located on the west side of Westerville Road, 1600± feet north of Innis Road, From: R, Rural District, To: L-M-2, Limited Manufacturing District (Rezoning # Z14-058).

WHEREAS, application #Z14-058 is on file with the Department of Building and Zoning Services requesting rezoning of 8.59± acres from R, Rural District, to L-M-2, Limited Manufacturing District; and

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

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change because the request is consistent with the land use recommendations of *The Northeast Area Plan*, and the established zoning and development pattern of 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:

3535 WESTERVILLE ROAD (43224), being 8.59± acres located on the west side of Westerville Road, 1600± feet north of Innis Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Mifflin, being part of that original 10 acres tract of land in

Quarter Township 2, Township 1, Range 17, United States Military Lands, as recorded in Official Record 18099, Page A03, Recorder's Office, Franklin County, Ohio and said 8.593 acre tract of land being more particularly described as follows:

Commencing for reference at the southeast corner of said 10 acre tract, said point being in the centerline of Westerville Road and State Highway No. 3 (formally known as Clinton and Blendon Plank Road), also the southeast corner Parcel I exception from said 10 acre tract, thence N 87° 16' 25" W, a distance of 330.00 feet, to a point being the TRUE POINT OF BEGINNING for the acreage described herein, thence;

N 87° 16' 25" W, a distance of 608.63 feet, along the south line of said 10 acre tract, to an angle point, thence;

N 84° 47' 34" W, a distance of 166.63 feet, along the south line of said 10 acre tract, to a point, thence;

N 03° 14' 52" E, a distance of 371.87 feet, along the west line of said 10 acre tract, to a point, thence;

S 86° 34' 26" E, a distance of 1269.12 feet, along the north line of said 10 acre tract, to a point in the centerline of said Westerville Road, thence;

S 27° 26' 14" W, a distance of 178.21 feet, along the centerline of said Westerville Road and the east line of said 10 acre tract, to a point being the northeast corner of Parcel II exception from said O.R. 18099, Page A03, thence;

N 87° 16' 25" W, a distance of 330.00 feet, along the north line of said Parcel II, to a point, thence;

S 27° 26' 14" W, a distance of 220.00 feet, along the west line of said Parcel I and said Parcel II, to the TRUE POINT OF BEGINNING, containing 8.593 acre, more or less.

To Rezone From: R, Rural 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 changes 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 plan being titled, "**EXHIBIT**," and said text titled, "**LIMITATION TEXT**," both dated April 15, 2015, and signed by Laura MacGregor Comek, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

APPLICATION NUMBER: Z14-058 (14335-00000-00915)

PROPOSED DISTRICT: L-M-2, Limited Manufacturing District

PROPERTY ADDRESS: 3535 Westerville Road

OWNER: AMVETS Post 89

APPLICANT: Pinnacle Property Maintenance

c/o Laura MacGregor Comek, Esq.

300 E. Broad St., Ste. 450

Columbus, Ohio 43215

laura@comeklaw.com <<mailto:laura@comeklaw.com>>

DATE OF TEXT: April 15, 2015

1. INTRODUCTION: This site is developed with a 12,000 square foot industrial / assembly building that for 25+ years has been occupied by Amvets Post 89 Department of Ohio. The Site is located along Westerville Road, and is surrounded

to the north and south/southwest with existing manufacturing districts. There is a small pocket of residential uses immediately to the east across the street. The Northeast Area Plan recommends office-commercial-light industrial uses for this site to heighten the importance of the corridor as a jobs provider. This text contains commitments on tree preservation and traffic access.

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

3. **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.**

1. Should Franklin County parcel 010-252441 be rezoned to a commercial or manufacturing use, the owner shall provide a cross access easement for site access by vehicular traffic, unless said parcel is combined with lots to the south, in which case no cross access easement shall be required.

2. The Owner shall dedicate right of way along Westerville Road, per the City of Columbus Thoroughfare Plan.

3. The Applicant is committed to routing trucks returning to this location during the afternoon hours to enter from the north by making a southbound right turn to enter the site access point.

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

1. The attached aerial plan titled “**EXHIBIT**” and dated April 15, 2015, identifies areas for tree preservation (1) within the 50’ set back along Westerville Road (to the east), and (2) within 15 ft. of the north and south, property lines, and 100 feet from the west property line. Installation of a fence along the property boundaries will include best practices to retain healthy mature trees within the 15 and 100 ft. preservation areas. Due to the density of existing trees, replanting for dead trees may not be feasible or likely to succeed. As such, no additional plantings or replacement plantings within these areas will be required.

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:** N/A

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