



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 2976-2015, **Version:** 1

Rezoning Application Z15-040

APPLICANT: 5151, LLC, c/o Dave Perry; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Limited industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on November 12, 2015.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Ordinance No. 2530-2003 (Z02-028), passed January 12, 2004, established the L-M, Limited Manufacturing District on this 5.7 acre site. That legislation established specific use restrictions and development standards addressing setbacks, access and circulation, and landscaping and screening. The applicant requests to rezone again to the L-M, Limited Manufacturing District, to modify the limitation text to reduce the minimum parking and maneuvering setback from fifty feet to twenty-five feet, which is consistent with the M district regulations and with other developments along this portion of Trabue Road. No other changes are proposed except for minor language updating to reflect current code. The request remains compatible with the zoning and development pattern of the area, and with the land use recommendations of the *Trabue/Roberts Area Plan* (2011), which recommends light industrial uses for this location.

To rezone **5151 TRABUE ROAD (43228)**, being 5.7± acres located on the south side of Trabue Road, 360± feet east of Walcutt Road, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District (Rezoning # Z15-040).

WHEREAS, application No. Z15-040 is on file with the Department of Building and Zoning Services requesting rezoning of 5.7± 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 City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District, remains compatible with the zoning and development pattern of the area, and with the land use recommendations of the *Trabue/Roberts Area Plan*; 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:

5151 TRABUE ROAD (43228), being 5.7± acres located on the south side of Trabue Road, 360± feet east of Walcutt Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 5244, and being further described as being part of a 3.275 acre lot, a 2.127 acre lot and a 7.873 acre lot as partitioned in a survey by R.

E. Hecker, Registered Surveyor No. 1210, of a 21.538 acre tract conveyed to Leonard Russell in D.B. 1101, page 430 and as shown on a plat of same on file in the County Engineer's Office, Franklin County, Ohio, also being all of those tracts of land conveyed to Green Lizard Freedom Flights and Mercy Missions, LLC, as described in Instrument Number (IN) 201306170100140 and more particularly described as follows:

Beginning at Franklin County Monument FCGS 7742, described as "set over a found stone, at an angle point in the centerline of Trabue Road, 793.8 feet east of Walcutt Road" and "on the east line of VMS 5244 and the west line of VMS 2986"; the width of right-of-way for Trabue Road is variable; said point being the north east corner of the hereafter described tract and the POINT OF BEGINNING;

thence South 13° 19' 27" West, along the easterly boundary of VMS 5244 and the westerly boundary of VMS 2986, the westerly line of a subdivision of land belonging to the heirs of George Woehrle, deceased, of record in Plat Book 1, page 279 and the westerly line of a tract of land now or formerly owned by the Cleve Corp. as shown of record in Official Record Volume (ORV) 7388 E 02, ORV 7388 E07 and ORV 15852 A04, passing a 1" OD iron pipe found with cap reading "Bird & Bull, Inc." at 55.28 feet, a total distance of 1178.46 feet to a 1" OD iron pipe found with no cap, corner to a 1.309 acre tract of land now or formerly owned by Columbus Southern Power Co. as shown of record in ORV 13352 H 09;

thence North 77° 31' 30" West, with the northerly line of said Columbus Southern Power Co. tract, passing a 1" OD iron pipe found with no cap at 99.74 feet, 0.3 feet south and passing a 1" OD iron pipe found with cap set by Central Surveying, Ltd., at 190.07 feet, corner to said 1.309 acre tract and a corner to a 3.253 acre tract of land now or formerly owned by said Columbus Southern Power Co. as shown of record in ORV 13352 H 07 a total distance of 220.08 feet to a 1" OD iron pipe found with cap set by Central Surveying, Ltd., corner to said 3.253 acre tract of land;

thence parallel to the easterly line of VMS 5244 and with the easterly line of said Columbus Southern Power Co. 3.253 acre tract, North 13° 19' 27" East, passing a 5/8" rebar set, with plastic cap that reads GeoInnovation OH Firm 03923, at 1022.77 feet, passing a 1" OD iron pipe found with cap reading "Bird & Bull, Inc.", 0.97 feet east of the boundary line at 1023.11 feet and passing a 1" OD iron pipe found with no cap, 0.52 feet west of the boundary line at 1045.43 feet for a total distance of 1078.05 feet to a mag nail set in the centerline of Trabue Road and the northwest corner of the subject tract;

thence North 78° 05' 55" East a distance of 243.25 feet, along the centerline of said Trabue Road, to the point of beginning, containing 5.70 acres, more or less, 0.168 acres being in the public right-of-way.

All references to Deed Books, Official Record Volumes (ORV) or Instrument Numbers (IN) refer to the records in the Franklin County Recorder's Office, Columbus, Ohio.

The basis of bearing for this survey is the easterly line of VMS 5244 is North 13° 19' 27" East as referenced to the Ohio State Plane Coordinate System - South Zone, North American Datum 1983(NSRS 2010).

This description is based on a survey performed in June of 2015 by Charles Coutellier, P.S., License Number 5721, GeoInnovation, PC.

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 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; and text titled, "**LIMITATION TEXT**," signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, dated November 13, 2015, and the text reading as follows:

LIMITATION TEXT

EXISTING ZONING: L-M, Limited Manufacturing (Z02-028)
PROPOSED ZONING: L-M, Limited Manufacturing
PROPERTY ADDRESS: 5151 Trabue Road, Columbus, OH 43026
APPLICANT: 5151, LLC c/o Dave Perry, Agent, David Perry Company, Inc., 145 East Rich Street, FL 3, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215.
DATE OF TEXT: November 13, 2015
APPLICATION NUMBER: Z15-040

1. INTRODUCTION: The 5.713 +/- acre site is zoned L-M, Limited Manufacturing (Z02-028). By this rezoning, applicant proposes to rezone from L-M to L-M to change the Trabue Road parking setback from 50' to 25'. All other text commitments of the current L-M zoning are the same except for minor language updating to reflect current code.

2. PERMITTED USES: Those uses permitted in Section 3353.03, Office Commercial Uses and Sections 3363.02 thru 3363.08, inclusive, those less objectionable uses permitted in M-Manufacturing districts of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3363 M, Manufacturing of the Columbus City Code.

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

The parking and maneuvering setback shall be twenty-five (25) feet from Trabue Road.

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

- 1). All circulation, curb cuts and access points shall be subject to the approval of the Department of Public Service.
- 2). The property owner shall dedicate 50 feet from centerline of Trabue Road to the City of Columbus when the existing buildings along Trabue Road are demolished.

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

- 1). Street trees shall be planted approximately evenly spaced along Trabue Road at a ratio of one tree per thirty (30) feet of frontage.
- 2). Headlight screening, consisting of mounding and/or plant material, shall be provided in the Trabue Road parking setback and shall be a minimum total height of three (3) feet.

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 it applies to the M, Manufacturing District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G). Miscellaneous Commitments.

The developer shall meet the parkland dedication ordinance by paying a park fee of \$400/acre.

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