



Legislation Text

File #: 0629-2017, Version: 3

Rezoning Application Z16-072

APPLICANT: 3500 ACD, LLC; c/o Deanna R. Cook, Atty.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Limited commercial or industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on February 9, 2017.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed as a former vocational school in the R-1, Residential District. The applicant proposes to rezone the site to the L-M, Limited Manufacturing District, proposing offices for professional, scientific, and technical services, educational facilities, automobile/truck maintenance and repair facilities, and limited industrial uses, including a contractor's storage yard. The limitation text provides use restrictions and commitments for buffering, screening, and parkland dedication ordinance obligations. The site is located within the boundaries of the *South Alum Creek Neighborhood Plan* (2004), which recommends "Institutional" land uses for this location in recognition of the previous use. Deviation from the plan recommendation can be supported because the intended uses are not a complete departure from the activities that occurred when the property was being used as a vocational school. Additionally, the limited industrial uses, such as warehouse and storage of construction and building materials, can be supported due to the industrial nature of the corridor.

To rezone **3500 ALUM CREEK DRIVE (43207)**, being 23.53± acres located on the east side of Alum Creek Drive at the intersection with New World Drive, **From:** R-1, Residential District, **To:** L-M, Manufacturing District (Rezoning # Z16-072) **and to declare an emergency.**

WHEREAS, application #Z16-072 is on file with the Department of Building and Zoning Services requesting rezoning of 23.53± acres from R-1, Residential District, to the L-M, Limited Manufacturing District; and

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

WHEREAS, the Far South Columbus Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the intended uses are not a complete departure from the land use recommendations of the *South Alum Creek Neighborhood Plan*. The commercial or limited industrial development is compatible with the density and development standards of adjacent manufacturing and warehouse developments;

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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

3500 ALUM CREEK DRIVE (43207), being 23.53± acres located on the east side of Alum Creek Drive at the intersection with New World Drive, and being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being a part of the West one-half of Section No. 7, Township 11, Range No. 21, Congress Lands, bounded and described as follows:

Beginning at a point in the West line of said Section No. 7, located 1895.85 feet South of a stone at the Northwest corner thereof; thence S. 85° 18' E. and parallel to the North line of said Section 1126.35 feet to a stake; thence S. 5° W. 973.65 feet to an iron pin; thence N. 85° 20' W. 1124 feet to a point in the West line of said section, and being the center line of the Infirmary Road (so known); thence along the West line of said section and the center of said road N. 4° 55' E. 969.15 feet to the place of beginning and containing 25.09 acres.

Less and excepting:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 7, Township -11-North, Range-21 -West. Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 25.09 acre tract as conveyed to the Board of Education of the City School District of Columbus, Ohio, by Deed of Record in Deed Book 3411, Page 111, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the centerline of right-of-way of FRA-C.R. 122-4.14, as recorded in Instrument No. 201001110003246;

Beginning for reference at Franklin County Monument #8820, at the intersection of the existing right-of-way centerline of Williams Road (County Road 123), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive Station 76+49.63;

Thence North 04 degrees 02 minutes 12 seconds East, a distance of 296.07 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the westerly line of Section 18, Township 11, Range 21, to a railroad spike found marking the Southwest Corner of Section 7, being 0.00 feet right of Alum Creek Drive Station 79+45.70;

Thence continuing North 04 degrees 02 minutes 12 seconds East, a distance of 2567.85 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the westerly line of said Section 7, Township 11, Range 21, to the Southwest corner of said Board of Education 25.09 acre tract, being 0.00 feet right of Alum Creek Drive Station 105+13.55, and being the Point of True Beginning;

Thence continuing North 04 degrees 02 minutes 12 seconds East, a distance of 969.06 feet along the existing right-of-way centerline of said Alum Creek Drive, along the westerly line of said Section 7, Township 11, Range 21, and along the westerly line of said Board of Education 25.09 acre tract, to a railroad spike found at the Northwest corner of said Board of Education 25.09 acre tract, being 0.00 feet right of Alum Creek Drive Station 114+82.60;

Thence South 86 degrees 25 minutes 29 seconds East, a distance of 60.00 feet along the northerly line of said Board of Education 25.09 acre tract, and along the southerly line of that 2.443 acre tract 2, as conveyed to the City of Columbus by Deed of Record in Official Record 16840 D14, to an iron pin found at the intersection with the existing easterly right-of-

way line of said Alum Creek Drive, at the Southeast corner of said City of Columbus 2.443 acre tract 2, being 60.00 feet right of Alum Creek Drive Station 114+83.09;

Thence continuing South 86 degrees 25 minutes 29 seconds East, a distance of 10.00 feet along the northerly line of said Board of Education 25.09 acre tract, and along the southerly line of that 50.617 acre tract as conveyed to JAL Realty Company by Deed of Record in Instrument Number 199709110091847, to an iron pin set at the intersection with the proposed easterly right-of-way line of said Alum Creek Drive, being 70.00 feet right of Alum Creek Drive Station 114+83.17;

Thence South 04 degrees 02 minutes 12 seconds West, a distance of 969.23 feet across said Board of Education 25.09 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to an iron pin set in the southerly line of said Board of Education 25.09 acre tract, being 70.00 feet right of Alum Creek Drive Station 105+13.94;

Thence North 86 degrees 17 minutes 06 seconds West, a distance of 70.00 feet along the southerly line of said Board of Education 25.09 acre tract, and along the northerly line of that 3.818 acre tract known as the Village at Williams Creek Condominiums, as recorded in Condominium Plat Book 90, Page 21, as conveyed to the Village at Williams Creek Owners Association, by Deed of Record in Instrument Number 200101100006782, to the Point of True Beginning, containing 1.557 acres, more or less, of which 0.890 acres, more or less, lies within the present road occupied.

Of the above described area, 1.557 acres is contained within the Franklin County Auditor's Parcel 530-156583;

The bearing datum of the afore-described parcel is based on the bearing of North 04 seconds 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a Survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on February 8, 2005 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are $\frac{3}{4}$ inches in diameter by 30 inches long with a 1 $\frac{1}{2}$ inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D Zande & Assoc".

To Rezone From: R-1, Residential 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 approved 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; said plan being titled, "**ALUM CREEK SITE PLAN**," and text titled, "**LIMITATION TEXT**," both dated February 21, 2017, signed by Deanna Cook, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

Property Location: 3500 Alum Creek Drive, Columbus, Ohio

Parcel No: 530-156583

Owner: 3500 ACD, LLC

Applicant: 3500 ACD, LLC

Proposed District: L-M - Limited Manufacturing

Date of Text: February 21, 2017

Application: Z16-072

I. INTRODUCTION

The subject property consists of 23.53 +/- acres (the “Site”) located south of Watkins Road and East of the intersection of Alum Creek Drive and New World Drive. North of the Site is property zoned L-M-2; South of the Site is residential property zoned PUD6; East of the Site is property zoned R-2; and West of the Site is property zoned M-1.

The applicant proposes to rezone the Site to Limited Manufacturing to allow for certain uses permitted in the M zoning district.

II. PERMITTED USES

A. The following uses in the C-2 zoning classification, as permitted pursuant to Title 33, Chapter 3363.01 (M-Manufacturing District), shall be permitted:

1. Offices for Professional, Scientific, and Technical Services, which may include, for example:

- a. Accounting and Bookkeeping Services
- b. Contractors
- c. Architectural, Drafting, Engineering, Graphic and Landscape Design Services

2. Non-Office Commercial Facilities, including:

- a. Educational Facility, Business, Computer, Management and Training Facilities
- b. Educational Facility, Professional, Secretarial, Technical, and Trade, including, for example, construction and related trades.

B. The following uses in the C-4 zoning classification, as permitted pursuant to Title 33, Chapter 3363.01 (M-Manufacturing District), shall be permitted:

1. Automotive Maintenance and Repair, including maintenance and repair of construction equipment, tools, trucks, machinery and other similar equipment, tools, trucks, and machinery, but expressly excluding motor vehicles for personal use.

2. Incidental materials used in connection with the repair and/or maintenance described in Paragraph II (B)(1), including, for example, fuel, oil, petroleum, and other similar materials, may be stored on the site.

C. The following uses in the M- Manufacturing Uses listed in Title 33, Chapter 3363.02 and 3363.03:

Warehouse and storage of construction and building materials, and contractors and construction and other related equipment, tools, trucks, machinery, and materials. Storage may be inside of buildings or open outdoor storage in accordance with Chapter 3363.41.

III. DEVELOPMENT STANDARDS

A. Buffering and Screening Commitments.

1. To provide buffering and screening to the adjacent residential uses to the east and to the south of the Site, and to provide security measures on Site and to said neighboring properties, an eight (8) foot opaque fence and a six (6) foot opaque fence (chain-link slatted or other opaque fence material) shall be installed in the general location shown, ~~except within the required street setback,~~ on the Alum Creek Site Plan.

2. To provide buffering and screening to the manufacturing uses to the north and west of the Site, and to provide security measures on Site and to said neighboring properties, a six (6) foot opaque fence (chain-link slatted or other opaque fence material) shall be installed in the general location shown on the Alum Creek Site Plan.

3. Within the fenced boundaries described in Paragraphs III.A.1 and III.A.2 above, the developer may install interior fences no greater than six (6) feet in height.

~~3.~~ **4.** To provide buffering and screening to the single family homes and condominiums to the east and to the south of the Site, the applicant shall provide and install trees on the Site, including the following:

- a. Approximately thirty-seven (37) evergreen trees, six to seven feet in height at the time of installation, shall be planted along the eastern boundary of the Site, in the general location shown on the Alum Creek Site Plan. Trees shall be staggered in two rows and shall be planted approximately fifteen feet apart, as measured from trunk to trunk.
- b. Approximately forty-five (45) evergreen trees, six to seven feet in height at the time of installation, shall be planted along the southern boundary of the Site, in the general location shown on the Alum Creek Site Plan. Trees shall be planted approximately twenty feet apart, as measured from trunk to trunk.
- c. Approximately three (3) deciduous trees, 2-inch caliper at the time of installation, shall be planted along the southern boundary of the Site, in the general location shown on the Alum Creek Site Plan.

4. Existing healthy trees along the eastern boundary of the Site, as shown on the Alum Creek Site Plan, shall be preserved and shall provide buffering and screening between the Site and the residential properties to the east and south of the Site.

B. Graphic and/or Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code. Any variances to the above requirements will be submitted to the Columbus Graphics Commission for consideration.

C. Traffic Commitments.

The southern most access point to the Site from Alum Creek Drive, as shown on the Alum Creek Site Plan, shall be limited to only right-in and right-out turning movements.

D. Miscellaneous.

1. The developer shall comply with the park land dedication ordinance by contributing money to the City's Recreation and Parks Department.

2. The site shall be developed in general conformance with the submitted Alum Creek Site Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, 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.