



City of Columbus

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

Legislation Text

File #: 3084-2019, **Version:** 1

Rezoning Application: Z19-008

APPLICANT: Warden Capital LLC; c/o Jill Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on September 12, 2019.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of three parcels, is developed with a single unit dwelling, and is primarily used for agricultural uses in the R, Rural District. The applicant is requesting the L-M, Limited Manufacturing District to permit construction of industrial/warehouse/distribution buildings in the L-M, Limited Manufacturing District. The site is located within the boundaries of the *South Central Accord* (1997), which recommends "Industrial" land uses at this location. The plan also stresses the importance of providing adequate buffering between residential and industrial uses comprised of mounding with vegetative buffers. The limitation text commits to a site plan and includes provisions for setbacks, access, buffering and landscaping, and lighting. The requested L-M, Limited Manufacturing District will allow an industrial development that is compatible with adjacent manufacturing developments with adequate buffering and screening in consideration of residential uses on the north side of Rohr Road as recommended by the *South Central Accord*.

To rezone **1489 ROHR RD. (43137)**, being 229.99± acres located on the south side of Rohr Road, 1,100± feet east of Lockbourne Road, **From:** R, Rural District, **To:** L-M, Limited Manufacturing District (Rezoning #Z19-008).

WHEREAS, application #Z19-008 is on file with the Department of Building and Zoning Services requesting rezoning of 229.99± acres from R, Rural District, to 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 requested L-M, Limited Manufacturing District will allow an industrial development that is compatible with adjacent manufacturing developments and is consistent with the land use and buffering recommendations of the *South Central Accord*; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1489 ROHR RD. (43137), being 229.99± acres located on the south side of Rohr Road, 1,100± feet east of Lockbourne

Road and being more particularly described as follows:

Parcel 1

Situated in the State of Ohio, Franklin County, Township of Hamilton, being in the North half of Section 35, Township 4 North, Range 22 West, of Mathew's Survey, also being all of a 217.656 acre tract of land conveyed to Helen M. Wagner by deed of record in Deed Book 2614 Page 428, and also conveyed to Virginia A. Hahn in deed of record in Official Record 09544G18, all referenced being to records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a Franklin County Monument (FCGS No. 9976) found at the intersection of Lockbourne Road and Rohr Road, being the northwest corner of Section No. 35:

Thence South 86 Degrees, 42 Minutes, 20 Seconds East, along the centerline of Rohr Road (60 feet wide), the north line of Section No. 35, a total distance of 1614.03 feet to a P.K. nail (found) at the northern corner of said 217.656 acre tract said point also being the TRUE PLACE OF BEGINNING;

Thence South 86 Degrees, 40 Minutes, 00 Seconds East, continuing with the centerline of Rohr Road and the north line of Section No. 35, passing a (found) 1" iron pipe at 1182.04 feet, also passing a railroad spike (found) at the intersection of Bixby Road and Rohr Road at 2722.05 feet, a total distance of 2769.90 feet to a railroad spike set marking the northwest corner of a 0.12 acre tract conveyed to Chesapeake and Hocking Railway Company, in Deed Volume 858, Page 191, said point being referenced by Franklin County Monument (FCGS No.5406), which bears South 86 Degrees, 31 Minutes, 39 Seconds East, a distance of 1713.34 feet;

Thence South 04 Degrees, 07 Minutes, 59 Seconds West, with the west line of said 0.12 acre tract, passing a wood post at 22.35 feet, a total distance of 377.11 feet to a 5/8" iron re-bar with yellow cap bearing "Bischoff & Assoc." set;

Thence South 86 Degrees, 46 Minutes, 39 Seconds East, a distance of 609.00 feet to a 5/8" iron re-bar with yellow cap bearing "Bischoff & Assoc." set on the west right-of-way of a parcel conveyed to CSX Transportation, Inc. and Chesapeake & Ohio Railroad, in Deed Volume 804, Page 46 (G.B. Wall, Trustee);

Thence South 04 Degrees, 12 Minutes, 04 Seconds West, with the west right-of-way of said rail road a distance of 2282.49 feet to a 5/8" iron re-bar with yellow cap bearing "Bischoff & Assoc.." (found) marking the northeast corner of a 130.11 acre tract, conveyed to Commodity-one, LLC. by Instrument No. 200003010041353;

Thence North 86 Degrees, 29 Minutes, 11 Seconds West, with an existing fence line, passing a 5/8" iron re-bar with yellow cap bearing "Bischoff & Assoc." (found) at 721.02 feet, a total distance of 2392.23 feet to a 15" x 15" x 5' concrete post with a P.K. nail marking the northeast corner of a 191.573 acre parcel conveyed to Robert C. Talbott in Instrument No. 199908120205595;

Thence North 86 Degrees, 33 Minutes, 53 Seconds West, with the north line of said 191.576 acre tract a distance of 1479.56 feet to a 5/8" iron re-bar with yellow cap bearing "Bischoff & Assoc." set at a corner of a 179.61 acre parcel, conveyed to Frank H. and Bertha D. Peters, in Official Record 20155, Page 1-13;

Thence North 03 Degrees, 51 Minutes, 05 Seconds East, passing a 1 1/2" iron pipe (found) at 4.10 feet, to a total distance of 1506.07 feet to a iron pin (found). Said pin marking the southwest corner of said 12.336 acre tract;

Thence South 86 Degrees, 40 Minutes, 31 Seconds East with the east line of said 12.336 acre tract a distance of 508.58 feet to an iron pin (found).

Thence North 03 Degrees, 51 Minutes, 40 Seconds East a distance of 1141.93 feet to a P.K. Nail marking the northeast corner of Auditor's Permanent Parcel No. 150-004268 and also being the TRUE PLACE OF BEGINNING and containing

217.657 acres of land, more or less, being subject to all easements, restrictions and right-of-ways of record.

Parcel 2

Situated in the County of Franklin, in the State of Ohio, and in the Township of Hamilton, Section 35, Township 4, Range 22 Congress Lands, and being a part of 230.73 acre tract deeded to Effie Hahn, in Deed Book 2098, Page 214, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Beginning at an iron pin in the centerline of Rohr Road, (North line of said Section 35) at the Northwesterly corner of said 230.73 acre tract, said iron pin being South 85 degrees 41 minutes East, along the centerline of said Rohr Road, a distance of 1,105.5 feet from an iron pin in the centerline of Lockbourne Road, at Northwesterly corner of said Section 35;

thence South 85 degrees 41 minutes East, along the Northerly line of said 230.73 acre tract, and along the centerline of said Rohr Road, and along the North line of said Section 35, a distance of 208.71 feet to spike;

thence South 4 degrees 50 minutes West, across said 230.73 acre tract, and parallel to the Westerly line of said 230.73 acre tract, a distance of 208.71 feet to an iron pin, passing an iron pin on line at 20.0 feet;

thence North 86 degrees 41 minutes West, across said 230.73 acre tract, and parallel to the Northerly line for said 230.73 acre tract; a distance of 208.71 feet to an iron pin in the Westerly line of said 230.73 acre tract;

thence North 4 degrees 50 minutes East along the westerly line of said 230.73 acre tract, a distance of 208.71 feet to the place of beginning, passing an iron pin on line at 188.71 feet, containing 1.0 acre, subject however to all legal highways and easements of record.

Parcel 3

Situated in the County of Franklin, in the State of Ohio, and in the Township of Hamilton:

Situate in Hamilton Twp., Franklin County, Ohio, and being part of Section 35, T-4-N, R-22-W, and being part of a 230 acre tract of land deeded to H. M. Wagner and V. A. Hahn (the Hahn tract) in O.R. 09544, G19 and being more particularly described as follows:

Beginning a spike found in the centerline of Rohr Road, the north line of said Section 35, which is S 81--45-30 E 1314.21 feet from an iron pin at the northwest corner of said section, and being the northeast corner of a 1.00 acre tract of land deeded to J. and G. Hahn in deed book 2544 page 455.

thence, S 85-41-30 E continuing along said north line 300.00 feet to a spike set,

thence, S 04-50-00 W parallel to the west line of the Hahn tract, through same 1142.00 feet to a pin set,

thence, N 85-41-30 W continuing through said tract, parallel with the north line of same, 508.71 feet to a pin set in the west line of said tract, the east line of the Peters tract,

thence, N 04-50-00 E along said west line, the basis of bearing for this tract, the east line of Peters, 933.29 feet to a pin at the southwest corner of said 1.00 acre tract,

thence, S 85-41-30 E along the south line of said 1.000 acre tract 208.71 feet to the southeast corner of same,

thence, N 04-50-00 E along the east line of said 1.00 acre tract 208.71 feet to the place of beginning.

Containing 12.336 acre of land.

To Rezone From: R, Rural District.

To: L-M, Limited Manufacturing District.

SECTION 2. That a Height District of sixty (60) 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, “**ZONING SITE PLAN,**” and text titled, “**LIMITATION TEXT,**” both signed by Jill Tangeman, Attorney for Applicant, dated November 11, 2019, and the text reading as follows:

LIMITATION TEXT

Property Location: 1489 Rohr Road, Columbus, Ohio 43137

Parcel No.: 495-266702; 495-266703; 495-266704

Owner: NHAH Farm Partnership LLC / Joellen & Garry Hahn

Applicant: Warden Capital LLC

Proposed District: L-M - Limited Manufacturing

Date of Text: November 11, 2019

Application No.: Z19-008

I. INTRODUCTION

The subject property consists of 229.993+/- acres (the “Site”) located south of Rohr Road. To the west and north are properties located in Hamilton Township. To the east are properties zoned for industrial uses in the Village of Obetz and to the south are properties zoned M-Manufacturing in the city of Columbus.

The applicant proposes to rezone the Site to L-M to allow for the construction of industrial / warehouse / distribution buildings.

II. PERMITTED USES

Those uses permitted in Chapter 3363 M-Manufacturing District of the Columbus City Zoning Code.

III. DEVELOPMENT STANDARDS

Unless otherwise indicated in this text or Zoning Exhibit, the applicable development standards are contained in Chapter 3363, M-Manufacturing District of the Columbus City Code.

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

1. The minimum parking and building setback from Rohr Road shall be 200 feet from the edge of right-of-way of Rohr Road.
2. The minimum setbacks on the east and north property line adjacent to Franklin County Parcel No. 150-001362 shall be 100 feet for parking and 200 feet for building. Within said setback, there may be existing or new landscaping, pavement or detention pond.
3. Height district shall be 60 feet.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments:

1. The Site will utilize a maximum of two curb cuts on Rohr Road for access.
2. At both site access points along Rohr Road, westbound left turn lanes of 345' in length, including a 50' taper, shall be constructed. These improvements shall be constructed or bonded prior to the developer receiving an access permit from the Franklin County Engineer's Office. If conflicting tapers occur between the access points, or between the eastern access point and Bixby Road, a three-lane section will be required either between access points, or between the eastern access point and Bixby Road or both.
3. Any portion of Rohr Road along the developer's frontage not improved by the above improvements shall be improved to a 12' wide travel lane with a 4' wide paved shoulder.
4. Rohr Road is listed as a Local Collector per the Franklin County 2020 Thoroughfare Plan. 40' of half right-of-way shall be dedicated in fee to Franklin County.
5. A contribution towards Franklin County's OH 317 London-Groveport Road at Lockbourne Road safety improvement project shall be received prior to the developer receiving an access permit for Rohr Road. Based on the 2019 HSIP Safety Application Estimate of \$2.4 in Construction Costs, the contribution shall be \$132,960 payable to Franklin County. Franklin County holds the right to use this contribution for other area improvements.
6. The developer shall install a 360' eastbound left turn lane, which includes a 50' diverging taper, on Rohr Road as it intersects with Creekside Parkway, at its sole expense. The developer shall install a 345' westbound left turn lane, which includes a 50' diverging taper, on Rohr Road as it intersects with Creekside Parkway, at its sole expense. The developer agrees to execute a development agreement with the Village of Obetz to memorialize the commitments set forth in this paragraph prior to receiving an access permit for Rohr Road.
7. The developer shall be responsible for implementing traffic control changes at the intersection of Rohr Road and Shook Road to modify the stop control operation at this intersection, as approved by the City of Columbus, Department of Public Service.

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

1. The frontage along Rohr Road shall contain mounding and landscaping, consisting of single deciduous trees every 50 feet and evergreen trees in clusters every 100 feet, planted 10 feet on center.
2. Service areas and loading docks shall be screened to limit visibility from off-site.

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

N/A

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

Pole lighting shall not exceed 25 feet in height.

F. Graphics and Signage Commitments:

All signage and graphics will conform to the Columbus Graphics Code. Any variances needed for the applicable graphics requirements will be submitted to the Columbus Graphics Commission.

G. Miscellaneous

1. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m.
2. The developer shall utilize dust control measures on Rohr Road during site construction.
3. The developer shall comply with the park land dedication ordinance by contributing money to the City's Recreation and Parks Department.
4. The site shall be developed in general conformance with the submitted Site Plan attached hereto as Exhibit A. 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.