



## Legislation Text

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**File #:** 0383-2020, **Version:** 2

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### **Rezoning Application: Z19-035**

**APPLICANT:** C-I Ross, LP; c/o Jeffrey L. Brown; 37 West Broad Street, Suite 460; Columbus, OH 43201.

**PROPOSED USE:** Warehousing, wholesaling, distribution, and commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on July 11, 2019.

**FAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 34.3± acre site consists of three parcels developed with a mostly vacant shopping center in the C-4, Commercial and L-C-4, Limited Commercial districts. The applicant requests the L-M, Limited Manufacturing District to permit warehousing, wholesaling, and distribution uses while also permitting all commercial uses. The limitation text includes restrictions on many manufacturing uses as well as outdoor storage. The site is within the planning boundaries of the *Far East Land Use Plan* (2018), which recommends "employment center" land uses at this location. The proposed L-M, Manufacturing District is consistent with the Plan's land use recommendation, maintains existing commercial uses, and does not introduce incompatible uses to the area.

To rezone **5803 CHANTRY DR. (43232)**, being 34.3± acres located on the south side of Chantry Drive, 880± feet west of Brice Road, From: C-4, Commercial District and L-C-4, Limited Commercial District, To: L-M, Limited Manufacturing District (Rezoning #Z19-035).

**WHEREAS**, application #Z19-035 is on file with the Department of Building and Zoning Services requesting rezoning of 34.3± acres from C-4, Commercial District and L-C-4, Limited Commercial District, to L-M, Limited Manufacturing District; and

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

**WHEREAS**, the Far East 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 is consistent with the *South East Land Use Plan*'s land use recommendation, maintains existing commercial uses, and does not introduce incompatible uses to 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:

**5803 CHANTRY DR. (43232)**, being 34.3± acres located on the south side of Chantry Drive, 880± feet west of Brice Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Section 45, Section 26, Township 12, Range 21, Refugee Lands, being a 0.363 acre area of land, more or less, said 0.363 acre area being out of that 14.131 acre residue of that 52.001 acre tract of land described in Exhibit A in the deed to Dayton Hudson Corporation, of record in Official Record 16519H13, Recorder's Office, Franklin County, Ohio, said 0.363 acre of land being more particularly described as follows:

Beginning, for reference, at a point in a southerly right-of-way line of Chantry Drive, eighty feet in width, as said Chantry Drive is designated and delineated upon the recorded plat of the Dedication of Scarborough Boulevard, Chantry Drive, Park Crescent, Alshire Road and Easements, of record in Plat Book 46, Pages 52, 53, 54 and 55, said beginning point also being a northwesterly corner of said 14.131 acre residue land and the northeasterly corner of that 23.081 acre tract of land described in "Exhibit A" in the deed to CI/Ross Partnership, of record in Official Record 22367D11, both being of record in the Recorder's Office, Franklin County, Ohio; thence S-3°49'30" W, with a westerly line of said 14.131 acre residue land and with the easternmost line of said 23.081 acre tract, a distance of 779.50 feet to a P.K. Nail at the true point of beginning, the same being a corner of said 14.131 acre residue land, said P.K. Nail also being a southeasterly corner of said 23.081 acre tract;

Thence, from said true point of beginning, S-3°49'30" W, distance of 48.00 feet to a P.K. Nail;

Thence S-86°10'30" E, a distance of 19.15 feet to a P.K. Nail;

Thence S-3°49'09" W, a distance of 231.34 feet to a point;

Thence N-86°10'30" W, a distance of 59.96 feet to a P.K. Nail in a westerly line of said 14.131 acre residue land, the same being in an easterly line of said 23.081 acre tract;

Thence N-3°49'30" E, with a westerly line of said 14.131 acre residue land and with a easterly line of said 23.081 acre tract, a distance of 279.34 feet to a P.K. Nail at a northwesterly corner of said 14.131 acre residue land, the same being a corner of said 23.081 acre tract;

Thence S-86°10'30" E, with a northerly line of said 14.131 acre residue land and with a southerly line of said 23.081 acre tract, a distance of 40.79 feet to the true point of beginning and being a 0.363 acre area of land, more or less.

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Section 44, Section 25 and in Half Section 45, Section 26, Township 12, Range 21, Refugee Lands, containing 14.782 acres of land, more or less, 10.663 acres of said 14.782 acres being out of that 50.917 acre tract of land described in the deed to Chantry Square Joint Venture, of record in Official Record 09543J14, Recorder's Office, Franklin County, Ohio, 2.680 acres of said 14.782 acres being out of that 11.409 acre tract of land described in the deed to Chantry Square Joint Venture, of record in Official Record 08641B14, 0.213 acre of said 14.782 acres being out of that 0.629 acre tract of land described in the deed to Chantry Square Joint Venture, of record in Official Record 10763J17 and 1.226 acre of said 14.782 acres being a portion of vacated Brice Road (City of Columbus Ordinance No. 2339-88 passed on October 3, 1988) as shown on the recorded plat of Brice Road Dedication and Easements, of record in Plat Book 69, Page 71, all being of record in the Recorder's Office, Franklin County, Ohio, said 14.782 acres of land being more particularly described as follows:

Beginning, for reference, at a 3/4-inch (I. D.) iron pipe in a southerly right-of-way line of Chantry Drive, eighty feet in width, as said Chantry Drive is designated and delineated upon the recorded plat of the Dedication of Scarborough Boulevard, Chantry Drive, Park Crescent, Alshire Road and Easements, of record in Plat Book 46, Pages 52, 53, 54 and 55, said beginning point being the northwesterly corner of said 50.917 acre tract and the northeasterly corner of that 1.972 acre tract of land designated as Tract II and described in the deed to Bratcher, Camanati, Curry and Snyder, of record in Official Record 03520A07, both being of record in the Recorder's Office, Franklin County, Ohio; thence S-86°10'30" E, with, in part, a southerly right-of-way line of said Chantry Drive, in part, with a northerly line of said 50.917 acre tract and with the northerly line of that 1.293 acre tract of land described in the deed to Chantry Square Joint Venture, of record in Official Record 13712J16, Recorder's Office, Franklin County, Ohio, a distance of 1,398.08 feet to a 3/4-inch (I. D.)

iron pipe at the true point of beginning at the northeasterly corner of said 1.293 acre tract;

Thence, from said true point of beginning, S-86°10'30"E, with a southerly right-of-way line of said Chantry Drive and with a northerly line of said 50.917 acre tract, a distance of 215.65 feet to a 3/4-inch (I. D.) iron pipe at an angle point in the southerly right-of-way boundary of said Chantry Drive, the same being an angle point in the northerly boundary of said 50.917 acre tract;

Thence S-86°02'35"E, with a southerly right-of-way line of said Chantry Drive and with a northerly line of said 50.917 acre tract, a distance of 195.08 feet to a 3/4-inch (I. D.) iron pipe at an angle point in the southerly right-of-way boundary of said Chantry Drive, the same being the northeasterly corner of said 50.917 acre tract, said iron pipe also being the northwesterly corner of said vacated Brice Road

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Thence N-71 °58'29"E, with a southerly right-of-way line of said Chantry Drive and with the northerly line of said vacated Brice Road, a distance of 43.14 feet to. a 3/4-inch (I.D.) iron pipe at the northwesterly corner of that 1.363 acre tract of land described in the deed to Divall Real Estate Investment Corporation, of record in Official Record 14564C03, Recorder's Office, Franklin County, Ohio;

Thence S-3°57'25"W, with the westerly line of said 1.363 acre tract, a distance of 216.15 feet to a 3/4-inch (I. D.) iron pipe at the southwesterly corner of said 1.363 acre tract;

Thence S-86°02'35"E, with a southerly line of said 1.363 acre tract, a distance of 49.10 feet to a 3/4-inch (I. D.) iron pipe at an angle point in the boundary of said 1.363 acre tract;

Thence S-43°23'25"E, with the southwesterly line of said 1.363 acre tract, a distance of 85.50 feet to a 3/4-inch (I. D.) iron pipe at the southernmost corner of said 1.363 acre tract;

Thence N-46°36'35"E, with a southeasterly line of said 1.363 acre tract, a distance of 161.72 feet to a 3/4-inch (I. D.) iron pipe at an angle point in the southeasterly boundary of said 1.363 acre tract;

Thence N-35°47'48"E, with a southeasterly line of said 1.363 acre tract, a distance of 89.38 feet to a 3/4-inch (I. D.) iron pipe at the easternmost corner of said 1.363 acre tract, the same being in a southwesterly right-of-way line of relocated Brice Road, the same being a southwesterly line of that 6.723 acre tract of land described in the deed to the County of Franklin, of record in Deed Book 3205, Page 683, Recorder's Office, Franklin County, Ohio, said iron pipe also being in a northeasterly line of said 11.409 acre tract;

Thence S-33°55'40"E, with a southwesterly right-of-way line of said Brice Road, with a southwesterly line of said 6.723 acre tract and with a northeasterly line of said 11.409 acre tract, a distance of 47.41 feet to a 3/4-inch (I.D.) iron pipe at the northernmost corner of that 1.7235 acre tract of land described in the deed to Ashland Oil, Inc., of record in Official Record 14095D18, Recorder's Office, Franklin County, Ohio;

Thence S-46°36'35"W, with the northwesterly line of said 1.7235 acre tract, a distance of 241.71 feet to a 3/4-inch (I. D.) iron pipe at the westernmost corner of said 1.7235 acre tract;

Thence S-43°23'25"E, with the southwesterly line of said 1.7235 acre tract, a distance of 324.96 feet to a 3/4-inch (I. D.) iron pipe at the southernmost corner of said 1.7235 acre tract, the same being in a northwesterly right-of-way line of said relocated Brice Road;

Thence S-46°37'40"W, with a northwesterly right-of-way line of said relocated Brice Road, a distance of 299.96 feet to a 3/4-inch (I. D.) iron pipe at a point of curvature;

Thence southwestwardly, with a northwesterly right-of-way line of said relocated Brice Road, the same being the arc of a curve to the left having a radius of 740.00 feet, a central angle of 25°16'42" and a chord that bears S-33°59'19"W, a chord

distance of 323.84 feet to a 3/4-inch (I.D.) iron pipe;

Thence N-85°47'47"W, parallel with and 50.00 feet northerly from, as measured at right angles, both a southerly line of said 50.917 acre tract and the northerly line of that 0.31 acre tract of land described in the deed to Bert Kallies and Madge Marie Kallies, of record in Deed Book 1708, Page 556, Recorder's Office, Franklin County, Ohio, a distance of 175.00 feet to a 3/4-inch (I. D.) iron pipe;

Thence S-65°51'40"W, a distance of 371.17 feet to a 3/4-inch (I. D.) iron pipe;

Thence N-6°38'00"E, a distance of 953.94 feet to a 3/4-inch (I. D.) iron pipe at the southeasterly corner of said 1.293 acre tract;

Thence N-3°49'30"E, with the easterly line of said 1.293 acre tract, a distance of 220.00 feet to the true point of beginning and containing 14.782 acres of land, more or less, 3.215 acres of said 14.782 acres are in Half Section 44, Section 25 and 11.567 acres of said 14.782 acres are in Half Section 45, Section 26.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing description was prepared from information obtained from various field surveys conducted by Bauer, Davidson & Merchant, Inc. beginning in April of 1990 and extending through February of 1991.

All of the iron pipe survey markers noted in the foregoing description were in place in February of 1991.

The bearings given in the foregoing description correspond to the bearings shown on said recorded plat of the Dedication of Scarborough Boulevard, Chantry Drive, Park Crescent, Alshire Road and Easements.

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Section 45, Section 26, Township 12, Range 21, Refugee Lands, containing 23.081 acres of land, more or less, said 23.081 acres being out of that 50.917 acre tract of land described in the deed to Chantry Square Joint Venture, of record in Official Record 09543J14, Recorder's Office, Franklin County, Ohio, said 23.081 acres of land being more particularly described as follows:

Beginning at a 3/4-inch (I. D.) iron pipe in a southerly right-of-way line of Chantry Drive, eighty feet in width, as said Chantry Drive is designated and delineated upon the recorded plat of the Dedication of Scarborough Boulevard, Chantry Drive, Park Crescent, Alshire Road and Easements, of record in Plat Book 46, Pages 52, 53, 54 and 55, said beginning point being the northwesterly corner of said 50.917 acre tract and the northeasterly corner of that 1.972 acre tract of land designated as TRACT II and described in the deed to Bratcher, Camaniti, Curry and Snyder, of record in Official Record 03520A07, both being of record in the Recorder's Office, Franklin County, Ohio;

Thence eastwardly, with the southerly right-of-way boundary of said Chantry Drive and with the northerly boundary of said 50.917 acre tract, the following five (5) courses and distances:

- 1.) S-86°10'30"E, a distance of 232.07 feet to a 3/4-inch (I. D.) iron pipe at a point of curvature;
- 2.) with the arc of a curve to the right having a radius of 35.00 feet, a central angle of 90°00'00" and a chord that bears S-41°10'30"E, a chord distance of 49.50 feet to a 3/4-inch (I. D.) iron pipe at a point of tangency;
- 3.) S-86°10'30"E, a distance of 80.00 feet to a 3/4-inch (I. D.) iron pipe at a point of curvature;
- 4.) with the arc of a curve to the right having a radius of 35.00 feet, a central angle of 90°00'00" and a chord that bears N-48°49'30"E, a chord distance of 49.50 feet to a 3/4-inch (I. D.) iron pipe at a point of tangency;
- 5.) S-86°10'30"E, a distance of 475.00 feet to a 3/4-inch (I.D.) iron pipe;

Thence S-3°49'30"W, a distance of 779.50 feet to a 3/4-inch (I. D.) iron pipe;

Thence N-86°10'30"W, a distance of 40.79 feet to a 3/4-inch (I. D.) iron pipe;

Thence S-3°49'30"W, a distance of 305.00 feet to a 3/4-inch (I. D.) iron pipe;

Thence N-86°10'30"W, a distance of 10.75 feet to a 3/4-inch (I. D.) iron pipe;

Thence S-3°49'30"W, a distance of 165.59 feet to a 3/4-inch (I.D.) iron pipe in the southernmost line of said 50.917 acre tract, the same being in the northerly line of that 5.701 acre tract of land described in the deed to Budget Transmissions, Inc., of record in Deed Book 3651, Page 409 and in Deed Book 3674, Page 415, both being of record in the Recorder's Office, Franklin County, Ohio;

Thence N-85°40'35"W, with the southernmost line of said 50.917 acre tract and with the northerly line of said 5.701 acre tract, a distance of 109.36 feet to a 3/4-inch (I.D.) iron pipe at an angle point in the southerly boundary of said 50.917 acre tract, the same being the westerly corner of said 5.701 acre tract, said iron pipe also being in the northeasterly right-of-way line of Conrail Railroad;

Thence N-59°22'20"W, with the southwesterly line of said 50.917 acre tract and with the northeasterly right-of-way line of said Conrail Railroad, a distance of 1,033.18 feet to a 3/4-inch (I. D.) iron pipe at the southwesterly corner of said 50.917 acre tract;

Thence N-3°49'30"E, with the westernmost line of said 50.917 acre tract, a distance of 303.26 feet to a 3/4-inch (I. D.) iron pipe at a northwesterly corner of said 50.917 acre tract, the same being the southwesterly corner of that 0.519 acre tract of land designated as Tract I and described in said deed to Bratcher, Camaniti, Curry and Snyder;

Thence S-86°10'30"E, with a northerly line of said 50.917 acre tract and with the southerly line of said 0.519 acre tract, a distance of 226.00 feet to a 3/4-inch (I. D.) iron pipe at a corner of said 50.917 acre tract, the same being the southeasterly corner of said 0.519 acre tract;

Thence N-3°49'30"E, with a westerly line of said 50.917 acre tract, with the easterly line of said 0.519 acre tract and with the easterly line of said 1.972 acre tract, a distance of 480.00 feet to the true point of beginning and containing 23.081 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing description was prepared from information obtained from various field surveys conducted by Bauer, Davidson & Merchant, Inc. beginning in April of 1990 and extending through February of 1991.

All of the iron pipe survey markers noted in the foregoing description were in place in February of 1991.

The bearings given in the foregoing description correspond to the bearings shown on said recorded plat of the Dedication of Scarborough Boulevard, Chantry Drive, Park Crescent, Alshire Road and Easements.

**To Rezone From:** C-4, Commercial District and L-C-4, Limited Commercial 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 text titled, "**LIMITATION TEXT**," dated July 2, 2019, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

#### **LIMITATION TEXT**

**PROPOSED DISTRICTS: L-M, Limited Manufacturing District**

**PROPERTY ADDRESS: 5803 Chantry Drive**

**OWNER: CI Ross LP**

**APPLICANT: CI Ross LP**

**DATE OF TEXT: 7/2/19**

**APPLICATION: Z19-035**

1. **INTRODUCTION:** The site is on the south side of Chantry Drive west of Brice Road. There is a shopping center and outlots developed on the site.

2. **PERMITTED USES:** The commercial uses listed in Sections 3363.01, M, Manufacturing districts and those uses listed in Sections 3363.02(a) and 3363.02(d).

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

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

N/A

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

N/A

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

N/A

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

N/A

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

No outside storage shall be permitted for any use listed in Sections 3363.02(a) and ~~(b)~~ **3363.02(d)** of the Columbus City Code.

F. Graphics and Signage Commitments:

The applicable graphics standards shall be those contained in the City Code as they apply to M, Manufacturing District. Any variances shall be submitted to the Columbus City Graphics Commission.

G. Miscellaneous:

N/A

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