



REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application #: 213-060/13335-00000-00866
Date Received: 12/3/13
Application Accepted By: SP-TP Fee: \$3515.00
Comments: Assigned to Tori Proehl; 645-2749; vjproehl@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 2109 Citygate Drive Zip 43219
Is this application being annexed into the City of Columbus ☐ Yes ☒ No (circle one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address 520-181149, 520-181150, 520-181151

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) R, Rural Requested Zoning District(s) L-M, Manufacturing

Area Commission Area Commission or Civic Association: Northeast Area Commission

Proposed Use or reason for rezoning request: Warehouse

(continue on separate page if necessary)

Proposed Height District: 110

Acreage 1.5

[Columbus City Code Section 3309.14]

APPLICANT:

Name Magoo Properties LLC
Address P.O. Box 9764 City/State Columbus, OH Zip 43209
Phone # _____ Fax # _____ Email _____

PROPERTY OWNER(S):

Name Same as applicant
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email _____
☐ Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Jeffrey L. Brown - Smith & Hale LLC
Address 37 West Broad Street, Suite 725 City/State Columbus, OH Zip 43215
Phone # 221-4255 Fax # 221-4409 Email: _____

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Magoo Properties LLC By: [Signature]
PROPERTY OWNER SIGNATURE Magoo Properties LLC By: [Signature]
ATTORNEY / AGENT SIGNATURE [Signature]

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

(See instruction sheet)

APPLICATION # 713-0100

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown
of (1) MAILING ADDRESS 37 West Broad Street, Suite 725, Columbus, OH 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 2109 Stelzer Road
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 12/3/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

☐ Check here if listing additional property owners
on a separate page.

(4) Magoo Properties LLC
P.O. Box 9764
Columbus, OH 43209

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

Magoo Properties LLC

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Northland Area Commission
Mrs. Alice Porter
3130 McCutcheon Place, Columbus, OH 43219

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 2nd day of December, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) Natalie C. Timmons
9/4/15

This Affidavit expires six months after date of notarization.



Subscribed Here Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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713-060

PROPERTY OWNER

Magoo Properties LLC
P.O. Box 9764
Columbus, OH 43209

AREA COMMISSION

Northeast Area Commission
c/o Mrs. Alice Porter
3130 McCutcheon Place
Columbus, OH 43209

ATTORNEY

Jeffrey L. Brown
Smith & Hale LLC
37 West Broad Street, Suite 725
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Sean & Barbara Brogan
P.O. Box 9764
Columbus, OH 43209

Church of the Living God International
Inc.
2600 McCutcheon Road
Columbus, OH 43219

RB Columbus Limited LLC
115 Bloomingdale Avenue
Wayne, PA 19087

LAI Family Partnership Ltd.
5778 Clark State Road
Columbus, OH 43230

Griffworth Title Holder LLC
P.O. Box 9440
Rancho Sante Fe, CA 92067

Metropolitan Educational Council
2100 Citygate Drive
Columbus, OH 43219

Educational Service Center of Franklin
County
2080 Citygate Drive
Columbus, OH 43219

Frances S Doherty Tr.
1900 Stelzer Road
Columbus, OH 43219

Stanislaus S Liu
141 Warren Street
Columbus, OH 43215

Charles P Clark
1990 North Stelzer Road
Columbus, OH 43219

Celia M Forker Tr.
1942 Stelzer Road
Columbus, OH 43219

Jordan Rentals II LLC
359 State Route 203
Delaware, OH 43015

Nick Soulas
5180 Etna Road
Columbus, OH 43213



REZONING APPLICATION

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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # 713-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown
of (COMPLETE ADDRESS) 37 West Broad Street, Suite 725, Columbus, OH 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Magoo Properties LLC P.O. Box 9764 Columbus, OH 43209 No Columbus based employees	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 2nd day of December, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

9/4/15

Natalie C. Timmons Project Disclosure Statement expires six months after date of notarization.

Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015



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L-M, LIMITED MANUFACTURING DISTRICT

Existing District: Rural, Residential
 Proposed District: L-M, Limited Manufacturing
 Property Address: 2109 Citygate Drive
 Owner: Magoo Properties LLC
 Applicant: Magoo Properties LLC
 Application No.: Z13-_____
 Date of Text: December 2, 2013

I. INTRODUCTION:

In 2009 the site to the east of the subject property was rezoned to a mixture of L-M and CPD. The subject property was originally part of that zoning but was deleted from that application. This zoning request incorporates the remaining R, Rural zoned ground from the earlier application and places it in the same zoning classification as the ground to the east.

II. L-M, LIMITED MANUFACTURING DISTRICT**1. PERMITTED USES:**

All uses of Columbus City Code §3363.01- §3363.08 and § 3363.175 (M, Manufacturing District), except uses as prohibited in Section 2 (Prohibited Uses), below. Additionally, all types of offices; residence(s) for a resident watchman; commercial radio transmitting or television station and appurtenances thereto; rooftop telecommunication installations and all accessory use(s) related to any permitted principal use shall be permitted.

(a) All permitted uses shall be constructed, equipped and operated with such approved devices and methods as to insure against the emission of obnoxious noise, vibrations, smoke, dust, fly ash, or other solid particulate matter, odor, glare, heat, sewage waste, and other obnoxious conditions.

(b) Underground storage tanks shall only be permitted for the purpose of providing distribution of liquid fuels, petroleum products, petroleum, and volatile oils to vehicles of uses in this sub-area. No user shall have more than an aggregate capacity of 20,000 gallons. The location of any such tanks shall be determined under the direction and supervision of the Fire Department.

2. PROHIBITED USES:

Cabarets and nightclubs (with bars being specifically permitted if accessory to a primary use); billboard(s); manufacturing, compounding, processing, assembling, packaging or treatment of goods, materials and products involving operations which are obnoxious or offensive by reason of odor, dust, smoke, gas, fumes, vibration, noise, fly ash, or other solid particulate matter, odor, glare, heat, sewage waste, or obnoxious conditions. Additional prohibited uses: Amusement Arcade, Animal Shelter, Blood & Organ Bank, Check Cashing and Loans, Coin Operated Laundries, Community Food Pantry, Electric Substation, Halfway House, Mission / Temporary Shelters, Pawn Broker, Television and Radio Studio, Repossession Services, Utility Pump Station, Warehouse Club and Super Center.

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the written text, the applicable development standards are contained in Chapter 3363(M) Manufacturing of the Columbus City Code.

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

1. The subject site shall be designated in the H-110 Height District. Buildings and structures shall not exceed an absolute height of 65 feet except for hotel/motel which shall be subject to the H-110 Height District with no height limitation and as permitted in § 3363.175. This absolute height restriction shall not include the additional height associated with building-mounted mechanicals or aerials. Mechanicals shall not exceed 10 additional feet above the

65-foot absolute height. Building-mounted antennas and aerals shall not exceed 20 additional feet above the 65-foot absolute height.

2. No more than two rows of parking and a drive aisle shall be permitted between City Gate Drive and the building(s).

3. Lot coverage for structures and paved areas shall not exceed eighty-five (85%) percent.

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

1. Access to the site shall be subject to the review and approval of the Department of Public Service, Planning and Operations Division.

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

1. Trees shall be planted within the front parking setback at the minimum rate of one tree for every 40 linear feet of street frontage along City Gate Drive. Existing trees along City Gate Drive shall satisfy this requirement.

2. Trees may be equally spaced or grouped. Tree species shall be selected and planted in a manner that does not obstruct motorists' vision.

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

1. All building exteriors shall be constructed of brick, real or synthetic stone, real or synthetic stucco, glass, vinyl siding, wood shingles, textured or coated metal, concrete, marble, textured concrete, or a combination of these materials. Wood may be used as an accent material not to exceed 25% in area of an individual façade.

2. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from the right-of-way of City Gate Drive, to the height of the equipment, by the same material utilized on the building roof or exterior. Decorative cornices may be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping, or any fence or wall utilizing comparable and compatible materials as the building materials.

3. Any building elevation that faces City Gate Drive shall be the front elevation of that building or have architectural detailing so that elevation does not look like a blank rear elevation.

4. A building frontage that faces a public street and exceeds a width of 50 feet shall incorporate articulation and off sets of the wall plane to inhibit a large expanse of blank wall and add interest to the building. This restriction shall not apply to the hotel/motel buildings or warehouse style buildings.

5. For the primary building frontage of any retail use, a minimum of 40% of the area between the height of the 2 feet and 10 feet above grade shall be a clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4 feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of 10 feet.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. All lighting shall be so positioned as to not be directed toward any residentially-zoned area.

2. Wiring within the subject Site shall be underground.

3. Service area lighting shall be contained within the service yard boundaries and enclosure walls. No light spillover shall occur outside the service area.

4. Building illumination and architectural lighting shall be indirect in character. Architectural lighting should be articulate and provide lighting for the particular building design as well as provide the required functional lighting for safety and clarity of pedestrian movement.
5. Pedestrian lighting is permitted and the maximum height for any pedestrian lighting on the subject Site shall not exceed 16 feet in height. Bollard lighting is permitted and shall not exceed 48 inches in height.
6. There shall be no outdoor public address system, outdoor call system, or other outdoor audible system permitted in this sub-area, except that a paging system shall be allowed for the purpose of paging employees only.
7. The buildings which front along City Gate Drive shall provide an internal sidewalk or pedestrian pathway that would connect the building's front door to a sidewalk along City Gate Drive.

F. Graphics and Signage Commitments.

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission. All freestanding graphics shall be a monument style sign.

G. Miscellaneous Commitments:

1. In accordance with §3318.13 (Parkland Dedication Ordinance), Applicant shall contribute parkland fees in the amount of \$400.00 per acre for this site.
2. With regard to the open watercourse which traverses the Site, Applicant commits to maintain a 25-foot no-build zone on the west side of the watercourse, as measured from the top of the embankment.
3. No more than two (2) points of access shall be constructed over the watercourse.

The undersigned, being the owner of the subject property, together with the Applicant in the subject application, or their authorized representatives/attorneys, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

By: _____

Date: _____



City of Columbus Zoning Plat



713-060

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: PART OF: 520181149, 520181150, 520181151

Zoning Number: 2109

Street Name: CITYGATE DR

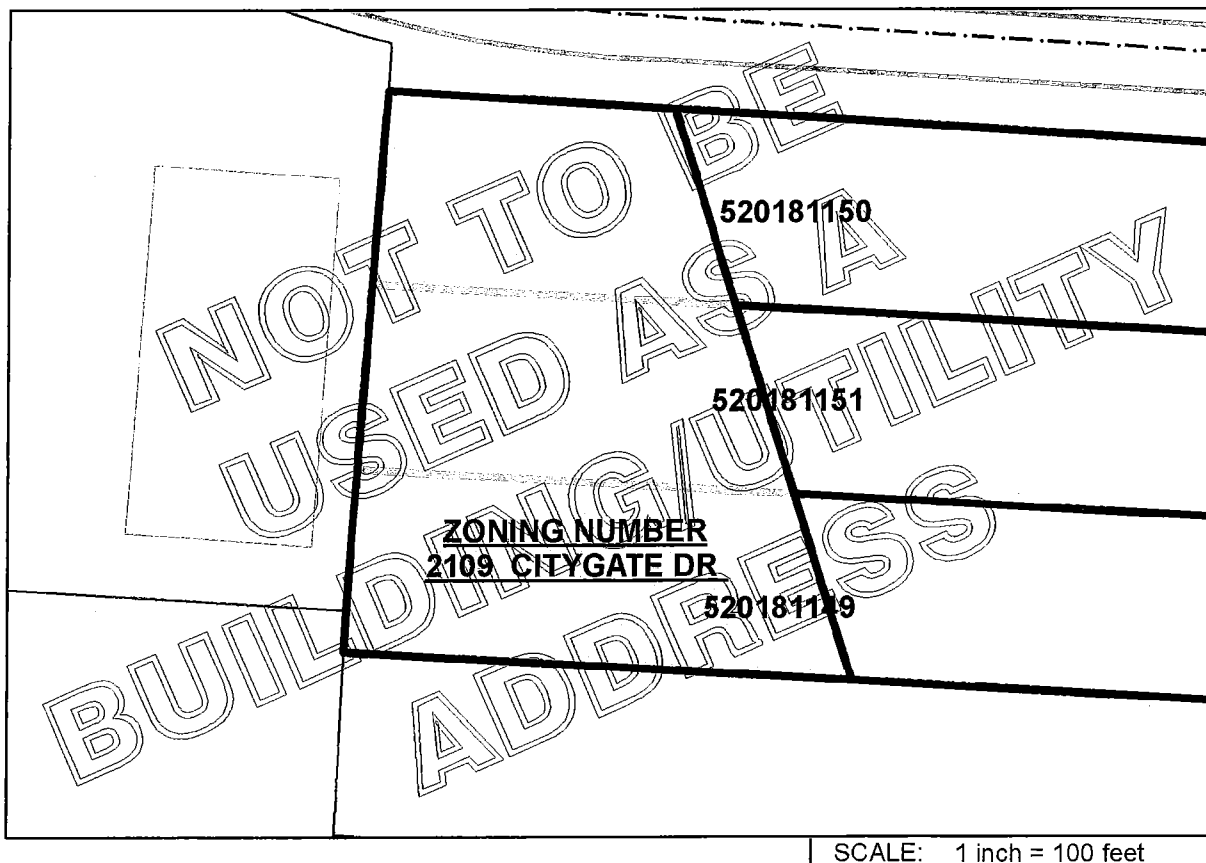
Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (DAVID HODGE)

Issued By: *Patricia Austin*

Date: 11/13/2013



SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 15780



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

1.50 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 1, Range 17, United States Military Lands being out of those tracts conveyed to Magoo Properties LLC by deed of record in Instrument Number 201203050030014 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, at the centerline intersection of Citygate Drive of record in Plat Book 87, Page 36 and Stelzer Road;

thence North 86 deg. 35' 30" West, with the centerline of said Citygate Drive, a distance of 917.46 feet to a point;

thence North 86 deg. 45' 57" West, continuing with said centerline, a distance of 99.59 feet to a point;

thence South 03 deg. 14' 03" West, across the right-of-way of said Citygate Drive, a distance of 41.10 feet to a point in the southerly right-of-way line of said Citygate Drive, being the TRUE POINT OF BEGINNING;

thence South 17 deg. 03' 26" East, across said Magoo tracts, a distance of 323.61 feet to a point in the southerly line of said Magoo tract;

thence North 86 deg. 40' 52" West, with the southerly line of said Magoo tract, a distance of 274.41 feet to a point in the easterly line of that 5.000 acre tract conveyed to RB Columbus Limited LLC by deed of record in Official Record 34875D11;

thence North 03 deg. 00' 41" East, with the easterly line of said 5.000 acre tract, a distance of 22.43 feet to a southeasterly corner of that 4.000 acre tract conveyed to Lai Family Partnership, Ltd. by deed of record in Instrument Number 200501040002830;

thence North 04 deg. 37' 01" East, with the easterly line of said 4.000 acre tract, a distance of 282.02 feet to a point in the southerly right-of-way line of said Citygate Drive;

thence South 86 deg. 18' 23" East, with the southerly line of said Citygate Drive, a distance of 155.47 feet to the TRUE POINT OF BEGINNING, and containing 1.50 acre of land, more or less.

This description was prepared from record information only and should be used for zoning purposes only.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

713-060

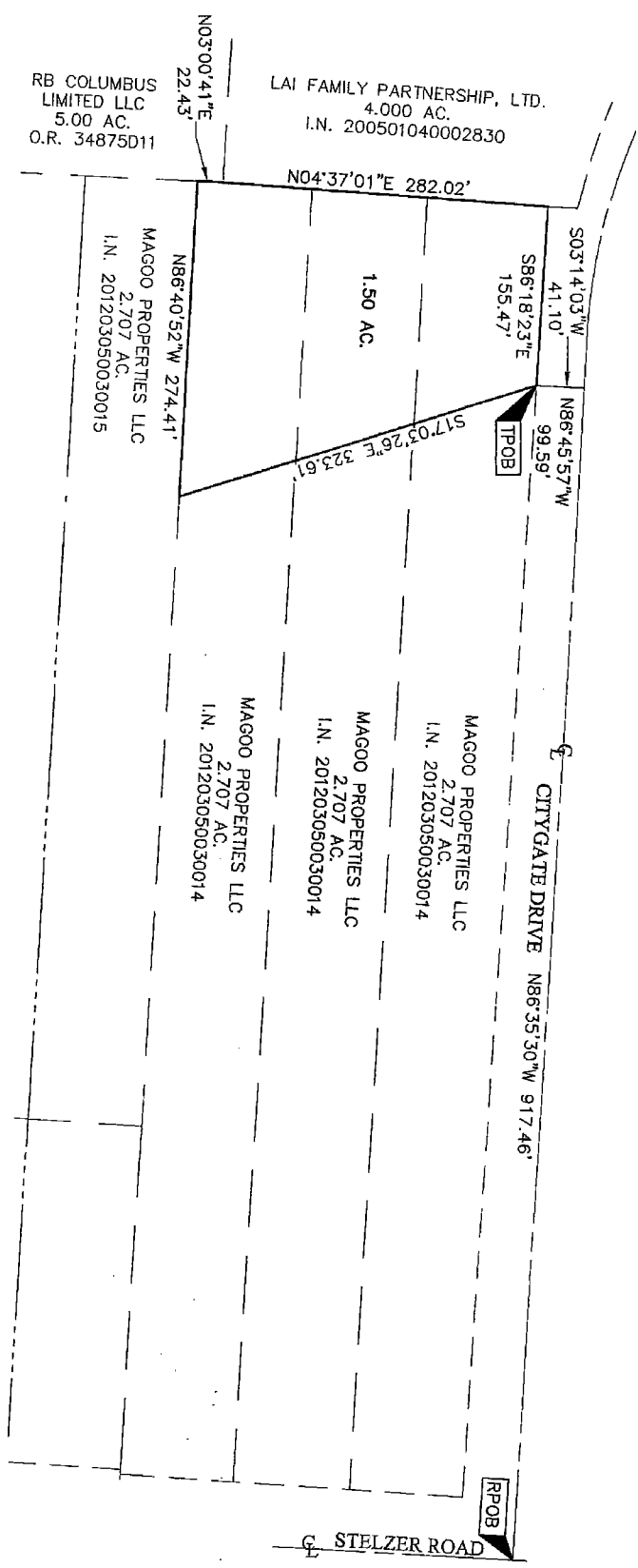
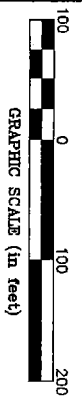
EMH&T
 Earth, Mechanical, Homeleak & Tilt, Inc.
 Engineers • Surveyors • Planners • Scientists
 5300 E. 12th Avenue, Suite 200
 Denver, Colorado 80231
 Phone: 303.755.4500 Fax: 303.755.4448
 emh.com

ZONING EXHIBIT

QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 17
 UNITED STATES MILITARY LANDS
 CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

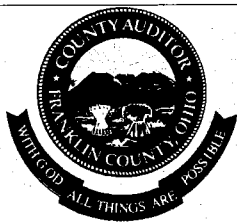
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 Job No: 2013-1831

J:\2013\1831\DWG\04SHEETS\EXHIBITS\20131831-VS-ZONE-1.DWG plotted by BAXTER, THERESA on 11/13/2013 7:26:57 AM last saved by TBAXTER on 11/13/2013 7:26:48 AM



NOTE:
 This exhibit was prepared from record data only, and is not to be used for deed transfer.

713-060



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

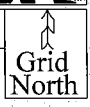
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DATE: 11/12/13



Disclaimer

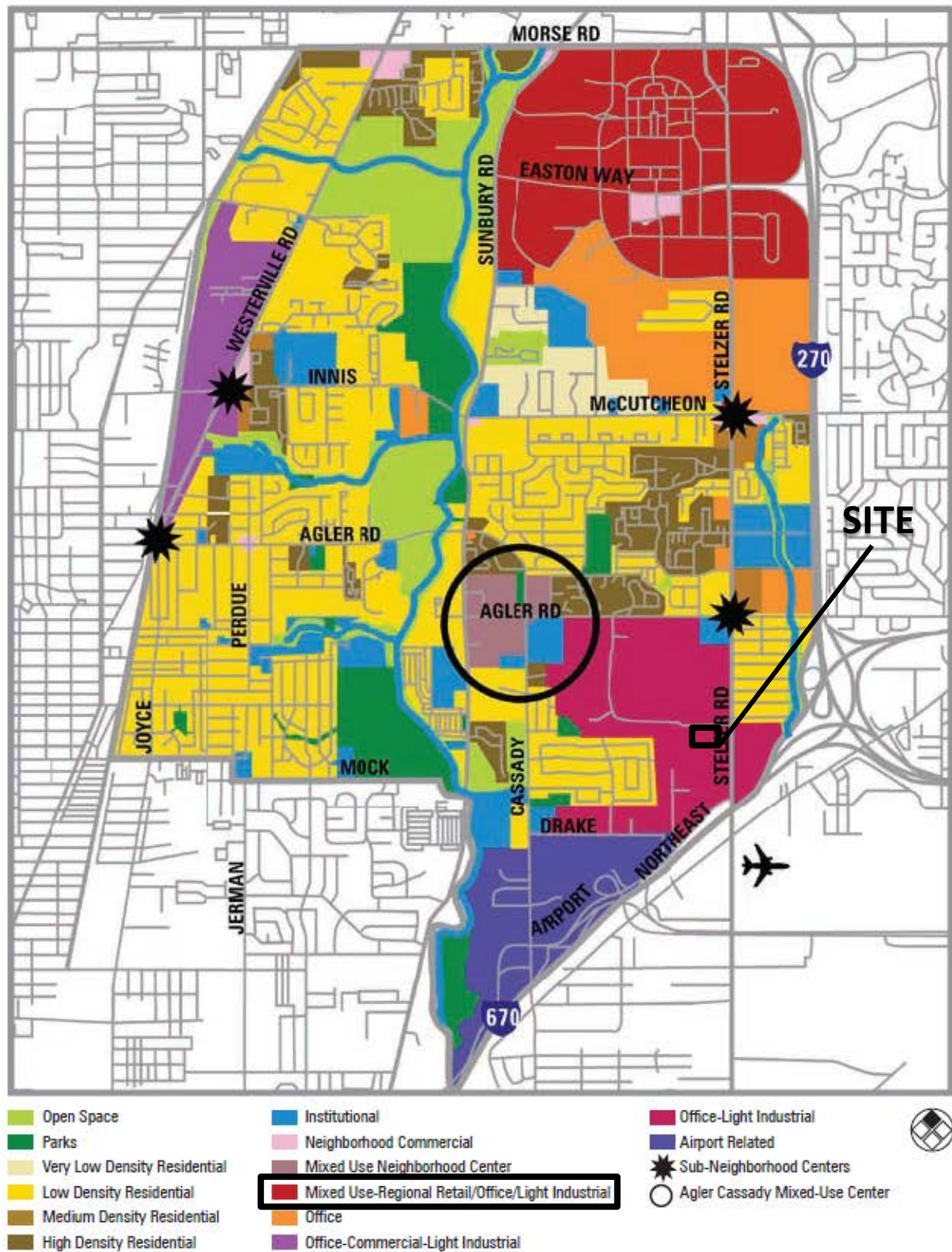
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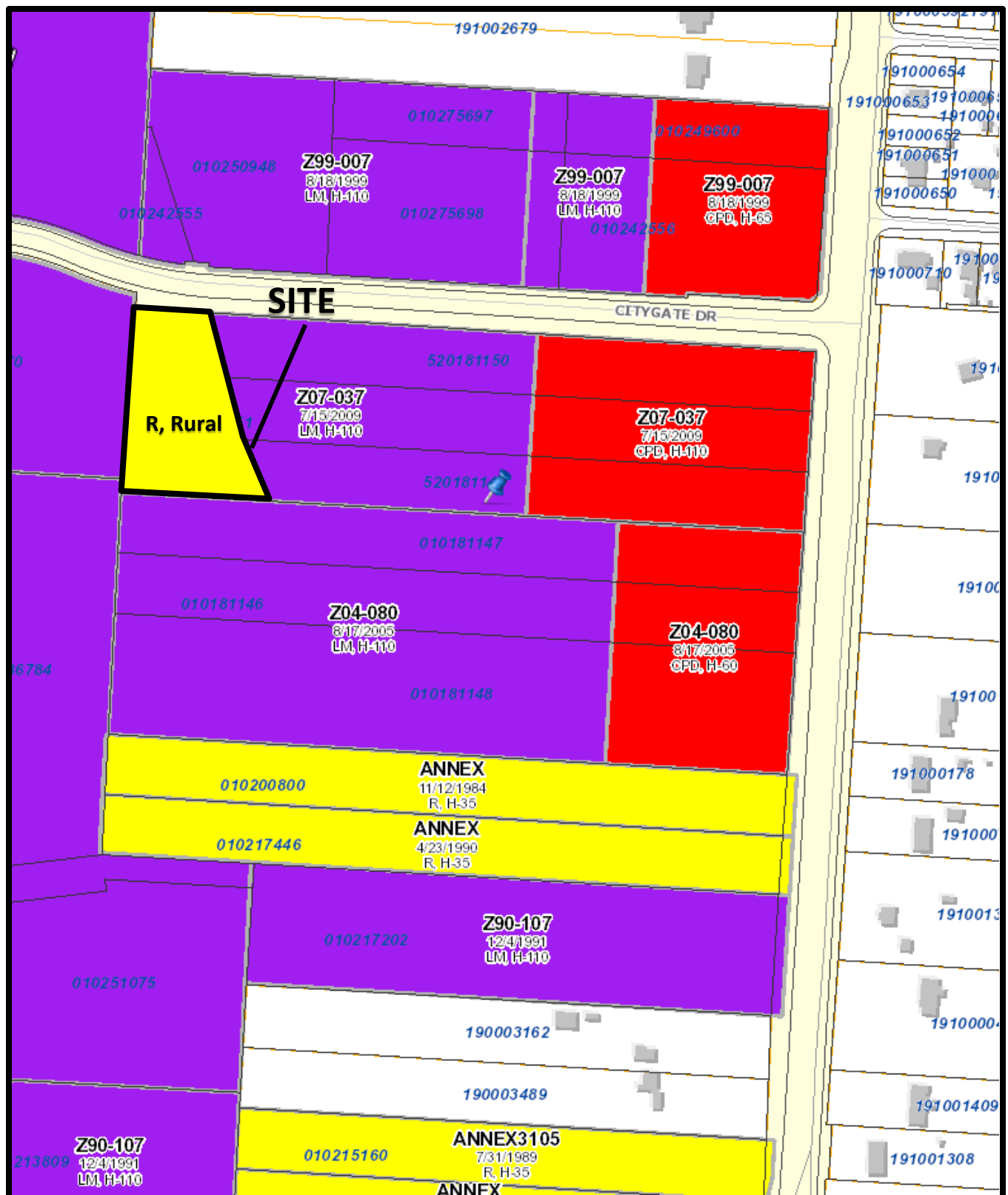


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

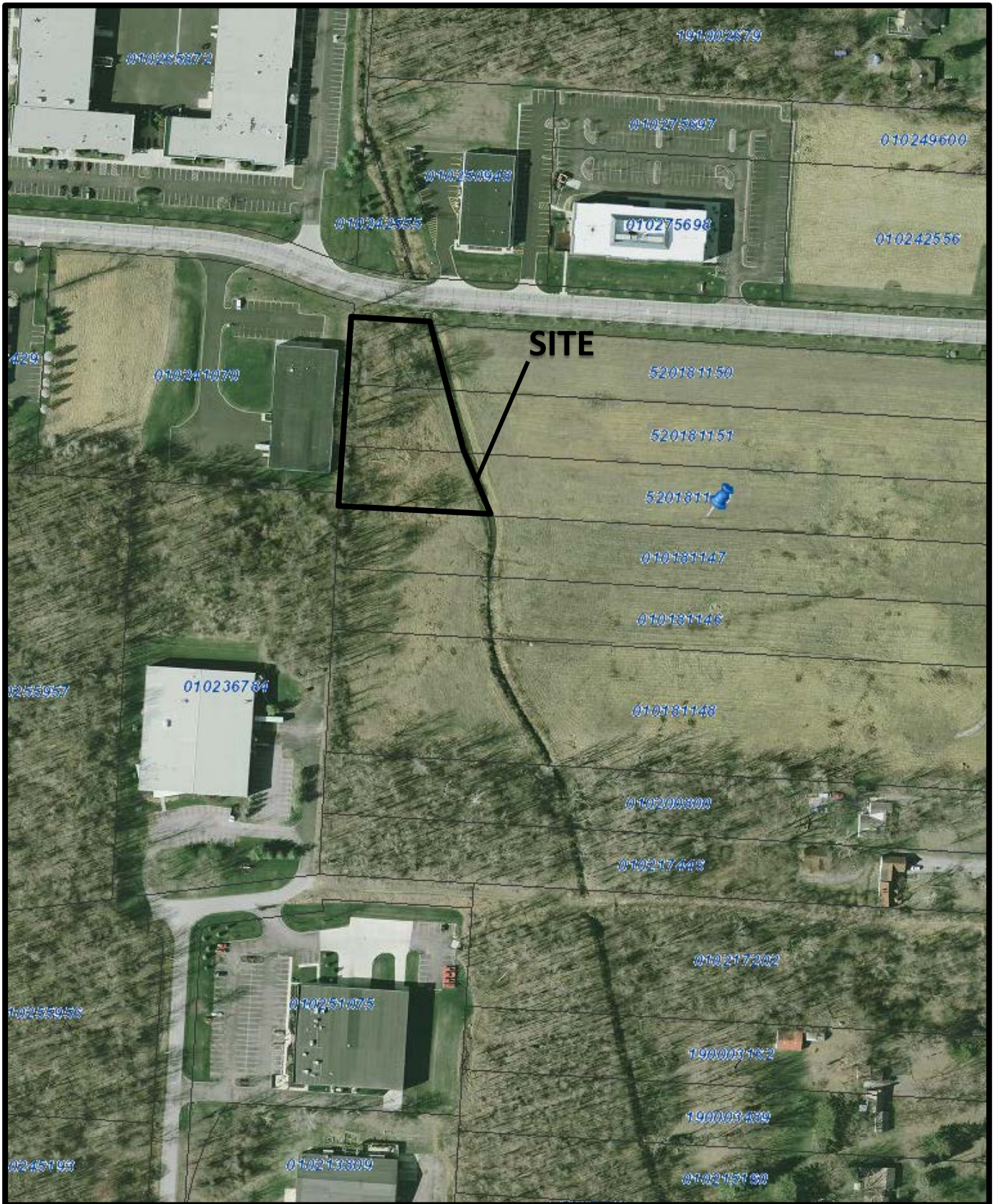
Real Estate / GIS Department

Figure 5. Land Use Plan





Z13-060
 2109 Citygate Drive
 Approximately 1.5 acres
 Request: Rezoning from R, Rural to L-M, Manufacturing
 District



Z13-060
2109 Citygate Drive
Approximately 1.5 acres
Request: Rezoning from R, Rural to L-M, Manufacturing
District