

VILLAGE OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 59-16

PASSED: September 12, 2016

AN ORDINANCE TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN AND DEVELOPMENT TEXT FOR PARCEL NUMBER 152-000091 ALSO KNOWN AS 4851 GROVEPORT ROAD

WHEREAS, Franklin County Auditor Parcel Number 152-000091 also known as 4851 Groveport Road is zoned Planned Industrial District (PID); and

WHEREAS, the property was zoned PID in 2002 by the Village of Obetz; and

WHEREAS, a Preliminary Development Plan and Development Text was not approved at that time; and

WHEREAS, the building has been vacant for more than six months and has lost its nonconforming status; and

WHEREAS, a Preliminary Development Plan and Development Text has been submitted for the property as required in Section 1159.04 of the Codified Ordinances; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Preliminary Development Plan and Development Text at its August 10, 2016 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1. The Preliminary Development Plan and Development Text for Franklin County Auditor Parcel Number 152-000091 also known as 4851 Groveport Road, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

Section 2. This Ordinance is shall take effect at the earliest time permitted by law.

Passed this 12 day of September, 2016.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

ORDINANCE: 59-16

PASSED: September 12, 2016

Louise Crabtree
Louise Crabtree, Council President Pro Tem

APPROVED AS TO FORM

[Signature]
Stephen J. Smith, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 59-16 was duly posted at 9:00 AM (time) on the 13 day of September, 2016, at the Obetz Government Center, as well as on the Obetz website.

Stacey Boumis
Stacey Boumis, Clerk

9/13/16
Date



Ordinance 59-16 - Exhibit A

PLANNED INDUSTRIAL DISTRICT(PID)
VILLAGE OF OBETZ

RE: Approval of Development Plan for 4851 Groveport Road, Obetz, OH 43207

Date: July 18, 2016

Introduction

The subject property is comprised of one tract of land located on the south side of Interstate 270 within the Village of Obetz. The parcel identification number, acreage and address are as follows:

#	Parcel ID	Parcel Size	Parcel Address
Tract 1	152-000091-00	7.934	4851 Groveport Road, Obetz, OH

The property is developed with an existing single-story warehouse of approximately 132,100 SF. Parking and truck maneuvering occurs on one tract.

The applicant requests to re-enact the zoning classification on this property as Planned Industrial District (PID), and to permit Salem Stones to use the building for its warehousing and distribution operation.

A. Permitted Uses

The permitted uses for this site shall be as contained within the Codified Ordinances for the Village of Obetz, Chapter 1149, Restricted Industrial (RI) District, Chapter 1151, Limited Industrial (LI) District, and Chapter 1153, Suburban Office (SO) District. More specifically, all uses associated with the manufacturing, warehousing and distribution, shall be permitted, including Salem Stones.

B. Development Standards

1. Unless existing at time of submission, indicated on the submitted Development Plan or noted in this written text, the applicable standards for the site shall be those standards contained in Section 1159.03 of the Codified Ordinances of Obetz.
2. This site consists of one parcel.
3. The lot area shall remain as-is.
4. The building height shall remain as-is.

5. The traffic and parking system (and locations) shall remain as it exists today.
 - a. Parking and loading spaces shall be consistent with the existing parking and loading on the property as depicted on the submitted Development Plan. No minimum or maximum number of parking spaces or loading spaces are required. Accessible parking shall be as shown on the Development Plan.
 - b. Parking shall be permitted on the current surface, in the front lot between the office and warehouse and frontage road which is already paved. Parking space dimensions are of a size and quantity to be sufficient for the use and demand needs of the owner/operator. Space may be signed as "Visitor" and "Employee Parking" at Owner's discretion only.
 - c. Sidewalk planimetrics and walking areas shall remain as-is.
6. The access points shall remain in their current location along Broehm Road.
7. Outside storage shall not be permitted.
8. Trailer parking shall not be permitted unless staged at an existing dock high door.
9. In keeping with the level of care given to this zone, all waste and refuse dumpster areas shall be screened from view with comparably zoned appropriate screening treatments (3 sides) and placed in the truck court area as noted on the Development Plan with consideration given to refuse pickup/access.
10. Signage and graphics, building and site, shall remain as it currently exists. Any proposed signage improvements will comply with Codified Ordinances of Obetz Chapter 1175, unless otherwise approved by the Village of Obetz.
11. The existing site lighting shall remain as it exists today. For security reasons, and if requested by the owner, additional site lighting can be incorporated if by administrative approval of zoning administrator.
12. Screening and Landscaping for the property shall conform to the submitted drawings and such screening shall provide a buffer to the existing truck court area. All screen plantings shall be maintained permanently and any plant, which does not survive, shall be replaced within six months with material meeting the specifications of the original planting. Maintenance of the screening materials shall be the responsibility of the owner of the property and failure to replace and maintain the screening materials shall be a violation of the Codified Ordinances of Obetz.
13. The property shall be used in accordance with the submitted Development Plan. The attached plan illustrates the areas where the building, parking, and landscaped areas will be located. This Development Plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time final development and engineering

plans, if any, are completed. Any slight adjustment to the Development Plan shall be reviewed and approved by the Zoning Officer or his/her designee, upon submission of the appropriate data regarding the proposed adjustment. The general layout and site concept shall, however, conform to the Development Plan.

14. The building elevations shall remain as it currently exists today. Any new building(s) or expansions shall be architecturally compatible with the existing warehouse.
15. Smoke: No smoke shall be emitted from any structure on this property.
16. Noise: The noise level shall be no greater than sixty (60) decibels at the lot line.
17. Odor: No odorous gases or other odorous matter in any quantities as to be offensive at any point on or beyond the property boundary shall be utilized.

1. Legal Description

Legal Description

7.934 Acres

Situated in the State of Ohio, County of Franklin, Village of Obetz, in Section 24, Township 4, Range 22, Congress Lands, and being part of the 11.648 Acre tract conveyed to Seely Ohio, L.P. in Instrument Number 200006280127826, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found iron pin in the south line of Broehm Road Extension, 68 feet wide, as shown in Plat Book 42, Page 78, at the northwest corner of said 11.648 Acre tract and the northeast corner of a 5.753 Acre tract conveyed to Gale Roshon in Official Record Volume 13997, Page C-13;

Thence, along the south line of said Broehm Road Extension and the south line of Broehm Road, 68 feet wide, as shown in Plat Book 42, Page 51, and along part of the north line of said 11.648 Acre tract, South 85 degrees 35 minutes 10 seconds East, 319.30 feet to a set iron pin and the True Point of Beginning of the parcel herein intended to be conveyed;

Thence, along part of the north line of said 11.648 Acre tract and along the south line of Broehm Road the following four courses:

- 1) South 85 degrees 35 minutes 10 seconds East, 363.76 feet to a found P.K. nail at a point of curvature;
- 2) along the arc of a curve to the right, having a radius of 125.00 feet and a central angle of 45 degrees 19 minutes 10 seconds, South 62 degrees 25 minutes 35 seconds East, 65.32 feet to a found iron pin at a point of tangency;
- 3) South 39 degrees 16 minutes 00 seconds East, 4.79 feet to a found iron pin at a point of curvature;
- 4) along the arc of a curve to the left, having a radius of 2372.01 feet and a central angle of 08 degrees 45 minutes 48 seconds, South 43 degrees 38 minutes 52 seconds East, 362.44 feet to a set iron pin at the northeast corner of said 11.648 Acre tract and the northwest corner of a 3.319 Acre tract conveyed to Columbus Southern Power Company in Instrument No. 199802270044835;

Thence, along the east line of said 11.648 Acre tract and the west line of said 3.319 Acre tract, South 37 degrees 34 minutes 18 seconds West, 488.52 feet to a set iron pin at the southeast corner of said 11.648 Acre tract and the southwest corner of said 3.319 Acre tract, also being in the north line of a 1.378 Acre tract conveyed to Norfolk and Western Railway in Deed Book 3234, Page 471;

Thence, along the south line of said 11.648 Acre tract and the north line of said 1.378 Acre tract, North 52 degrees 39 minutes 12 seconds West, 178.50 feet to a found iron pin at a point of curvature;

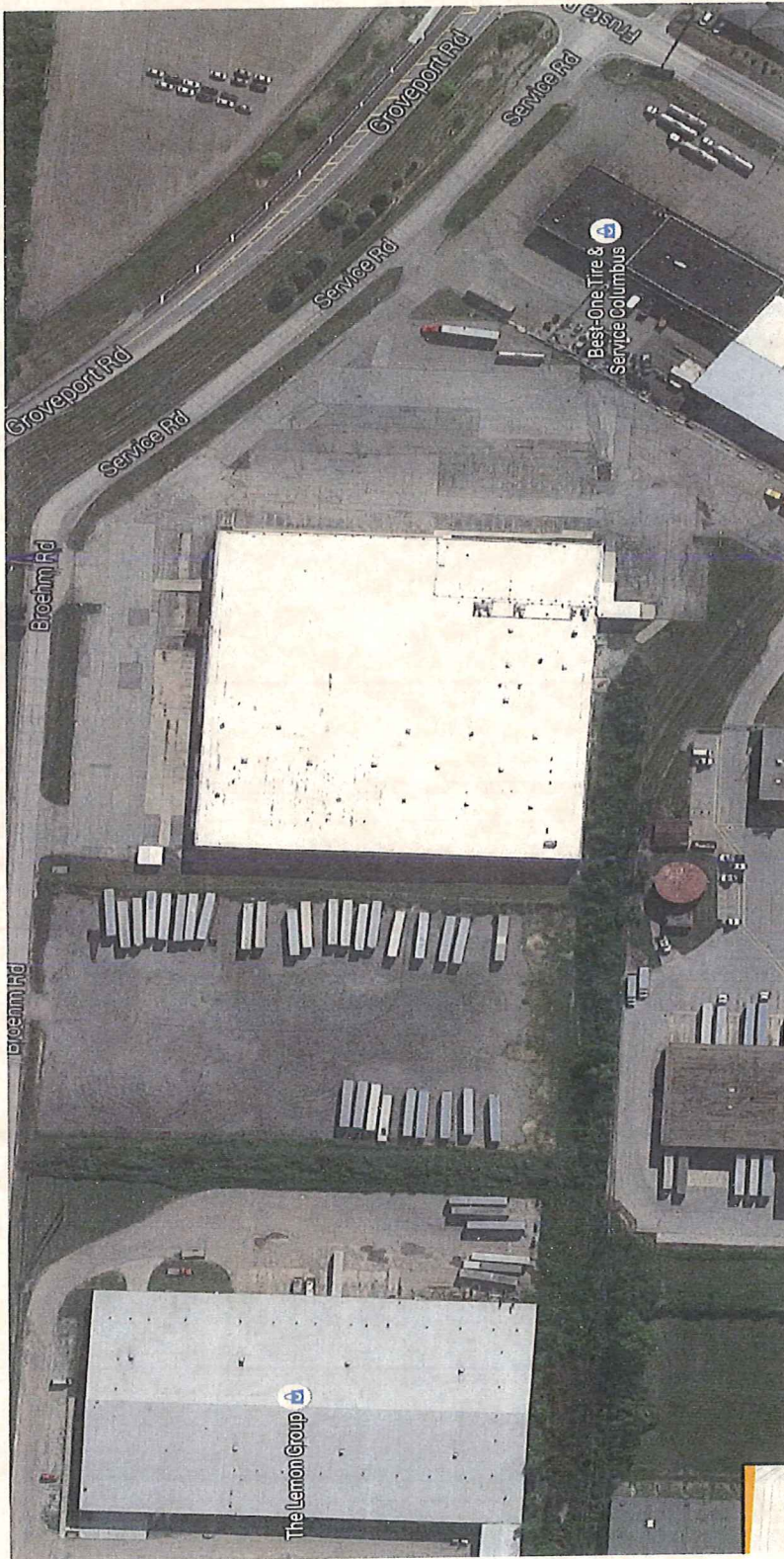
Thence, continuing along the south line of said 11.648 Acre tract and the north line of said 1.378 Acre tract, along the arc of a curve to the left, having a radius of 565.49 feet and a central angle of 32 degrees 05 minutes 35 seconds, North 68 degrees 42 minutes 00 seconds West, 323.68 feet to a set iron pin;

Thence, across said 11.648 Acre tract, North 04 degrees 24 minutes 50 seconds East, 502.07 feet to the True Point of Beginning, CONTAINING 7.934 ACRES.

Together with these rights of non-exclusive beneficial easement of record in Instrument Number 200105030095826, Recorder's Office, Franklin County, Ohio.

Gale Roshon ~ 5.753 Ac. ~ O.R.V. 13997 C-13

3. Topographic Map



INTERSTATE ROUTE 270

B R O E H M R O A D

ASPHALT PARKING AND LOADING

SERVICE ROAD
GRAVEPORT ROAD

4. Site Plan

NOTE:
ALL INFORMATION CONTAINED IN THIS DRAWING MUST BE
CERTIFIED PRIOR TO ANY CONSTRUCTION OF THE
PREPARATION OF ANY CONSTRUCTION DOCUMENTS.



SCALE 1"=80'
0' 20' 40'

SPACE SUMMARY			
SPACE NO.	AREA +/-	DISTANCE	TRUCK RAIL
4851	132,100	11,553'	16 3

BUILDING SUMMARY			
AREA +/-	132,100 sq. ft.		
LAND AREA +/-	345,619 sq. ft.		
CONSTRUCTION	Brick/Block/Metal		
CLEAR HEIGHT	40' W x 29'D		
BAY SPACING	Fluorescent		
LIGHTING	100%		
SPRINKLER	5"		
SLAB +/-	Norfolk & Western		
RAIL	1968		

LEGEND			
WM	RAILROAD		
CM	WATER METER		
EM	GAS METER		
EP	ELECTRIC METER		
TP	ELECTRIC PANEL		
PP	TELEPHONE PANEL		
TF	POWER POLE		
	TRANSFORMER		
X	FENCE		
SV/SR	PROPERTY LINE		
FH	SPRINKLER VALVE, RISER		
R	FIRE HYD.		
	RAMP		
V	GRASS		

SEALY & COMPANY, INC.
215 PLUS STREET SUITE 1050
SHEPHERD, OHIO 44710
SEALY Tel. 318-222-8700, Fax. 318-222-4124

REVISED: FEBRUARY 03, 2010

1-003-01
SEALY OHIO, L.P.
4851 GROVEPORT ROAD
OBETZ, OHIO

5. Engineering Statement

An engineering feasibility statement is not needed because the building is already serviced with water, sanitary sewer, and storm drain facilities.

6. Traffic and Parking System

The traffic and parking system (and locations) shall remain as it exists today. Parking and loading spaces are consistent with the existing parking and loading on the property as depicted on the submitted Site Plan. No minimum or maximum number of parking spaces or loading spaces are required.

7. Landscaping Plan

All landscaping and screening are consistent with the submitted topographic map submitted under section 3.

8. Phasing Schedule

Not applicable, existing building.

9. Evidence of Sufficient Control

Sealy SW Ohio, LP is the current owner of the site as evidenced by the attached deed.



201511300166983
Pgs: 7 \$68.00 T20150087078
11/30/2015 9:44AM MEPCHTCAGO T1
Terry J. Brown
Franklin County Recorder

TRANSFERRED

NOV 30 2015

24029

Conveyance
Mandatory- 24152.20
Permissive- 24152.20
CLARENCE E. MINGO II FRANKLIN COUNTY AUDITOR

PS

LIMITED WARRANTY DEED

(O.R.C. 5302.07 & .08)

Sealy SW Properties, L.P., a Georgia limited partnership ("**Grantor**"), whose address is 333 Texas Street, Suite 1050, Shreveport, Louisiana 71101, for valuable consideration paid, grant(s), with limited warranty covenants, to Sealy SW Properties Ohio, L.P., a Georgia limited partnership ("**Grantee**"), whose tax mailing address is c/o Sealy Acquisitions, L.L.C., 8401 N. Central Expressway, Suite 150, Dallas, Texas 75225, Attention: Jason Gandy, the following real property (the "**Property**"):

Located in the City of Obetz, Franklin County, Ohio, which land is more fully described in the attached **Exhibit A**.

This conveyance is subject to all zoning and building laws, ordinances, maps, resolutions and regulations of all governmental authorities having jurisdiction which affect the Property and the use and improvement thereof; leases, if any; and the permitted exceptions set forth on **Exhibit B**, attached hereto and made a part hereof (collectively, the "**Permitted Exceptions**").

Prior Instrument Reference No.: 200512080258550

FIDELITY TITLE INSURANCE CO.

ORDER NO. 508150320

Executed this 25th day of November, 2015.

GRANTOR:

SEALY SW PROPERTIES, L.P., a Georgia limited partnership

By: Sealy SW Properties General Partner, L.L.C., a Delaware limited liability company, its General Partner

By: Mark P. Sealy
Name: Mark P. Sealy
Title: President

STATE OF Louisiana)
Parish) SS.
COUNTY OF Caddo)

The foregoing instrument was acknowledged before me this 13 day of November, 2015, by Mark P. Sealy, as the President of Sealy SW Properties General Partner, L.L.C., a Delaware limited liability company, General Partner of Sealy SW Properties, L.P., a Georgia limited partnership. Said individual is personally known to me or has produced a driver's license as identification.

Peggy Day Gill
Notary Public, State of LOUISIANA
Print Name: PEGGY DAY GILL, NOTARY PUBLIC
Serial No. (if any): CADDO PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE
NOTARY NO. 2425

[AFFIX NOTARY STAMP ABOVE]

Drafted by & when recorded, return to:
Morris, Manning & Martin LLP
3343 Peachtree Rd NE, Suite 1600
Atlanta, GA 30326
Attn: Frank Bazzel and Christina Graham

Send subsequent tax bills to:
Grantee

SIGNATURE PAGE TO
LIMITED WARRANTY DEED
SEALY SW PROPERTIES OHIO, L.P. (FRANKLIN COUNTY)

EXHIBIT A
LEGAL DESCRIPTION

Commonly known as: 4849 Groveport Road, Franklin County, Obetz, Ohio

Tax Parcel Number(s): 152-000091-00

Legal Description

Situated in the Village of Obetz, County of Franklin and State of Ohio:

And known as being in Section 24, Township 4, Range 22, Congress Lands, and being a part of the 11.648 acre tract conveyed to Sealy Ohio, L.P. in Instrument Number 200006280127626, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found iron pin in the South line of Broehm Road Extension, 68 feet wide, as shown in Plat Book 42, Page 78, at the Northwest corner of said 11.648 acre tract and the Northeast corner of a 5.753 acre tract conveyed to Gale Roshon in Official Record Volume 13997, Page C-13;

Thence, along the South line of said Broehm Road Extension and the South line of Broehm Road, 68 feet wide, as shown in Plat Book 42, Page 51 and along part of the North line of said 11.648 acre tract, South 85 deg. 35' 10" East, 319.30 feet to a set iron pin and the true point of beginning of the parcel herein intended to be conveyed;

Thence, along part of the North line of said 11.648 acre tract and along the South line of Broehm Road the following four courses:

1. South 85 deg. 35' 10" East, 363.76 feet to a found P.K. nail at a point of curvature;
2. along the arc of a curve to the right, having a radius of 125.00 feet and a central angle of 46 deg. 19' 10", South 62 deg. 25' 35" East, 98.32 feet to a found iron pin at a point of tangency;
3. South 39 deg. 16' 00" East, 4.79 feet to a found iron pin at a point of curvature;
4. along the arc of a curve to the left, having a radius of 2372.01 feet and a central angle of 08 deg. 45' 48", South 43 deg. 38' 52" East, 362.44 feet to a set iron pin at the Northeast corner of said 11.648 acre tract and the Northwest corner of a 3.319 acre tract conveyed to Columbus Southern Power Company in Instrument No. 199802270044835;

Thence, along the East line of said 11.648 acre tract and the West line of said 3.319 acre tract, South 37 deg. 34' 18" West, 488.52 feet to a set iron pin at the Southeast corner of said 11.648 acre tract and the Southwest corner of said 3.319 acre tract, also being in the North line of a 1.378 acre tract conveyed to Norfolk and Western Railway in Deed Book 3234, Page 471;

Thence, along the South line of said 11.648 acre tract and the North line of said 1.378 acre tract, North 52 deg. 39' 12" West, 178.90 feet to a found iron pin at a point of curvature;

Thence, continuing along the South line of said 11.648 acre tract and the North line of said 1.378 acre tract, along the arc of a curve to the left, having a radius of 585.49 feet and a central angle of 32 deg. 05' 35", North 68 deg. 42' 00" West, 323.68 feet to a set iron pin;

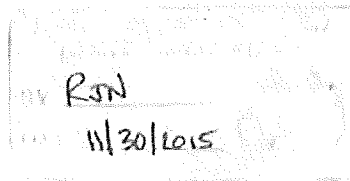
Thence, across said 11.648 acre tract, North 04 deg. 24' 50" East, 502.07 feet to the true point of beginning, containing 7.934 acres, subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

Iron pins set are 30" X 1 O.D. with an orange plastic cap inscribed "P.S.6579". Basis of bearings is the Westerly line of Frusta Drive held as South 37 deg. 34' 18" West, as shown in Plat Book 42, Page 51. This description is based on a field survey by Myers Surveying Company, Inc., in March 1997 and March 2001.

PPN: 152-000091-00 (Routing # 152-O024D-034-00)

Property Address:

4849 Groveport Road
Obetz, OH



O-024-D
ALL OF
(152)
000091

EASEMENT PARCEL:

Easement contain in deed from Sealy Ohio, L.P., a Georgia limited partnership, to Premier Industries, Inc., a Washington corporation, filed for record May 3, 2001 and recorded in Instrument No. 200105030095826 of the Franklin County Records.

EXHIBIT B

PERMITTED EXCEPTIONS

PERMITTED TITLE EXCEPTIONS

1. All taxes for the year 2015 and subsequent years, which are a lien but are not yet due and payable.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Any lease, grant, exception or reservation of minerals or mineral rights together with any rights appurtenant thereto.
4. Rights of Public to use those portions of subject premises lying within the confines of Public Roads and Highways.
5. Easement for the purpose of maintaining the telephone and telegraph lines from Irene D. Travis, to The Ohio Bell Telephone Company, filed for record April 18, 1929 and recorded in Volume 906, Page 510 of the Franklin County Records.
6. Easement for the purpose of transmission and distribution of electric energy from Bell, Curtis, Galloway and Kuhn, a partnership, to Columbus and Southern Ohio Electric Company, filed for record November 26, 1968 and recorded in Volume 2944, Page 673 of the Franklin County Records.
7. Restrictions contained in deed from Richard C. Pickett, Trustee, of the City of Columbus, Ohio, to Ball, Curtis, Galloway and Kuhn, a partnership duly organized under the laws of the State of Ohio, filed for record August 18, 1970 and recorded in Volume 3080, Page 623 of the Franklin County Records.

Assignment of Rights from Richard C. Pickett, Trustee, to Ball, Curtis, Galloway and Kuhn, filed for record June 8, 1977 and recorded in Volume 283, Page 632 of the Franklin County Records.

8. Reciprocal Easement Agreement from AB Reo II, L.L.C., a Delaware limited liability company, to Sharlene Dawn Snyder, filed for record May 6, 1997 and recorded in Official Records 35044-G17 of the Franklin County Records.
9. Easement contain in deed from Sealy Ohio, L.P., a Georgia limited partnership, to Premier Industries, Inc., a Washington corporation, filed for record May 3, 2001 and recorded in Instrument No. 200105030095826 of the Franklin County Records.
10. Open-End Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing from Sealy SW Properties, L.P., a Georgia limited partnership, to Greenwich Capital Financial Products, Inc., a Delaware corporation, as subsequently assigned, in the amount of \$57,102,000.00, filed for record December 8, 2005 and recorded in Instrument No. 200512080258554 of Franklin County Records.

10. Development Standards

Unless existing at time of submission, indicated on the submitted Development Plan or in this written text, the applicable standards for the site meet the standards contained in Section 1159.03 of the Codified Ordinances of Obetz.

11. Additional Information for Planning and Zoning Commission

Planning and zoning information is not needed since the facility is already in existence.

 SHRUB PLANTING