



Legislation Details (With Text)

File #: 1495-2022 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 5/19/2022 **In control:** Zoning Committee

On agenda: 7/11/2022 **Final action:** 7/14/2022

Title: To rezone 6201 WINCHESTER PIKE (43110), being 42.2± acres located 400± feet west of the southwest corner of Winchester Pike and Gender Road, From: L-C-4, Limited Commercial District, L-M-2, Limited Manufacturing District, and CPD, Commercial Planned Development District, To: L-M-2, Limited Manufacturing District, and to declare an emergency. (Rezoning #Z21-008).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1495-2022_DataSheet_Amended, 2. ORD1495-2022_Attachments_Amended, 3. ORD1495-2022_Attachments, 4. ORD1495-2022_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|-----------------------------------|--------|
| 7/14/2022 | 3 | CITY CLERK | Attest | |
| 7/13/2022 | 3 | MAYOR | Signed | |
| 7/11/2022 | 3 | COUNCIL PRESIDENT | Signed | |
| 7/11/2022 | 1 | Zoning Committee | Amended as submitted to the Clerk | Pass |
| 7/11/2022 | 1 | Zoning Committee | Amended to Emergency | Pass |
| 7/11/2022 | 1 | Zoning Committee | Approved as Amended | Pass |

Rezoning Application: Z21-008

APPLICANT: WX2 Ventures, LLC; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Industrial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 12, 2022.

GREATER SOUTH EAST AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 42.2± acre site consists of portions of two undeveloped parcels zoned in the L-C-4, Limited Commercial, L-M-2, Limited Manufacturing, and CPD, Commercial Planned Development districts (Ordinance #1252-97; Z93-036) with the north and west portions of the site located in the floodplain. The requested L-M-2, Limited Manufacturing District will permit development of an industrial warehouse and distribution facility. The limitation text includes use restrictions, setbacks, access and traffic provisions, internal street trees, landscaping and screening, pedestrian paths, lighting and preservation area controls, and a commitment to the attached site plan which reflects site access, setbacks, landscaping, and trails (building and parking layout is conceptual). The site is within the boundaries of the *South East Land Use Plan* (2018), which recommends "Employment Center" and "Open Space" land uses at this location. *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018) are also applicable to the site. Staff supports this proposal as it is consistent with the Plan's land use recommendations, and site design is consistent with C2P2 Design Guidelines. The Applicant is in ongoing conversations with the Recreation and

Parks Department regarding parkland dedication of the stream corridor which would further protect natural resources and provide connection to undeveloped parkland across Winchester Pike northeast of the site.

To rezone **6201 WINCHESTER PIKE (43110)**, being 42.2± acres located 400± feet west of the southwest corner of Winchester Pike and Gender Road, From: L-C-4, Limited Commercial District, L-M-2, Limited Manufacturing District, and CPD, Commercial Planned Development District, To: L-M-2, Limited Manufacturing District, **and to declare an emergency.** (Rezoning #Z21-008).

WHEREAS, application #Z21-008 is on file with the Department of Building and Zoning Services requesting rezoning of 42.2± acres from L-C-4, Limited Commercial District, L-M-2, Limited Manufacturing District, and CPD, Commercial Planned Development District, to L-M-2, Limited Manufacturing District; and

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

WHEREAS, the Greater South East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M-2, Limited Manufacturing District will permit industrial development consistent with the land use recommendation of the *South East Land Use Plan*. The site plan includes appropriate landscape screening along the boundaries of the site, shade trees along the access drive, and the inclusion of a trail segment going toward the stream corridor, as recommended by C2P2 Design Guidelines; and ~~now, therefore:~~

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need to immediately conclude permitting to allow commencement of construction in furtherance of a project furthering neighborhood job creation: **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:

6201 WINCHESTER PIKE (43110), being 42.2± acres located 400± feet west of the southwest corner of Winchester Pike and Gender Road, and being more particularly described as follows:

ZONING DESCRIPTION

42.2+/- ACRES

WEST OF GENDER ROAD

SOUTH OF WINCHESTER PIKE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 24, Township 11, Range 21, Congress Lands, and being a portion of that 37.809 acre tract as conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198788, and being a portion of that 1.836 acre tract as conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198788, and being a portion of that 35.360 acre tract as conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198789, and being more particularly bounded and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 8863 in the centerline of Winchester Pike, said monument being **S 43° 35' 36" E**, a distance of **1068.05 feet** from Franklin County Geodetic Survey Monument Number 5015, said monument also being the northeasterly corner of said 1.836 acre tract, the southeasterly corner of that 1.465 acre tract as conveyed to David Crumley by deed of record in Instrument Number 200810040135376;

Thence **N 85° 46' 44" W**+/-, across said Winchester Pike, with a northerly line of said 1.836 acre tract, the southerly line of said 1.465 acre tract, a distance of **44.61 feet**+/- to an iron pin found in the westerly right-of-way line of said Winchester Pike;

Thence **S 43° 34' 49" E**+/-, with said westerly right-of-way line, a distance of **282.40 feet**+/- to a point;

Thence **S 41° 53' 46" E**+/-, continuing with said westerly right-of-way line, a distance of **848.65 feet**+/- to the **True Point of Beginning**;

Thence **S 41° 53' 46" E**+/-, continuing with said westerly right-of-way line, a distance of **104.65 feet**+/- to a point;

Thence **S 48° 06' 14" W**+/-, across said 1.836 acre tract, a distance of **20.00 feet**+/- to a point in the southerly line of said 1.836 acre tract, the easterly line of said 37.809 acre tract, and being the northeasterly corner of that that 1.478 acre tract conveyed to Cordial Car Wash, LLC by deed of record in Instrument Number 200811030161165;

Thence along the southerly line of said 37.809 acre tract and the northerly line of said 1.478 acre tract the following courses and distances;

S 56° 57' 20" W+/-, a distance of **19.49**+/- feet to a point of curvature;

With a curve to the right, having a chord bearing and distance of **S 69° 05' 09" W**+/-, **53.79 feet**+/-, a radius of **128.00 feet**+/-, a central angle of **24° 15' 30"**+/-, and an arc length of **54.19 feet**+/- to a point of reverse curvature;

With a curve to the left, having a chord bearing and distance of **S 64° 35' 09" W**+/-, **46.94 feet**+/-, a radius of **82.00 feet**+/-, a central angle of **33° 15' 49"**+/-, and an arc length of **47.61 feet**+/- to a point of tangency;

S 47° 57' 20" W+/-, a distance of **125.38 feet**+/- to a point;

S 03° 29' 01" W+/-, a distance of **95.53 feet**+/- to the southwesterly corner of said 1.478 acre tract and being on the northerly line of said 35.360 acre tract;

Thence **N 86° 29' 53" W**+/-, with the northerly line of said 35.360 acre tract, the southerly line of said 37.809 acre tract, a distance of **40.75 feet**+/- to a point;

Thence across said 35.360 acre tract, the following courses and distances;

S 47° 07' 46" W+/-, a distance of **87.10 feet**+/- to a point;

S 42° 52' 14" E+/-, a distance of **25.05 feet**+/- to a point;

With a curve to the left, having a chord bearing and distance of **S 55° 11' 13" E**+/-, **100.26 feet**+/-, a radius of **235.00 feet**+/-, a central angle of **24° 37' 58"**+/-, and an arc length of **101.03 feet**+/- to a point of tangency;

S 67° 30' 12" E+/-, a distance of **67.07 feet**+/- to a point;

With a curve to the right, having a chord bearing and distance of **S 55° 11' 13" E**+/-, **102.82 feet**+/-, a radius of **241.00 feet**+/-, a central angle of **24° 37' 58"**+/-, and an arc length of **103.61 feet**+/- to a point of tangency;

S 42° 52' 14" E+/-, a distance of **186.41 feet**+/- to a point;

S 49° 23' 12" W+/-, a distance of **133.08 feet**+/- to a point;

S 04° 20' 21" W+/-, a distance of **459.47 feet**+/- to a point in the southerly line of said 35.360 acre tract, the northerly line of that 41.990 acre tract as conveyed to The Mountain Agency, LLC by deed of record in Instrument Number 201110300124958;

Thence N 85° 39' 39" W+/-, with the southerly line of said 35.360 acre tract and said 37.809 acre tract, the northerly line of said 41.990 acre tract a distance of **1575.04 feet**+/- to a point in the easterly line of that 90.420 acre tract as conveyed to NP Canal Winchester Building 2, LLC by deed of record in Instrument Number 202008170120504;

Thence N 04° 19' 12" E+/-, with the westerly line said 37.809 acre tract, the easterly line of said 90.420 acre tract a distance of **1084.50 feet**+/- to a point;

Thence across said 37.809 acre tract and said 1.836 acre tract, the following courses and distances;

N 58° 12' 14" E+/-, a distance of **351.69 feet**+/- to a point;

N 86° 05' 26" E+/-, a distance of **316.79 feet**+/- to a point;

N 51° 46' 35" E+/-, a distance of **163.29 feet**+/- to a point;

S 42° 52' 14" E+/-, a distance of **559.34 feet**+/- to a point;

With a curve to the right, having a chord bearing and distance of S 22° 09' 57" E+/-, **94.75 feet**+/-, a radius of **134.00 feet**+/-, a central angle of **41° 24' 35"**+/-, and an arc length of **96.85 feet**+/- to a point;

With a curve to the left, having a chord bearing and distance of S 16° 54' 01" E+/-, **88.38 feet**+/-, a radius of **166.00 feet**+/-, a central angle of **30° 52' 44"**+/-, and an arc length of **89.46 feet**+/- to a point;

N 47° 57' 20" E+/-, a distance of **436.62 feet**+/- to the **True Point of Beginning**, and containing approximately **42.2 acres**+/- of land, more or less.

The above description was prepared by Advanced Civil Design Inc. on December 13, 2021 and is based on existing County Auditor and Recorder records and a field survey performed in June 2018.

This description is not to be used in the transfer of lands.

To Rezone From: L-C-4, Limited Commercial District, L-M-2, Limited Manufacturing District, and CPD, Commercial Planned Development District,

To: L-M-2, Limited Manufacturing District.

SECTION 2. That a Height District of Sixty (60) feet is hereby established on the L-M-2, 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 changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved L-M-2, 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 titled, "**SITE PLAN**," dated June 13, 2022, and signed by Eric Zartman, Attorney for the Applicant, and said text titled, "**LIMITATION TEXT**," dated ~~April 20~~, **July 1**, 2022, and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

Application: Z21-008
Address: 6201 Winchester Pike
Parcels: 010-224901 and 010-260326
Existing: L-C-4, L-M-2, and CPD
Proposed: L-M-2 (H-60)
Owner: WX2 Ventures LLC
Applicant: WX2 Ventures LLC
Attorney: David Hodge - Underhill and Hodge, LLC
Date: ~~April 20~~, **July 1**, 2022

I. INTRODUCTION

The subject property ("Site") consists of 42.2+/- acres located west of Winchester Pike. To the north are properties zoned L-AR-12. To the east are commercial properties zoned CPD and C-4. To the west and south are properties located in Canal Winchester. The Applicant proposes rezoning the Site to L-M-2 to allow for the construction of industrial/warehouse/distribution buildings.

II. PERMITTED USES

Those uses permitted in Chapter 3367 M-2 Manufacturing District of the Columbus City Zoning Code except the following uses shall be prohibited: Adult entertainment establishments; Adult stores; Ohio Medical Marijuana Control Program Cultivator; Ohio Medical Marijuana Control Program Processor.

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 Winchester Pike shall be 60 feet from the right of way. Within said setback, there may be existing or new landscaping or detention pond.
2. The minimum setback on the east shall be 10 feet for parking and 30 feet for building. Within said setback, there may be existing or new landscaping or detention pond.
3. The minimum parking and building setback on the south and west shall be 30 feet for building and parking. Within said setback, there may be existing or new landscaping or detention pond.
4. There shall be no setback required for the driveway from Winchester Pike.

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

1. The Site will utilize one curb cut on Winchester Pike for access as shown on the Site Plan.
2. Upon development of future outlots adjacent to the site and upon determination by the Department of Public Service that a traffic signal is required at the intersection of Winchester Pike and Schirm Farms Way resulting from that future outlot development, the owner of the southern leg of the intersection of Winchester Pike and Schirm Farms Way shall participate in the cost of installation and maintenance of the traffic signal in a manner that is reasonable and proportional.
3. In advance of final site compliance plan approval, the developer shall make a proportional contribution of \$239,124.35 toward the improvements required at the intersection of Gender Road and Winchester Pike.

4. A 185-foot long westbound left turn ~~and lane~~ (inclusive of a 60-foot diverging taper) and a 185-foot long eastbound left turn lane (inclusive of a 60-foot diverging taper) shall be provided at the intersection of Winchester Pike and Schirm Farms Way.

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

1. The frontage along Winchester Pike shall contain landscaping, consisting of single deciduous trees every 50 feet and evergreen trees in clusters every 100 feet, planted 10 feet on center.
2. Mature trees that stand along the western property line and the stream corridor protection zone shall be preserved.
3. The Site shall provide landscaping and paths in general conformance with the Site Plan.
4. Service areas and loading docks shall be screened to limit visibility from off-site.

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

The building footprints and parking lot layout shown on the Site Plan are conceptual only.

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. The developer shall comply with the parkland dedication ordinance by contributing money or dedicating land to the City's Recreation and Parks Department. The developer shall dedicate an agreed upon portion of the subject property along George's Creek to the City of Columbus for conservation and/or recreational purposes. This dedication shall fulfill any obligation under the Parkland Dedication Ordinance, shall BE A CONDITION PRECEDENT TO the issuance of a Certificate of Occupancy for the contemplated development, and subject to necessary encumbrances in furtherance of the development.~~

2. The Site shall be developed in general conformance with the submitted Site Plan. Building footprints and parking layouts shown on the Site Plan are conceptual only. Landscaping and walking paths shall be in general conformance the submitted 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.~~