



Legislation Details (With Text)

File #: 1407-2019 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/15/2019 **In control:** Zoning Committee
On agenda: 6/3/2019 **Final action:** 6/5/2019
Title: To rezone 2323 PERFORMANCE WAY (43207), being 14.68± acres located on the south side of Performance Way, 2,525± feet west of Alum Creek Drive, From: RRR, Restricted Rural Residential District, M-1, Manufacturing District, and L-M, Limited Manufacturing District, To: M-2, Manufacturing District (Rezoning #Z18-066).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1407-2019.Attachments.pdf, 2. ORD1407-2019.Labels.pdf

| Date | Ver. | Action By | Action | Result |
|----------|------|-------------------|-----------------------|--------|
| 6/5/2019 | 1 | CITY CLERK | Attest | |
| 6/4/2019 | 1 | ACTING MAYOR | Signed | |
| 6/3/2019 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/3/2019 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 6/3/2019 | 1 | Zoning Committee | Approved | Pass |

Rezoning Application Z18-066

APPLICANT: Jon St. Julian; c/o Brent D. Rosenthal, Atty.; 366 East Broad Street; Columbus, OH 43215.

PROPOSED USE: Manufacturing uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on March 14, 2019.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single parcel developed with a heavy equipment sales / service facility in the RRR, Restricted Rural Residential, M-1, Manufacturing, and L-M, Limited Manufacturing districts. The requested M-2, Manufacturing District will bring the zoning in line with the industrial uses currently occurring on the site. A Board of Zoning Adjustment application (BZA15-079) was approved to vary Section 3312.43, Required surface for parking, to permit gravel surface for a parking lot per an approved site plan for which zoning clearance was granted. However, that plan did not accurately portray the nature in which the parcel was then developed for the storage of heavy equipment. The storage areas to the south of the property do not comply with required setbacks and also utilize property zoned in the RRR, Restricted Rural Residential District. The site is within the planning area of the *South Alum Creek Neighborhood Plan (2004)*, which recommends “institutional, office, and warehouse” and “single-family residential” uses at this location. The requested M-2, Manufacturing District would permit less objectionable manufacturing uses on the site. Staff supports the proposed M-2 uses despite the Plan’s land use recommendations for residential uses on a portion of the site as it is consistent with surrounding development patterns on Performance Way. The project also includes a concurrent Council variance (Ordinance #1407-2019; CV18-090) to reduce

parking and open storage setbacks. The Council variance also includes a site plan that addresses landscaping and buffering along the eastern portion of the parcel where it abuts residential properties.

To rezone **2323 PERFORMANCE WAY (43207)**, being 14.68± acres located on the south side of Performance Way, 2,525± feet west of Alum Creek Drive, **From:** RRR, Restricted Rural Residential District, M-1, Manufacturing District, and L-M, Limited Manufacturing District, **To:** M-2, Manufacturing District (Rezoning #Z18-066).

WHEREAS, application #Z18-066 is on file with the Department of Building and Zoning Services requesting rezoning of 14.68± acres from RRR, Restricted Rural Residential District, M-1, Manufacturing District, and L-M, Limited Manufacturing District, to M-2, 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 despite the *South Alum Creek Neighborhood Plan's* land use recommendation for residential uses on a portion of the site as the proposal is consistent with surrounding development patterns on Performance Way; 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:

2323 PERFORMANCE WAY (43207), being 14.68± acres located on the south side of Performance Way, 2,525± feet west of Alum Creek Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being located in Section 1, Township 4, Range 22, Congress Lands and being all of that 6.376 acres tract, 2.499 acres of that 4.173 acres tract and 2.799 acres of that 4.658 acres tract as conveyed to P.& P. Investment Co. Inc. by deed of record in Instrument Number 200611030221611, all of that 0.769 acre tract as conveyed by deed of record in Official Record 34938A20 and all of that 2.231 acres tract as conveyed by deed of record in Official Record 28006D06, all references refer to records of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning for reference at a one inch (1") solid iron pin in a monument box in the centerline of Performance Parkway at centerline station 23+35.45 at a point of curvature;

Thence, South 59° 16' 41" West, being along the centerline tangent of said Performance Parkway, a distance of 242.67 feet to a point;

Thence, South 30° 43' 19" East, leaving said centerline, a distance of 50.00 feet to an iron pin set at the northeasterly corner of that 1.507 acres tract as conveyed to Lucky Food Service, Inc. by deed of record in Official Record 33708D13, also being the southwesterly corner of that 0.787 acre tract as conveyed to the City Of Columbus by deed of record in Official Record 786A06 and the northwesterly corner of said 5.956 acres tract;

Thence, North 59° 16' 41" East, being along the southerly right of way of Performance Parkway, a distance of 107.05 feet to an iron pin set, being 50.00 feet right of centerline station 22+00.00;

Thence, North 61° 39' 30" East, continuing along said southerly right of way, a distance of 293.81 feet to a 5/8" rebar found at the northwesterly corner of that 6.376 acres tract as conveyed to P.& P. Investment Co. Inc. by deed of record in Official Record 17005C16 and being the southwest corner of that 1.804 acres tract as conveyed to the City of Columbus

by deed of record in Deed Book 3774, Page 871 and being the "True Place of Beginning" for the tract intended to be described;

Thence North 58 °40' 35" East, continuing along said southerly right of way, being the southerly line of said 1.804 acres tract, a distance of 350.77 feet to a 1" iron pipe found at the northwesterly corner of that 1.466 acres tract as conveyed to RJP Enterprises by deed of record in Instrument Number 200709070158523;

Thence, South 00 °06' 41" East, being along the westerly line of said 1.466 acres tract and that 9.255 acres tract as conveyed to P.& P. Investment Co., Inc. by deed of record In Instrument Number 200611030221611, (passing a 5/8" rebar found at 204.00 feet) a distance of 454.40 feet to an iron pin set at the southwestly corner of said 9.255 acres tract;

Thence, South 85 ° 45' 32" East, being along a southerly line of said 9.255 acres tract, a distance of 234.48 feet to an iron pin set

Thence, South 00 °35' 41" East, being along westerly line of said 9.255 acres tract and along the westerly line of that 4.591 acres tract as conveyed to the City of Columbus by deed of record in Official Record 18212F06, a distance of 544.84 feet to a 1 1/4" iron pipe found at the northwesterly corner of that 1.139 acres tract as conveyed to Mark S. & Karen R. Miller by deed of record in Instrument Number 200008300174261, also being the southwestly corner of said 4.591 acres tract;

Thence South 00° 33' 13" East, being along the westerly line of said 1.139 acres tract and that 1.117 acres tract as conveyed to Elsie L. Thomas by deed of record in Official Record 30257C15 and that 2.512 acres tract as conveyed to Ernest McCoy by deed of record in Deed Book 2645, Page 66, (passing a 1" iron pipe found at 201.30 feet) a distance of 426.35 feet to a 1" iron pipe found in the northerly line of that 7.17 acres tract as conveyed to Jean H. Nutter by deed of record in Official Record 31602F15;

Thence, South 89° 57' 12" West, being along the. northerly line of said 7.17 acres tract, a distance of 542.92 feet to an Iron pin set;

Thence North 00° 03' 19" West, crossing said 4.658 acres tract and 4.273 acres tract, being along the easterly line of that 5.956 acres tract as conveyed to said P. & P. Investment Co. Inc. by deed of record in Instrument Number 200611030221611, (passing an iron pin set at 426.33 feet) a distance of 1260.96 feet to the place of beginning containing 14.678 acres of land more or less.

All Iron pins set are 5/8" rebar, 30' long with a plastic cap inscribed J.R. HILL P.S. 6919.

The bearing are based on the same meridian as the Centerline of Performance Parkway, in which the centerline has a bearing of North 59° 16' 41" East, of record in Official Record 786A06, Recorder's Office, Franklin County, Ohio.

To Rezone From: RRR, Restricted Rural Residential District, M-1, Manufacturing District, and L-M, Limited Manufacturing District.

To: M-2, Manufacturing District.

SECTION 2. That a Height District of sixty (35) feet is hereby established on the M-2, Manufacturing District on this property.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.