



Legislation Text

File #: 2006-2024, **Version:** 2

Rezoning Application: Z23-067

APPLICANT: Wx2 Ventures LLC; c/o Tom Warner; 781 Science Boulevard, Suite 100; Columbus, OH 43230; and David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Commercial development and retail fuel sales.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on June 13, 2024.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel in the L-C-4, Limited Commercial and CPD, Commercial Planned Development districts. The requested CPD, Commercial Planned Development District will facilitate the site's development for commercial purposes, including a retail fuel sales facility, and will divide the site into three subareas known as Subareas 1, 2, and 3. The site is within the boundaries of the *South East Land Use Plan* (2018), which recommends "Employment Center" land uses at this location and designates a portion of Subarea 3 for "Open Space". The Plan includes the adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Each subarea includes use restrictions and supplemental development standards as outlined in the submitted CPD text. Subarea 1 proposes a retail fuel sales facility, and includes commitments to develop the site in accordance with the submitted site plans and building elevations, which depict proposed setbacks, landscaping and screening, building placement, and traffic access and circulation. While the proposal is inconsistent with the Plan's recommendation for "Employment Center" land uses, Planning Division staff recognizes that the locations fronting along Winchester Pike and Gender Road were part of a larger rezoning that included the adjacent employment center and therefore supports the proposed uses. While Staff continue to recommend a site design more consistent with C2P2 design guidelines, the additional landscaped mounding is a mitigating factor for screening parking and circulation areas to the greatest extent possible.

To rezone **6085 WINCHESTER PIKE (43110)**, being 18.84± acres located on the south side of Winchester Pike, 1,100± feet east of Gender Road, **From:** L-C-4, Limited Commercial and CPD, Commercial Planned Development districts, **To:** CPD, Commercial Planned Development District(Rezoning #Z23-067).

WHEREAS, application #Z23-067 is on file with the Department of Building and Zoning Services requesting rezoning of 18.84± acres from L-C-4, Limited Commercial and CPD, Commercial Planned Development districts, to CPD, Commercial Planned Development District; and

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

WHEREAS, the Greater South East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change as the proposal includes additional landscaping to screen parking and circulation areas consistent with C2P2 design guidelines; 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 #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

6085 WINCHESTER PIKE (43110), being 18.84± acres located on the south side of Winchester Pike, 1100± feet east of Gender Road , and being more particularly described as follows:

SUBAREA 1:

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 1.00 acre tract as conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198789, 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 3326 in the centerline of Gender Road, being the northeast corner of the southwest quarter of Section 24, said monument also being the northeasterly corner of Parcel 6WD conveyed to the State of Ohio by deed of record in Deed Book 3078, Page 691, the southeasterly corner of Parcel 8-WD as conveyed to Franklin County Commissioners by deed of record in Deed Book 3410, Page 763;

Thence **N 85° 39' 39" W**, across Gender Road, with the southerly line of said northwest quarter of Section 24, the southerly line of said Parcel 8-WD, the northerly line of said Parcel 6WD, a distance of **66.59 feet** to an iron pin found in the southwesterly corner of said Parcel 8-WD, the southeasterly corner of said 1.00 acre tract, the northwesterly corner of said Parcel 6WD, northeasterly corner of that 10.1 acre tract of land as conveyed to Mountain Agency, LLC of record in Instrument No. 201110030124958 and in the westerly right-of-way line of said Gender Road;

Thence **N 03° 46' 02" E**, with the westerly line of said Parcel 8-WD, the easterly line of said 1.00 acre tract and along said westerly right-of-way line, a distance of **90.32 feet** to the **True Point of Beginning**;

Thence across said 1.00 acre tract and said 35.360 acre tract the following four (4) courses and distances;

N 85° 49' 41" W, a distance of **411.23 feet**;

N 04° 10' 19" E, a distance of **159.92 feet**;

With a curve to the left, having a chord bearing and distance of **N 03° 28' 43" W, 77.49 feet**, a radius of **291.00 feet**, a central angle of **15° 18' 10"**, and an arc length of **77.72 feet**;

N 49° 46' 35" E, a distance of **382.11 feet** to an iron pin set in the southerly line of said Parcel 8-WD, the southerly right-of-way of Winchester Pike;

Thence with the southerly and westerly lines of said Parcel 8-WD and along the right-of-way lines of said Winchester Pike and Gender Road, the following three (3) courses and distances;

S 40° 13' 25" E, a distance of **162.49 feet**;

S 15° 44' 56" E, a distance of **96.08 feet**;

S 03° 46' 02" W, a distance of **297.62 feet** to the **True Point of Beginning**, and containing **3.70 acres** of land, more or less. Subject to all legal restrictions, easements and/or rights-of-way.

The above description was prepared by Advanced Civil Design Inc. on October 23, 2023 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.

Bearings are based on the Ohio State Plane Coordinate System South Zone, NAD83 (NSRS 2007) as derived from GPS observation which determined a bearing of N 85° 39' 39" W for the south line of the northwest quarter of Section 24.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

Address: 6085 Winchester Pike, Columbus, OH 43110

Parcel No.: 010-224901

SUBAREA 2:

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 1.00 acre tract as conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198789, 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 3326 in the centerline of Gender Road, being the northeast corner of the southwest quarter of Section 24, said monument also being the northeasterly corner of Parcel 6WD conveyed to the State of Ohio by deed of record in Deed Book 3078, Page 691, the southeasterly corner of Parcel 8-WD as conveyed to Franklin County Commissioners by deed of record in Deed Book 3410, Page 763;

Thence **N 85° 39' 39" W**, across Gender Road, with the southerly line of said northwest quarter of Section 24, the southerly line of said Parcel 8-WD, the northerly line of said Parcel 6WD, a distance of **66.59 feet** to an iron pin found in the southwesterly corner of said Parcel 8-WD, the southeasterly corner of said 1.00 acre tract, the northwesterly corner of said Parcel 6WD, northeasterly corner of that 10.1 acre tract of land as conveyed to Mountain Agency, LLC of record in Instrument No. 201110030124958 and in the westerly right-of-way line of said Gender Road and being the **True Point of Beginning**;

Thence **N 85° 39' 39" W**, the common line of said 1.00 acre tract, said 35.360 acre tract and said 10.1 acre tract, a distance of **699.22 feet** to the southeasterly corner of that 42.296 acre tract conveyed to Canal Winchester Owner, LLC of record in Instrument Number 202211170157975;

Thence with the common line of said 42.296 and said 35.360 acre tract the following eight (8) courses and distances;

N 04° 20' 21" E, a distance of **459.47 feet**;

N 49° 23' 12" E, a distance of **133.08 feet**;

N 42° 52' 14" W, a distance of **186.41 feet**;

With a curve to the left, having a chord bearing and distance of **N 55° 11' 13" W, 102.82 feet**, a radius of **241.00 feet**, a central angle of **24° 37' 58"**, and an arc length of **103.61 feet**;

N 67° 30' 12" W, a distance of **67.07 feet**;

With a curve to the right, having a chord bearing and distance of **N 55° 11' 13" W, 100.26 feet**, a radius of **235.00 feet**, a central angle of **24° 37' 58"**, and an arc length of **101.03 feet**;

N 42° 52' 14" W, a distance of **25.05 feet**;

N 47° 07' 46" E, a distance of **87.10 feet**;

S 86° 29' 53" E, a distance of **40.75 feet** to the southwesterly corner of that 1.477 acre tract conveyed to Cordial Car Wash, LLC of record in Instrument Number 200811030161165;

Thence **S 86° 29' 53" E**, the common line of said 1.477 acre tract, said 35.360 acre tract, a distance of **438.46 feet** to a point in the westerly right-of-way of Winchester Pike;

Thence with said right-of-way the following three (3) courses and distances;

S 41° 53' 46" E, a distance of **269.17 feet**;

N 48° 06' 29" E, a distance of **3.71 feet**;

S 40° 13' 25" E, a distance of **160.74 feet**;

Thence across said 35.360 and said 1.00 acre tract the following four (4) courses and distances;

S 49° 46' 35" W, a distance of **382.11 feet**;

With a curve to the right, having a chord bearing and distance of **S 03° 28' 43" E, 77.49 feet**, a radius of **291.00 feet**, a central angle of **15° 18' 10"**, and an arc length of **77.72 feet**;

S 04° 10' 19" W, a distance of **159.92 feet**;

S 85° 49' 41" E, a distance of **411.23 feet** to a point in the westerly lines of said Parcel 8-WD and right-of-way line of said Gender Road;

Thence **S 03° 46' 02" W**, with said right-of-way, a distance of **90.32 feet** to the **True Point of Beginning**, and containing **9.02 acres** of land, more or less. Subject to all legal restrictions, easements and/or rights-of-way.

The above description was prepared by Advanced Civil Design Inc. on October 23, 2023 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.

Bearings are based on the Ohio State Plane Coordinate System South Zone, NAD83 (NSRS 2007) as derived from GPS observation which determined a bearing of N 85° 39' 39" W for the south line of the northwest quarter of Section 24.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

Address: 6085 Winchester Pike, Columbus, OH 43110
Parcel No.: 010-224901

SUBAREA 3:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 24, Township 11, Range 21, Congress Lands, and containing 5.89 acres, more or less, said 5.89 acres being part of that 37.846 acre tract of land described as Parcel I and conveyed to Wx2 Ventures, LLC by deed of record in Instrument Number 202111010198788,

said 5.89 acres 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 (Width Varies), said monument being **S 43° 35' 36" E**, a distance of **1068.06 feet** from Franklin County Geodetic Survey Monument Number 5015, said monument also being the northeasterly corner of said Parcel I, the southeasterly corner of that 1.465 acre tract as conveyed to Crystal Nails and Spa, LLC by deed of record in Instrument Number 202207250107972;

Thence **S 43° 35' 36" E**, with said centerline of Winchester Pike and partially with a northerly line of an existing Highway Easement to the Franklin County Commissioners of record in Instrument No. 202110070181663, a distance of **249.81 feet** to Franklin County Geodetic Survey Monument Number 6165;

Thence **S 41° 53' 46" E**, continuing with said centerline and the northerly line of said Highway Easement, a distance of **144.57 feet**;

Thence **S 48° 06' 14" W**, across the right-of-way of said Winchester Pike, a distance of **50.00 feet** to the **True Point of Beginning**;

Thence continuing with said right-of-way the following two courses and distances;

S 41° 53' 46" E, a distance of **704.60 feet**;

S 47° 57' 33" W, a distance of **10.00 feet** to a northwesterly corner of that 42.296 acre tract conveyed to Canal Winchester Owner, LLC of record in Instrument Number 202211170157675;

Thence with the common line of said 42.296 acre tract and said 37.846 acre tract the following four (4) courses and distances;

S 47° 57' 33" W, a distance of **406.62 feet**;

With a curve to the right, having a chord bearing and distance of **N 16° 54' 01" W**, **88.38 feet**, a radius of **166.00 feet**, a central angle of **30° 52' 44"**, and an arc length of **89.46 feet**;

With a curve to the left, having a chord bearing and distance of **N 22° 09' 57" W**, **94.75 feet**, a radius of **134.00 feet**, a central angle of **41° 24' 55"**, and an arc length of **96.85 feet**;

N 42° 52' 14" W, a distance of **559.34 feet** to the northeasterly corner of said 42.296 acre tract;

Thence N 51° 46' 35" E, across said 37.846 acre tract a distance of **357.53 feet** to the **True Point of Beginning**, and containing **5.89 acres** of land, more or less. Subject to all legal restrictions, easements and/or rights-of-way.

The above description was prepared by Advanced Civil Design Inc. on October 23, 2023 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.

Bearings are based on the Ohio State Plane Coordinate System South Zone, NAD83 (NSRS 2007) as derived from GPS observation which determined a bearing of **N 85° 39' 39" W** for the south line of the northwest quarter of Section 24.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

Address: 6085 Winchester Pike, Columbus, OH 43110

Parcel No.: 010-224901

To Rezone From: L-C-4, Limited Commercial and CPD, Commercial Planned Development districts.

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Sections 3311.12 of the Columbus City Codes; said plans being titled, “**SUBAREA PLAN,**” “**SUBAREA 1 - CPD PLAN,**” “**SUBAREA 1 - LANDSCAPE PLAN,**” “**COLOR PLAN,**” and building elevations titled, “**SUBARE 1 - ELEVATIONS - SHEETS A300, A010, C100 and C200,**” all dated June 20, 2024, and signed by Eric Zartman, Attorney for the Applicant, and text titled, “**COMMERCIAL PLANNED DEVELOPMENT TEXT,**” dated June 20, 2024, and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

Application: Z23- 067

Address: 6085 Winchester Pike

Parcel(s): 010-224901

Property Size: +/- 18.84

Current District: CPD and LC4

Proposed District: CPD

Area Commission: Greater South East Area Commission

Owner(s): Wx2 Ventures LLC

Applicant: Wx2 Ventures LLC

Attorney: David Hodge, Underhill & Hodge LLC

Date: June 20, 2024

I. Introduction:

The +/- 18.84 acre, single parcel site is located west of the intersection of Winchester Pike and Gender Road. The site is currently zoned CPD and LC4 and is vacant. George’s Creek runs along the north perimeter of the site.

The site was originally part of a larger, multi-subarea, +/- 73.3 acres rezoning from 1997 (Ord. 1252-97; Z93-036). That zoning contemplated a mix of apartment, commercial, and warehouse uses. The site west of the subject site is currently being developed for warehouse uses. The site to the north of the subject site was recently rezoned to LAR12 and is entitled for apartment development. The site splitting the boundaries of the subject site was developed and operates a car wash. The +/- 18.84 acre subject site is the remainder of the original +/- 73.3 acre site.

The Applicant proposes rezoning the subject site to CPD in three subareas. The Applicant proposes development of Subarea A with a gas station with site plan, architectural, and landscaping commitments. Subarea B is proposed for commercial development under general C-4 development standards. Subarea C is proposed for commercial development under C-4 development standards with additional commitments incorporating certain community commercial overlay development standards.

The subject site is located within the boundaries of the Greater South East Area Commission and the *South East Land Use Plan* (2018). The plan recommends employment center land uses for a majority of the site and open space along the George Creek corridor.

II. Generally Applicable Traffic Management Requirements:

1. The Developer of Subarea 1 shall contribute \$230,000 toward a total contribution of \$621,836.49 to be used for future improvements at the intersection of Gender **Road** and Winchester Pike. The Developers of each individual lot in Subareas 2 and 3 shall contribute toward the balance of the total contribution (~~\$301,869.49~~) **(\$391,836.49)** for this public improvement on a pro rata basis based on the developed acreage, to be determined during final site compliance of each individual lot.
2. Increased traffic volumes associated with development of this property are anticipated to satisfy a traffic signal warrant at the intersection of the shared access drive between Subarea 2 and Subarea 3 and Winchester Pike. Upon a determination by the Department of Public Service that the cumulative increase in traffic volumes at the intersection of this shared access drive and Winchester Pike upon development of an individual lot within this property would be anticipated to satisfy a traffic signal warrant, the developer shall install a traffic signal at the intersection of this shared access drive and Winchester Pike. The developers of each individual lot shall participate in the cost of traffic signal installation in a manner that is reasonable and proportional.

SUBAREA 1

I. Permitted Uses:

- A. Those uses within Section 3356.03, C-4, Permitted Uses and Section 3357.01, C-5, Permitted Uses, of the Columbus City Code shall be permitted.

II. Development Standards: Unless otherwise indicated in this Text or on the submitted development plan ("Subarea 1 - CPD Plan"), the applicable development standards are contained in Chapter 3356, C-4 Commercial District of the Columbus City Code shall apply.

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

1. The parking setback from Winchester Pike and Gender Road shall be a minimum of 18 feet.
2. The building setback from Winchester Pike and Gender Road shall be a minimum of 35 feet.
3. Above-ground hot boxes and/or water vaults shall be permitted within the building setback.

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

1. All curb cuts and access points shall be provided as depicted on the Subarea 1 - CPD Plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
2. Private shared access drive shall be provided as depicted in the Subarea 1 - CPD Plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
3. A sidewalk or shared use path shall be provided along the Winchester Pike and Gender Road frontage as depicted on the Subarea 1 - CPD Plan, including to the proposed right-in, right-out Gender Road access point in Subarea 2 and subject to review and approval by the Department of Public Service, Division of Traffic Management.

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

1. Buffering, landscaping, and screening shall be in general conformance with the submitted Subarea 1 - Landscape Plan.

2. A 2-foot high, undulating mound with a continuous landscaping hedge shall be installed within the front landscape area, as shown on the Subarea 1 - CPD Plan and Subarea 1 - Landscape Plan.

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

The building, design, and exterior treatments shall be in general conformance with the submitted Subarea 1 - Elevations Sheets A300, A010, C100 and C200.

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

Dumpster screening shall be in general conformance to the submitted Subarea 1 - Elevations Sheet A010..

F. Graphic and Signage Commitments:

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-5, Commercial District. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission.

G. CPD Criteria:

1. Natural Environment. The site is vacant.
2. Existing Land Use. The site does not have any existing land uses. The property is currently entitled for commercial development.
3. Transportation and Circulation. All curb cuts and access points shall be provided as depicted on the CPD plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
4. Visual Form of the Environment. The visual form of the environment is vacant land.
5. View and Visibility. The Site is visible from Winchester Pike and Refugee Road.
6. Proposed Development. The Applicant proposes development of the site with a 6,000 SF retail building, fueling stations eight with canopy for personal vehicles, and two diesel fueling stations for commercial vehicles.
7. Behavior Patterns. The intersection of Winchester Pike and Gender Road is a developing mixed use area with multifamily, commercial, and manufacturing uses.
8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

1. 3356.11, C-4 district setback lines. This section shall be modified to reduce the minimum building line from Winchester Pike from 60 feet to 35 feet and from Gender Road from 80 feet to 35 feet and to allow above-ground boxes and/or water vaults within the front setback.

I. Miscellaneous Commitments:

1. The site shall be developed in accordance with the submitted site plan titled "Subarea 1 - CPD Plan," elevations titled "Subarea 1 - Elevations Sheets A300, A010, C100 and C200," and landscape plan titled "Subarea 1 - Landscape Plan", all signed and dated June 20, 2024. The plans may be slightly 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 Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or their designee,

upon submission of the appropriate data regarding the proposed adjustment.

2. Abandoned service stations, filling stations or fuel sales establishments will be addressed in accordance with 3357.18 of the Columbus City Code.

SUBAREA 2

I. Permitted Uses:

A. Those uses permitted within Section 3356.03, C-4, Permitted Uses, of the Columbus City Code shall be permitted.

II. Development Standards:

Unless otherwise indicated in this Text or on the submitted development plan (“Subarea Plan”), the applicable development standards are contained in Chapter 3356, C-4 Commercial District of the Columbus City Code shall apply.

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

1. The parking setback from Winchester Pike and Gender Road shall be a minimum of 25 feet.
2. The building setback from Winchester Pike and Gender Road shall be a minimum of 35 feet.
3. Above-ground hot boxes and/or water vaults shall be permitted within the building setback.

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

1. All curb cuts and access points shall be provided as depicted on the Subarea Plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
2. Private shared access drive shall be provided as depicted in the Subarea Plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
3. A sidewalk or shared use path shall be provided along the Winchester Pike and Gender Road frontage as depicted on the Subarea Plan and subject to review and approval by the Department of Public Service, Division of Traffic Management. Each segment shall be installed concurrently with the development of each outlot.

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 Areas, and/or other Environmental Commitments:

N/A

F. Graphic and Signage Commitments:

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-4, Commercial District. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission.

G. CPD Criteria:

1. Natural Environment. The site is vacant.
2. Existing Land Use. The site does not have any existing land uses. The property is currently entitled for commercial development.
3. Transportation and Circulation. All curb cuts and access points shall be provided as depicted on the CPD plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.
4. Visual Form of the Environment. The visual form of the environment is vacant land.
5. View and Visibility. The Site is visible from Winchester Pike and Refugee Road.
6. Proposed Development. The Applicant does not propose specific development for Subareas 2 and 3. Rather, this CPD establishes bubble plans for these subareas with commitments to shared private access drives.
7. Behavior Patterns. The intersection of Winchester Pike and Gender Road is a developing mixed use area with multifamily, commercial, and manufacturing uses.
8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

1. 3356.11, C-4 district setback lines. This section shall be modified to reduce the minimum building line from Winchester Pike from 60 feet to 35 feet and from Gender Road from 80 feet to 35 feet and to allow above-ground hot boxes and/or water vaults within the front setback.

I. Miscellaneous Commitments:

The site shall be developed in accordance with the submitted site plan titled “Subarea Plan” signed and dated June 20, 2024. The plan may be slightly 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 Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or their designee, upon submission of the appropriate data regarding the proposed adjustment.

SUBAREA 3

I. Permitted Uses:

- A. Those uses permitted within Section 3356.03, C-4, Permitted Uses, of the Columbus City Code shall be permitted.

II. Development Standards: Unless otherwise indicated in this Text or on the submitted development plan (“Subarea Plan”), the applicable development standards are contained in Chapter 3356, C-4 Commercial District of the Columbus City Code shall apply.

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

1. Parking and stacking shall not be permitted between the principal building and Winchester Pike.
2. The building setback from Winchester Pike shall be 35 +/- two feet, however, a maximum of one-third the overall

width of such building or structure may be located up to five feet in advance of and/or up to 15 feet beyond the 35 +/- two foot line.

3. Vehicular circulation shall be permitted between the principal building and Winchester Pike. The minimum pavement setback for circulation aisles shall be 5 feet from Winchester Pike.

4. Patios shall be permitted within the building setback.

5. Above-ground hot boxes and/or water vaults shall be permitted within the building setback.

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

1. All curb cuts and access points shall be provided as depicted on the Subarea Plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.

2. Private shared access drive shall be provided as depicted in the Subarea Plan.

3. A sidewalk or shared use path shall be provided along the Winchester Pike frontage as depicted on the CPD plan and subject to review and approval by the Department of Public Service, Division of Traffic Management. Each segment shall be installed with the development of each outlot. A sidewalk or path shall be constructed along the proposed parkland dedication area in conjunction with the development of the adjacent outlot, unless the Department of Public Service grants an exception to the construction requirement.

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

1. The front yard shall be planted with live vegetation and a shade trees, except for paved areas expressly designed for vehicular and pedestrian use. The minimum number of shade trees required is determined by the formula of one tree per 50 lineal feet, or fraction thereof, of frontage.

2. At the time of planting a new shade tree shall have a minimum two inch caliper trunk and new shrubs for screening shall have a minimum height of 24 inches.

3. A surface parking lot or vehicular circulation area shall be screened from all abutting public streets with a wall or fence (excluding chain link), or a continuous row of shrubs to a minimum height of three foot [two feet at time of planting] and a maximum height of five feet. Screening shall be maintained to provide opacity of not less than 75 percent when in leaf.

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

1. The height of a building shall be a minimum of 16 feet above grade.

2. Any pickup unit or canopy shall be attached to the principal building and be located behind or to the side of the building.

3. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.

4. Backlit awnings are not permitted.

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

1. Dumpsters shall be located behind the principal building and be screened from public view to the height of the

dumpster.

2. Ground-mounted mechanical equipment shall be located behind the principal building and be screened from public view to the height of the equipment.

3. The height of any parking lot light pole/fixture shall not exceed 18 feet above grade.

F. Graphic and Signage Commitments:

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the C-4, Commercial District. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission.

G. CPD Criteria:

1. Natural Environment. The site is vacant. George Creek runs along the north perimeter of the site.

2. Existing Land Use. The site does not have any existing land uses. The property is currently entitled for commercial development.

3. Transportation and Circulation. All curb cuts and access points shall be provided as depicted on the CPD plan, subject to review and approval by the Department of Public Service, Division of Traffic Management.

4. Visual Form of the Environment. The visual form of the environment is vacant land.

5. View and Visibility. The Site is visible from Winchester Pike and Refugee Road.

6. Proposed Development. The Applicant does not propose specific development for Subareas 2 and 3. Rather, this CPD establishes bubble plans for these subareas with commitments to shared private access drives.

7. Behavior Patterns. The intersection of Winchester Pike and Gender Road is a developing mixed use area with multifamily, commercial, and manufacturing uses.

8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

1. 3356.11, C-4 district setback lines. This section shall be modified to reduce the minimum building line from Winchester Pike from 60 feet to 28 feet and to allow patios above-ground hot boxes and/or water vaults within the front setback.

2. 3312.27, Parking setback line. This section shall be modified to reduce the minimum pavement setback for vehicle circulation areas from 25 feet to 5 feet.

I. Miscellaneous Commitments:

The site shall be developed in accordance with the submitted site plan titled “Subarea Plan” signed and dated June 20, 2024. The plan may be slightly 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 Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or their 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.

