



Legislation Text

File #: 2228-2021, Version: 1

Council Variance Application: CV21-052

APPLICANT: Wilson Twin Creek Partners, LLC; c/o Thomas L. Hart, Atty.; Two Miranova Place, #910; Columbus, OH 43215.

PROPOSED USE: Limited manufacturing and commercial uses.

WEST SCIOTO AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #2227-2021; Z21-038) to the L-M, Limited Manufacturing District to redevelop the site with limited manufacturing and commercial uses. The applicant is requesting variances to distance separation from more objectionable uses from residential districts, a reduced parking setback, and to permit parcel lines to intersect maneuvering aisles and parking spaces. Staff supports the maneuvering and parking space variances requested due to parcel lines crossing the site. The manufacturing uses proposed on the site are limited in scale and are solely conducted indoors resulting in the reduced distance from residential districts being supportable. The parking setback reduction is supported to allow a greater setback and buffer area along the north property line in consideration of the adjacent dwelling units.

To grant a Variance from the provisions of Sections 3311.28(b), Requirements; 3312.25, Maneuvering; 3312.27(2), Parking setback line; and 3312.29, Parking space, of the Columbus City Codes; for the property located at **3590 TWIN CREEKS DR. (43204)**, to permit reduced development standards in the L-M, Limited Manufacturing District (Council Variance #CV21-052).

WHEREAS, by application #CV21-052, the owner of property at **3590 TWIN CREEKS DR. (43204)**, is requesting a Council variance to permit reduced development standards in the L-M, Limited Manufacturing District; and

WHEREAS, Section 3311.28(b), Requirements, requires that more objectionable uses be located not less than 600 feet from residential districts, while the applicant proposes limited uses of Code Sections 3363.09 through 3363.15, on a site that is contiguous to a residential district; and

WHEREAS, Section 3312.25, Maneuvering, requires sufficient maneuvering area on the parcel for the parking spaces for which it serves, while the applicant proposes parking spaces to maneuver over parcel lines, as demonstrated on the submitted site plan; and

WHEREAS, Section 3312.27(2), Parking setback line, requires a 25 foot parking setback line in the M, Manufacturing District, while the applicant proposes a reduced parking setback lines of 6 feet from Wilson Road and 10 feet from Twin Creeks Drive, as shown on the submitted site plan; and

WHEREAS, 3312.29, Parking space, requires 90-degree parking spaces to be no less than 9 feet wide by 18 feet deep, while the applicant proposes parking spaces that are divided by parcel lines, but with the overall parking space meeting the required dimensions, as demonstrated on the submitted site plan; and

WHEREAS, the West Scioto Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the requested variances will allow a warehouse-flex development with manufacturing and commercial uses located solely within interior of the proposed building, and limited in size by Ordinance #2227-2021 (Rezoning Application #Z21-038); and

WHEREAS, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed uses; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **3590 TWIN CREEKS DR. (43204)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3311.28(b), Requirements, 3312.25, Maneuvering, 3312.27 (2), Parking setback line, and 3312.29, Parking space, of the Columbus City Codes, is hereby granted for the property located at **3590 TWIN CREEKS DR. (43204)**, insofar as said sections prohibit more objectionable manufacturing uses located within 600 feet of residential districts; maneuvering over parcel lines and parking spaces divided by parcel lines; and reduced parking setback lines from 25 feet to 6 feet along Wilson Road and 10 feet along Twin Creeks Drive; said property being more particularly described as follows:

3590 TWIN CREEKS DR. (43204), being 6.0± acres located at the northeast corner of Twin Creeks Drive and Wilson Road, and being more particularly described as follows:

Legal Description - 6.002 Acres

Situated in the State of Ohio, County of Franklin, Township of Franklin and City of Columbus, lying in Survey No. 875, Virginia Military District, being all of the remainder of the original 2.216 acre tract conveyed to Automobile Insurance Company by deed of record in Official Record 33422 C19, all of the remainder of the original 1.823 acre tract conveyed to Automobile Club Insurance Company by deed of record in Deed Book 3574, Page 1, all of the 0.487 acre tract conveyed to Automobile Club Insurance Company by deed of record in Official Record 32267 I05, and all of the 2.135 acre tract conveyed to Automobile Club Insurance Company by deed of record in Deed Book 3743, Page 34, (all references are to the records of the Recorder's office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set in the easterly right-of-way of Wilson Road, at the common corner of the remainder of said original 2.216 acre tract, the 0.192 acre tract conveyed as Parcel 15-WD to Franklin County Commissioners by deed of record in Instrument Number 199803230066229, the 0.906 acre tract conveyed as Parcel 16-WD to Franklin County Commissioners by deed of record in Instrument Number 199802170034116, and Reserve "B" of "Darby Pointe", a subdivision of record in Plat Book 103, Page 64;

Thence with the lines common to said original 2.216 acre tract and said "Darby Pointe", the following courses and distances:

North 66° 18' 25" East, a distance of 665.00 feet, to an iron pin set;

South 23° 38' 04" East, a distance of 137.00 feet, to a 1 inch iron pin found in the northerly line of the 20.500 acre tract conveyed as Parcel One to Cromwell Associates, LLC by deed of record in Instrument Number 199909010223897;

Thence South 66° 18' 25" West, a distance of 110.59 feet, with the line common to said original 2.216 and 20.500 acre tracts, to a magnetic nail set at the common corner of said 2.135 and 20.500 acre tracts;

Thence South 23° 41' 35" East, a distance of 310.00 feet, with the line common to said 2.135 and 20.500 acre tracts, to a $\frac{3}{4}$ inch iron pin found in the northerly right-of-way line of Twin Creeks Drive, at the common corner of said 2.135 acre tract and the 0.981 acre tract conveyed to City of Columbus, Ohio by deed of record in Deed Book 3197, Page 676;

Thence South 66° 18' 25" West, a distance of 515.74 feet, with the southerly lines of said 2.135, 0.487, and original 1.823 acre tracts, and the northerly line of said 0.981 tract, and said northerly right-of-way line, to an iron pin set at a common corner of the remainder of said original 1.823 acre tract and said 0.192 acre tract, being the intersection of said northerly and easterly right-of-way lines;

Thence with the lines common to the remainder of said original 1.823 acre tract and said 0.192 acre tract, and said easterly right-of-way line, the following courses and distances:

North 65° 40' 15" West, a distance of 52.88 feet, to an iron pin set;

North 24° 08' 17" West, a distance of 407.70 feet, to the POINT OF BEGINNING, containing 6.002 acres, more or less, of which 2.090 acres lie within parcel No. 142-000009, 1.291 acres are within Parcel Number 560-125544, and 2.622 acres are within Parcel Number 560-121074.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Parcel Numbers: 560-125544 & 145-286330

Property Address: 3590 Twin Creeks Dr., Columbus, OH 43204

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the L-M, Limited Manufacturing District, specified by Ordinance #2227-2021; Z21-038.

SECTION 3. That this ordinance is further conditioned on the permitted more objectionable uses on this property being those uses listed in the attached Statement of Hardship, dated August 27, 2021.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed uses.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.