



## Legislation Details (With Text)

**File #:** 2552-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/13/2022      **In control:** Zoning Committee

**On agenda:** 11/7/2022      **Final action:** 11/10/2022

**Title:** To grant a Variance from the provisions of Sections 3312.49(C), Minimum numbers of parking spaces required; 3321.01(A), Dumpster Area; and 3333.255, Perimeter yard; of the Columbus City Codes; for the property located at 2084 S. HAMILTON RD. (43232), to permit reduced development standards for an 80-unit apartment complex in the L-AR-1, Limited Apartment Residential District (Council Variance #CV22-051).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#2552-2022\_Attachments, 2. ORD#2552-2022\_Labels

Date	Ver.	Action By	Action	Result
11/10/2022	1	CITY CLERK	Attest	
11/9/2022	1	MAYOR	Signed	
11/7/2022	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/7/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
11/7/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
11/7/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
11/7/2022	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV22-051**

**APPLICANT:** Perennial Housing Partners, LLC; c/o Rebecca Mott, Atty.; Plank Law Firm; 411 East Town Street, 2<sup>nd</sup> Floor; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**GREATER SOUTH EAST 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 #2551-2022; Z22-037) to the L-AR-1, Limited Apartment Residential District to permit the existing 80-suite extended stay hotel to be converted into an 80-unit apartment complex. The requested variances will reduce the required number of parking spaces from 120 to 94 provided spaces, permit the existing dumpster area to be located in the perimeter yard, and permit the existing perimeter yard to be less than 15 feet. Staff supports the variances as they are mainly attributed to existing site conditions, and multi-unit residential development is supportable with the *Columbus City Planning Policies (C2P2) Design Guidelines* (2018), recommendations for mixed- use and higher- density residential development along primary corridors.

To grant a Variance from the provisions of Sections 3312.49(C), Minimum numbers of parking spaces required; 3321.01 (A), Dumpster Area; and 3333.255, Perimeter yard; of the Columbus City Codes; for the property located at **2084 S. HAMILTON RD. (43232)**, to permit reduced development standards for an 80-unit apartment complex in the L-AR-1, Limited Apartment Residential District (Council Variance #CV22-051).

**WHEREAS**, by application #CV22-051, the owner of property at **2084 S. HAMILTON RD. (43232)**, is requesting a Council variance to permit reduced development standards concurrent with a rezoning request to the L-AR-1, Limited Apartment Residential District; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit for a total of 120 required parking spaces for 80 apartment units, while the applicant proposes 94 total parking spaces; and

**WHEREAS**, Section 3321.01(A), Dumpster area, requires a dumpster be located in a designated area that does not interfere with any aisle, driveway, parking space, loading space or other circulation area, while the applicant proposes the existing dumpster area be located in the perimeter yard; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 15 feet, while the applicant proposes a reduced perimeter yard of not less than 3 feet; and

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

**WHEREAS**, the City Departments recommend approval of the requested variances because the requested variances are mainly attributed to existing site conditions, and C2P2 Design Guidelines recommend mixed-use and higher-density residential uses along primary corridors; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed use; 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 **2084 S. HAMILTON RD. (43232)**, 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 3312.49(C), Minimum numbers of parking spaces required; 3321.01(A), Dumpster area; and 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **2084 S. HAMILTON RD. (43232)**, insofar as said sections prohibit a reduction in parking from 120 required to 94 provided spaces; the dumpster area in the required perimeter yard; and a reduced perimeter yard from 15 feet to not less than 3 feet; said property being more particularly described as follows:

**2084 S. HAMILTON RD. (43232)**, being 2.72± acres located on the east side of South Hamilton Road, 600± feet north of Groves Road, and being more particularly described as follows:

Situated in Section 21, Township 12 North, Range 21, West, a Refugee Lands, City of Columbus, Franklin County, Ohio,

being a 2.723 acre tract of land all out of that 3.125 acre tract described in a deed to F.W. Slotter, Inc., of record in Deed Book 2399, Page 561, Recorder's Office, Franklin County, Ohio, said 2.723 acres being more particularly described as follows:

Beginning at a point in the Southerly line of said 3.125 acre tract located South 86 degrees 50 minutes 15 seconds East, 17.11 feet from the Southwest corner of said tract;

Thence North 2 degrees 12 minutes 31 seconds East, along the Easterly right-of-way line of Service Road B as conveyed to the State of Ohio in Deed Book 2631, Page 80, a distance of 150.02 feet to a point;

Thence South 86 degrees 50 minutes 15 seconds East, along the Northerly line of said 3.125 acre tract, a distance of 791.14 feet to a point.

Thence South 2 degrees 32 minutes 00 seconds West, along the Easterly line of said 3.125 acre tract a distance of 150.01 feet to a point;

Thence North 86 degrees 50 minutes 15 seconds West, along the Southerly line of said 3.125 acre tract, a distance of 790.29 feet to the place of beginning and containing 2.723 acres of land.

Together with a permanent easement for sanitary sewer from Coca-Cola Bottling Company of Ohio, a Division of Coca-Cola Bottling Company of Michigan, to Gaudreau-Brasted Properties, a Kansas General Partnership dated December 9, 1985 and recorded December 11, 1985 in Official Record Volume 6687, Page H01, Franklin County, Ohio records.

Parcel No: 010-132307-00

Property Address: 2084 S. Hamilton Road, Columbus, Ohio 43232

**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 by the L-AR-1, Limited Apartment Residential District specified by Ordinance #2551-2022 (Z22-037).

**SECTION 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed use.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.