



Legislation Details (With Text)

File #: 3046-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/1/2022 **In control:** Zoning Committee

On agenda: 11/21/2022 **Final action:** 11/23/2022

Title: To grant a Variance from the provisions of Sections 3356, C-4 permitted uses; and 3370.05, Permitted uses, of the Columbus City Codes; for the property located at 3700 LIFESTYLE BLVD. (43219), to permit ground floor accessory residential uses and a self-storage facility in the L-C-4, Limited Commercial District, and to repeal Ordinance #2614-00 (CV00-055) and Ordinance #0654-2005 (CV05-001) (Council Variance #CV22-057).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3046-2022_Attachments, 2. ORD3046-2022_Labels

Date	Ver.	Action By	Action	Result
11/23/2022	1	ACTING CITY CLERK	Attest	
11/22/2022	1	MAYOR	Signed	
11/21/2022	1	COUNCIL PRESIDENT	Signed	
11/21/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
11/21/2022	1	Zoning Committee	Approved	Pass
11/21/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
11/14/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-057

APPLICANT: Daniel Mayer; P.O. Box 12802; Columbus, OH 43212.

PROPOSED USE: Mixed-use development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a mixed-use building in the L-C-4, Limited Commercial District, which permits residential parking and ground floor residential uses, established by Ordinance #2614-00 (CV00-055) and Ordinance #0654-2005 (CV05-001), respectively. The requested Council variance will carry forward the existing residential parking and ground floor residential uses, and will also permit a separate self-storage facility to be developed. A Council variance is required because the L-C-4, Limited Commercial District does not permit ground floor residential uses or self-storage uses. The site is within the planning boundaries of *Northeast Area Plan* (2007), which recommends "High Density Residential" land uses at this location. With a site plan that includes extensive landscaping to screen the parking lot from Lifestyle Boulevard, pedestrian access from the sidewalk consistent with the Plan's guidelines, and a condition from the Department of Public Service to provide additional pedestrian connectivity, staff supports the self-storage use and carrying forward the previously approved ground floor residential uses.

To grant a Variance from the provisions of Sections 3356, C-4 permitted uses; and 3370.05, Permitted uses, of the Columbus City Codes; for the property located at **3700 LIFESTYLE BLVD. (43219)**, to permit ground floor accessory residential uses and a self-storage facility in the L-C-4, Limited Commercial District, and to repeal Ordinance #2614-00 (CV00-055) and Ordinance #0654-2005 (CV05-001) (Council Variance #CV22-057).

WHEREAS, by application #CV22-057, the owner of property at **3700 LIFESTYLE BLVD. (43219)**, is requesting a Council variance to permit ground floor accessory residential uses and a self-storage facility in the L-C-4, Limited Commercial District; and

WHEREAS, Section 3356.03, C-4 permitted uses, does not permit ground-floor residential uses or self-storage facilities, while the applicant proposes ground floor residential parking, up to 3,600 square feet of ground floor laundry, fitness facility, leisure area, visitor waiting area, and a technical resource center for residential units in the existing mixed-use building, and a separate self-storage facility, all in the L-C-4, Limited Commercial District; and

WHEREAS, Section 3370.05, Permitted uses, allows one or more of the uses permitted by the underlying zoning district, which are limited to C-4, Commercial District uses listed in Chapter 3356 of the Columbus City Code, and as further specified in the limitation overlay text in Ordinance #2502-00 (Z00-068), while the applicant proposes ground floor residential uses and a self-storage facility; and

WHEREAS, City Departments recommend approval because the requested variance will allow a new self-storage facility that includes design features that are consistent with the *Near East Area Plan's* guidelines and improved pedestrian connectivity, while carrying forward the previously approved ground floor residential uses in an existing mixed-use building; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed self-storage facility; 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 **3700 LIFESTYLE BLVD. (43219)**, 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 3356, C-4 permitted uses; and 3370.05, Permitted uses, of the Columbus City Codes, is hereby granted for the property located at **3700 LIFESTYLE BLVD. (43219)**, insofar as said sections prohibit ground-floor residential accessory uses and a self-storage facility in the L-C-4, Limited Commercial District; said property being more particularly described as follows:

3700 LIFESTYLE BLVD. (43219), being 2.43± acres on the north side of Lifestyle Boulevard, 325± west of Stelzer Road, and being more particularly described as follows:

2.426 Acres:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 17, United States Military Lands, being 2.426 acres out of that 5.511 acre tract of land deeded to Gamma Columbus, LLC in Instrument No. 200403090051193, said 2.426 acres being more particularly bounded and described as follows:

Beginning for reference at a Franklin County Engineer Survey Monument found (FCGS 6621) at an angle point in the centerline of Stelzer Road, said monument being N 03° 31' 40" E distance of 1076.02 feet from a Franklin County Engineer Survey Monument found (FCGS 2264) at the centerline intersection of said Stelzer Road and Agler Road;

Thence N 03° 52' 47" E along the centerline of said Stelzer Road a distance of 6.46 feet to the centerline intersection of said Stelzer Road with Lifestyle Boulevard as shown in the Plat of "Lifestyle Boulevard and Stelzer Road Dedication and Easements Part I" recorded in Plat Book 96, Page 78;

Thence N 86° 34' 13" W, along the centerline of said Lifestyle Boulevard, a distance of 373.95 feet to a PIK nail found at a point of curvature;

Thence N 03° 25' 47" E, leaving the centerline of said Lifestyle Boulevard, a distance of 30.00 feet to a P.K. nail set in the northerly right-of-way of said Lifestyle Boulevard, said point being the TRUE PLACE OF BEGINNING;

Thence along the Southerly line of said 5.511 acre tract and the northerly right-of-way of said Lifestyle Boulevard with a curve to the left having a central angle of 30° 00' 48" and a radius of 488.22 feet, an arc length of 255.74 feet and a chord bearing and distance of S 78° 25' 24" W, 252.83 feet to a P.K. nail set at a point of reverse curvature;

Thence continuing along said common line with a curve to the right having a central angle of 05° 54' 15" and a radius of 370.00 feet, an arc length of 38.13 feet and a chord bearing and distance of S 66° 22' 07" W, 38.11 feet to an iron pin set at a southeast corner of a 41.603 acre tract deeded to Residences at Towne Center Holdings, Ltd. in Instrument No. 200102090027107;

Thence N 03° 34' 44" E, along a Westerly line of said 5.511 acre tract and an easterly line of said 41.603 acre tract, a distance of 434.36 feet to an iron pin set at a common corner thereof;

Thence S 86° 25' 16" E, along a northerly line of said 5.511 acre tract and a Southerly line of said 41.603 acre tract, a distance of 280.00 feet to an iron pin set at a Southeast corner of said 41.603 acre tract;

Thence across said 5.511 acre tract, the following two (2) courses and distances:

S 03° 46' 47" W, 62.08 feet to an iron pin set;

S 03° 56' 46" W, 288.75 feet to the TRUE PLACE OF BEGINNING containing 2.426 acres, more or less, said 2.426 acres being all of Parcel Number 010-247977. Subject, however, to all legal highways, easements, and restrictions of record

All iron pins set are 5/8" diameter rebar, 30" long with plastic cap inscribed "Advanced 7661".

This description is based on existing records from the Franklin County Recorder's and the Franklin County Auditor's Office and an actual field survey by Advanced Civil Design, Inc., in March 2004. A drawing of the above description is attached hereto and made a part thereof.

Bearings are based upon the Ohio State Plane Coordinate System South Zone, NAD83 (NSRS 2007) which determined the bearing between found Franklin County Engineer Survey Monument (FCGS 6621) and said Franklin County Engineer Survey Monument (FCGS 2264) as N 03° 31' 40" E for the centerline of said Stelzer Road.

Parcel ID: 010-247977.

Address: 3700 Lifestyle Blvd., Columbus, Ohio 432191

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a mixed-use building with ground floor residential parking, up to 3,600 square feet of ground floor laundry, fitness facility, leisure area, visitor waiting area and a technical resource center, specifically for residential units above, and a separate self-storage facility, or those uses permitted in the L-C-4, Limited Commercial District as specified by Ordinance ##2502-00 (Z00-068).

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**ARCHITECTURAL SITE PLAN**," and building elevations titled "**ELEVATIONS**," all dated October 31, 2022, and signed by Daniel Mayer, the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan 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 is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed self-storage facility.

SECTION 5. That this ordinance is further conditioned on the applicant providing a sidewalk connection on the east side of the access point to Lifestyle Boulevard for approximately 30 feet north of the existing sidewalk on the north side of Lifestyle Boulevard, to separate pedestrian traffic from vehicles entering or exiting the proposed self-storage use, subject to the approval of the owner of the property east of the access point to Lifestyle Boulevard, per the Department of Public Service.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

SECTION 7. That Ordinances #2614-00 and #0654-2005, passed December 11, 2000, and July 11, 2005, respectively, be and are hereby repealed.