



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/17/2022 **In control:** Zoning Committee

On agenda: 12/5/2022 **Final action:** 12/7/2022

Title: To grant a Variance from the provisions of Section 3361.02, CPD permitted uses; and Section 3361.03, Development plan, for the property located at 6335 E. BROAD ST (43213); to permit a shared living facility in the CPD, Commercial Planned Development District (Council Variance #CV22-090).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#3299-2022_Attachments, 2. ORD#3299-2022_Labels

Date	Ver.	Action By	Action	Result
12/7/2022	1	CITY CLERK	Attest	
12/6/2022	1	MAYOR	Signed	
12/5/2022	1	COUNCIL PRESIDENT	Signed	
12/5/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
12/5/2022	1	Zoning Committee	Approved	Pass
12/5/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
12/5/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass

Council Variance Application CV22-090

APPLICANT: Lighthouse BH Solutions; c/o Matt Romeo; 4124 East Main Street; Columbus, OH 43213; and Robert Zimmerman; Atty.; 200 Public Square, Suite 2300; Cleveland, OH 44114.

PROPOSED USE: Shared living facility.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of the rear 2.58± acres of a 3.14± acre parcel developed with a 38-suite hotel, office building, and a portion of a gas well zoned in the CPD, Commercial Planned Development District (Ordinance #0058-01; Z00-036A). The requested Council variance will permit the conversion of the existing hotel into a shared living facility for individuals entering the initial stages of recovery from addiction with supervised monitoring for up to 30 days. A Council variance is necessary because shared living facilities are not permitted in the CPD district. Additionally, the current CPD text only permits office, hotel or motel, and restaurants without a drive through at this location. The site is located within the boundaries of the *Far East Land Use Plan* (2018), which does not specifically address shared living facilities, but recommends "Mixed-Use 1 (16-24 du/ac)" land uses at this location. The Plan also includes the complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). The transient nature of the proposed facility is consistent with the existing hotel use,

and does represent the introduction of an incompatible use to the area.

To grant a Variance from the provisions of Section 3361.02, CPD permitted uses; and Section 3361.03, Development plan, for the property located at **6335 E. BROAD ST (43213)**; to permit a shared living facility in the CPD, Commercial Planned Development District (Council Variance #CV22-090).

WHEREAS, by application #CV22-090, the owner of property at **6335 E. BROAD ST (43213)**, is requesting a Council variance to permit a shared living facility in the CPD, Commercial Planned Development District; and

WHEREAS, Section 3361.02, CPD permitted uses, prohibits shared living facilities, while the applicant proposes to redevelop the site with shared living facility; and

WHEREAS, Section 3361.03, Development plan, reports the overall concept of a proposed development, which for this property specifically permits office, hotel or motel, and restaurants without a drive through as permitted uses, while the applicant proposes to convert the existing hotel into a shared living facility; and

WHEREAS, the Far East Area Commission recommends approval; and

WHEREAS, City Departments Recommend approval because the requested variance will allow a shared living facility that is not considered to be an introduction of an incompatible use, nor is it inconsistent with the “Mixed-Use 1” land use recommendation of the *Far East Land Use Plan*. The transient nature of the proposed facility is consistent with the existing hotel use; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; 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 **6335 E BROAD ST. (43213)**, 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 Section 3361.02, CPD permitted uses; and Section 3361.03, Development plan, is hereby granted for the property located at **6335 E. BROAD ST. (43213)**, insofar as said sections prohibit a shared living facility in the CPD, Commercial Planned Development District; said property being more particularly described as follows:

6335 E. BROAD ST. (43213), being 2.58± acres located on the south side of East Broad Street, 925± feet east of McNaughten Road, and being more particularly described as follows:

Parcel 1

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 18, Quarter Township 3, Township 1, Range 16, United States Military District, being all of Parcel 2 as described in Deed Book 3766, Page 649 to David Yashon, M.D., Inc. Pension Plan & Trust (record references to those of the Recorder’s Office, Franklin County, Ohio),

and being more particularly described as follows:

Commencing at the northwesterly corner of Parcel 1 as described in said Deed Book 3766, Page 649, being the northeasterly corner of the 1.572 acre tract described in Deed Book 2537, Page 24 to Bessie Zursasky, and being in the original center line of East Broad Street (State Route 16) as shown on right-of-way plan sheet 5 of 10, FRA-16-(7.79-10.44);

Thence southerly along the easterly line of said 1.572 acre tract, being the westerly line of said Parcel 1, South 3° 55' 10" West (passing an iron pin found at 33.19 feet and the southerly right-of-way line of said Broad Street at 33.75 feet), a distance of 336.51 feet to the southwesterly corner of said Parcel 2, and being the TRUE POINT OF BEGINNING.

Thence easterly along the southerly line of said Parcel 1, the southerly line of the 1.321 acre tract as described in Deed Book 2286, Page 29 to Marvin A. and Jerome Zuravsky, and part of the southerly line of the 1.145 acre tract described in Deed Book 2646, Pages 335 and 336 to Olin L. Parrett, North 82° 04' 15" East (passing iron pins found at 85.08 feet, 135.08 feet and 260.15 feet), a distance of 342.30 feet to an iron pin found at the northwesterly corner of the 4.14 acre tract described in Official Record 3924, Page E-20 to Loeb Group, being at the northeasterly corner of said Parcel 2;

Thence southerly along the westerly line of said 4.14 acre tract, being the easterly line of said Parcel 2, South 3° 53' 55" West, 371.80 feet to an iron pin set at the southwesterly corner of said 4.14 acre tract, being the southeasterly corner of said Parcel 2, and being in the northerly line of McNaughten Commons Condominium, of record in Condominium Book 30, Pages 47 thru 72;

Thence westerly along said northerly line of McNaughten Commons Condominium, being the southerly line of said Parcel 2, North 85° 59' 20" West, 335.14 feet to an iron pin set at the southeasterly corner of said 1.572 acre tract (Zuravsky), being the southwesterly corner of said Parcel 2;

Thence northerly along said easterly line of the 1.572 acre tract, being the westerly line of said Parcel 2, North 3° 55' 10" East, 300.98 feet to the True Point of Beginning, containing 2.5876 acres (112,717 square feet) of land, more or less.

Property Address: 6335 East Broad Street

Parcel Number: 520-100789

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a shared living facility or those uses permitted CPD, Commercial Planned Development District in accordance with Ordinance #0058-01 (Z00-036A).

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed development.

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