



Legislation Text

File #: 0591-2022, Version: 2

Council Variance Application: CV21-127

APPLICANT: ~~Diversified Acquisition LLC~~ **Ad Hospitality LLC and Worthington Hotels LLC**; c/o Rebecca J. Mott, Atty.; 411 East Town Street, Floor 2; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the L-AR-2, Limited Apartment Residential District (Ordinance #0590-2022; Z21-098) to permit the conversion of two extended stay hotel developments into one apartment complex. Variances are requested to reduce the required number of parking spaces from 297 to 278 spaces, to permit a dumpster enclosure in the required perimeter yard, and to reduce the perimeter yard. Staff supports the variances as they are mainly attributed to existing site conditions. Additional parking over what currently exists is being provided, along with a public sidewalk along the site frontage and an interconnected sidewalk network which are reflected on the site plan included with Ordinance #0590-2022.

To grant a Variance from the provisions of Sections 3312.49, Minimum numbers of parking spaces required; 3321.01, Dumpster area; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **7272**

HUNTINGTON PARK DR. (43235), to permit reduced development standards for an apartment complex in the L-AR-2, Limited Apartment Residential District (Council Variance #CV21-127).

WHEREAS, by application #CV21-127, the owner of property at **7272 HUNTINGTON PARK DR. (43235)**, is requesting a Council variance to permit reduced development standards for an apartment complex in the L-AR-2, Limited Apartment Residential District; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires 1.5 parking space per apartment unit, a total of 297 parking spaces for a 198-unit apartment complex, while the applicant proposes a total of 278 parking spaces; and

WHEREAS, Section 3321.01, Dumpster area, requires that a dumpster not be located in any required yard, while the applicant proposes dumpster enclosures in the required perimeter yard as shown on the site plan included with Ordinance #0590-2022; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yards along the north, south, and east west property lines varying between 0.8 foot and 22 feet as depicted on the site plan included with Ordinance #0590-2022; and

WHEREAS, the City Departments recommend approval because the requested variance will allow multi-unit residential development with desirable site design elements that are compatible with the development pattern of the area. Staff notes inclusion of a public sidewalk along the site frontage and an interconnected sidewalk network which are reflected on the site plan included with Ordinance #0590-2022; and

WHEREAS, this ordinance requires separate submission for all applicable permits and Certificates 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 **7272 HUNTINGTON PARK DR. (43235)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance is hereby granted from the provisions of Sections 3312.49, Minimum numbers of parking spaces required; 3321.01, Dumpster area; and 3333.255, Perimeter yard, of the Columbus City Codes, for the property located at **7272 HUNTINGTON PARK DR. (43235)**, insofar as said sections prohibits a parking space reduction from 297 to 278 spaces; dumpster(s) in the required perimeter yard; and reduced perimeter yard from 25 feet to between 0.8 foot and 22 feet; said property being more particularly described as follows:

7272 HUNTINGTON PARK DR. (43235), being 5.04± acres located on the east side of Huntington Park Drive, 1,300± feet southeast of Horizon Drive, and being more particularly described as follows:

Tract I Legal Description

7272 Huntington Park Drive, Columbus, Ohio

Situated in the City of Columbus, County of Franklin, State of Ohio, being part of Lot 62, in Township 2, Range 18, United States Military Lands, also being 2.3675 acres out of a 5.044 acre tract deeded to JG Worthington Hotel Ltd. and JG Worthington Hotel II Ltd., recorded as Franklin County Recorders Document No. 199806300162818, said 2.3675 acre tract being more particularly described as follows:

Beginning at an iron pin found in the Easterly right of way line of Huntington Park Drive aka Horizon Drive-60 feet wide, at a Southwest corner of said 5.044 acre tract and a Northwest corner of a 7.859 acre tract deeded to BOP-Community Corporate Center, LLC, recorded as Franklin County Recorder's Document No. 199801200012649; said Iron pin also being the true place of beginning for the tract herein to be described;

thence Northeasterly along a Westerly line of said 5.044 acre tract, and the Easterly right of way line of said Huntington Park Drive on an arc of a curve to the left having a radius of 380.00 feet, a central angle of 22 deg 31' 20", and a chord bearing North 30 deg 08'46" East, a distance of 148.41 feet to an iron pin set;

thence South 87 deg 57'07" East across said 5.044 acre tract a distance of 343.23 feet to an iron pin set;

thence South 02 deg 02'53" West across said 5.044 acre tract, a distance of 352.83 feet to an iron pin set and a Northerly line of said 7.859 acre tract;

thence North 86 deg 49'53" West along the North line of said 7.859 acre tract, and a Southerly line of said 5.044 acre tract a distance of 78.64 feet to an iron pin found;

thence Northwesterly along a Northerly line of said 7.859 acre tract, and a Southerly line of said 5.044 acre tract on an arc of a curve to the left having a radius of 147 feet, a central angle of 99 deg 02' 54", a chord bearing of North 65 deg 00' 09" West, a distance of 223.64 feet to an iron pin found;

thence North 41 deg, 56' 37" West along a North line of said 7.859 acre tract, and a Southerly line of said 5.044 acre tract a distance of 185.10 feet to the place of beginning, containing 2.3675 acres of land, more or less as calculated by the above courses. All references used in this description can be found at the Franklin County, Ohio. The bearings used in this description were based on the centerline of Huntington Park Drive being North 03 deg 10' 07" East, as shown in Plat Book 64, Page 100 of Franklin County Records.

TOGETHER WITH a non-exclusive easement for ingress and egress recorded in Instrument No. 199912060300172.

TOGETHER WITH a non-exclusive sign easement recorded in Instrument No. 201305310090131.

Tract II Legal Description

7300 Huntington Park Drive, Columbus, Ohio

Situated in the City of Columbus, County of Franklin, State of Ohio, being part of Lot 62, in Township 2, Range 18, United States Military Lands, also being 2.6761 acres out of a 5.044 acre tract deeded to JG Worthington Hotel Ltd. and JG Worthington Hotel II Ltd., recorded as Franklin County Recorders Document No. 199806300162818, said 2.6761 acre tract being more particularly described as follows:

Beginning for reference at an iron pin found in the Easterly right of way line of Huntington Park Drive (fka Horizon Drive-60 feet), at a Southwest corner of said 5.044 acre tract and a Northwest corner of a 7.859 acre tract deeded to EOP Community Corporate Center, L.L.C., Instrument No. 199801200012649;

Thence Northeasterly along a Westerly line of said 5.044 acre tract, and the Easterly right of way line of said Huntington Park Drive on an arc of a curve to the left having a radius of 380.00 feet, a central angle of 22 deg 31' 20", and a chord bearing North 30 deg 08' 46" East a distance of 148.41 feet to an iron pin found, said iron pin being the true place of beginning for the tract herein to be described;

Thence continuing Northeasterly along a Westerly line of said 5.044 acre tract, and the Easterly right of way of said Huntington Park Drive on an arc of a curve to the left having a radius of 380.00 feet, a central angle of 09 deg 50' 54", and a chord bearing North 13 deg 57' 39" East a distance of 65.24 feet to an iron pin found at a Northwest corner of said 5.044 acre tract and a Southwest corner of a 2.80 acre tract deeded to Ephesians, L.L.C., recorded in O.R. 34861, Page G-05 of Franklin County Records;

Thence South 86 deg 49' 53" East along a South line of said 2.80 acre tract, and a Northerly line of said 5.044 acre tract a distance of 546.85 feet to an iron pin found in the Westerly right of way of the Conrail Railroad (N&W R.R.), the Southeast corner of said 2.80 acre tract, and the Northeast corner of said 5.044 acre tract;

Thence South 02 deg 50' 23" East along said Westerly right of way of Conrail and the Easterly line of said 5.044 acre tract a distance of 412.40 feet to an iron pin found at the Northeast corner of said 7.859 acre tract, and the Southeast corner of said 5.044 acre tract;

Thence North 86 deg 49' 53" West along the North line of said 7.859 acre tract, and the South line of said 5.044 acre tract a distance of 252.17 feet to an iron pin found;

Thence North 02 deg 02' 53" East across said 5.044 acre tract a distance of 352.83 feet to an iron pin found; Thence North 87 deg 57' 07" West across said 5.044 acre tract a distance of 343.23 feet to the place of beginning, containing 2.6761 acres of land, more or less, as calculated by the above courses.

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

The bearings used in this description were based on the centerline of Huntington Park Drive being North 03 deg 10' 07"

East, as shown in Plat Book 64, Page 100 of Franklin County Records.

Together with an easement, more particularly described in a Reciprocal Easement Agreement, filed in Instrument No. 199912060300172, on December 6, 1999, Recorder's Office, Franklin County, Ohio. Together with a sign easement, more particularly described in a Reciprocal Sign Easement Agreement filed in Instrument No. 201305310090131, on May 30, 2013, Recorder's Office, Franklin County, Ohio.

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-AR-2, Limited Apartment Residential District in accordance with Ordinance #0590-2022 (Z21-098).

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

SECTION 4. That this ordinance is further conditioned upon the applicant combining Franklin County Parcels 610-250019 and 610-211628 into one parcel.

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