



Legislation Details (With Text)

File #: 2935-2018 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 10/17/2018 **In control:** Zoning Committee

On agenda: 11/5/2018 **Final action:** 11/7/2018

Title: To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27, Parking setback line; 3372.804, Setback requirements; and 3377.05, Tables of elements for on-premises ground signs, of the Columbus City Codes; for the property located at 3469 SOUTH HIGH STREET (43207), to permit a self-storage facility with reduced development standards in the C-4, Commercial District, and to repeal Ordinance #0439-2014, passed July 28, 2014 (Council Variance #CV18-072) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2935-2018_Attachments, 2. ORD2935-2018_Labels

Date	Ver.	Action By	Action	Result
11/7/2018	2	CITY CLERK	Attest	
11/6/2018	2	MAYOR	Signed	
11/5/2018	2	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Zoning Committee	Amended to Emergency	Pass
11/5/2018	1	Zoning Committee	Approved	Pass

Council Variance Application: CV18-072

APPLICANT: WTOL, LLC; c/o Dave Perry, Agent; Dave Perry Company, Inc.; 411 East Town Street, First Floor; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

PROPOSED USE: Self-storage facility.

FAR SOUTH COLUMBUS COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a 92,000 square foot commercial building containing an indoor self-storage facility in the C-4, Commercial District as permitted by Ordinance #0439-2014 (#CV13-040). Several conditions pertaining to the outdoor storage of vehicles and a commitment to a site plan are contained within Ordinance #0439-2014. This revised request removes the outdoor storage component and commitment to a site plan, while maintaining the self-storage facility use and variances to reduce existing parking and ground sign setbacks. The request will not add new or incompatible uses to the area, and removal of the conditions and site plan commitment contained within Ordinance #0439-2014 is supported because outdoor storage is no longer proposed.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27, Parking setback line; 3372.804, Setback requirements; and 3377.05, Tables of elements for on-premises ground signs, of the Columbus City Codes; for the property located at **3469 SOUTH HIGH STREET (43207)**, to permit a self-storage facility with reduced

development standards in the C-4, Commercial District, and to repeal Ordinance #0439-2014, passed July 28, 2014 (Council Variance #CV18-072) **and to declare an emergency.**

WHEREAS, by application #CV18-072, the owner of the property at **3469 SOUTH HIGH STREET (43207)**, is requesting a Variance to permit a self-storage facility with reduced development standards in the C-4, Commercial District; and

WHEREAS, Ordinance #0439-2014 (CV13-040), passed July 28, 2014, permitted an indoor self-storage facility and outdoor vehicle storage with conditions and a commitment to a site plan, while the applicant desires to eliminate the outdoor vehicle storage component, the related conditions, and the commitment to a site plan; and

WHEREAS, Section 3356.03, C-4 permitted uses, does not permit a self-storage facility, while the applicant proposes 50,000 square feet of the building, totaling 100,000 square feet on two levels, to be used as a self-storage facility; and

WHEREAS, Section 3312.27, Parking setback line, requires a 25 foot parking setback along Williams Road, while the applicant proposes to maintain a 10 foot parking setback along Williams Road and to permit part of the existing South High Street parking setback to be 0-10 feet due to the South High Street right of way dedication in accordance with the Columbus Thoroughfare Plan; and

WHEREAS, Section 3372.804, Setback Requirements, requires a minimum 10 foot parking setback, while the applicant proposes a 0-10 foot parking setback due to the South High Street right of way dedication in accordance with the Columbus Thoroughfare Plan; and

WHEREAS, Section 3377.05, Tables of elements for on-premises ground signs, requires a minimum of a 15 foot setback from the right-of-way line, while the applicant proposes the existing South High Street ground sign to remain located at a 9 foot setback after right of way dedication in accordance with the Columbus Thoroughfare Plan; and

WHEREAS, the Far South Columbus Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed Council variance will permit the applicant to maintain an existing self-storage facility with the removal of conditions and a commitment to a site plan that are no longer applicable. The request will not add new or incompatible uses to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and 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 **3469 SOUTH HIGH STREET (43207)**, in using said property as desired;

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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 3356.03, C-4 permitted uses; 3312.27, Parking setback line; 3372.804, Setback requirements; and 3377.05, Tables of elements for on-premises ground signs, of the Columbus City Codes; for the property located at **3469 SOUTH HIGH STREET (43207)**, insofar as said sections prohibit self-storage facilities in the C-4, Commercial District; with reduced parking setbacks along Williams Road from 25 feet to 10 feet and along South High Street from 10 feet to 0-10 feet; and reduced setback for a ground sign from 15 feet to 9 feet along South High Street, said property being more particularly described as follows:

3469 SOUTH HIGH STREET (43207), being 7.70± acres located on the west side of North High Street, 280± feet south of West Williams Road, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BEING PART OF SECTION 16, TOWNSHIP 4, RANGE 22, UNITED STATES MILITARY LANDS AND BEING 7.697 ACRES OF LAND, AND BEING THE REMAINDER OF AN ORIGINAL 8.505 ACRES TRACT OF LAND BELONGING TO COOKE ROAD DEVELOPMENT CORP., OF RECORD IN OFFICIAL RECORD 25573 B12 AT THE FRANKLIN COUNTY RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, AND SAID 7.697 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN (FOUND), CAPPED J. AND J. SURVEY, SAID IRON PIN BEING LOCATED AT THE SOUTHERLY RIGHT OF WAY LINE OF WILLIAMS ROAD (60 FEET WIDE), SAID IRON PIN ALSO BEING LOCATED AT THE MOST NORTHWESTERLY PROPERTY CORNER OF A 1.924 ACRE TRACT OF LAND BELONGING TO DAVID ESTATES LTD., SAID IRON PIN ALSO BEING LOCATED AT THE TRUE POINT OF BEGINNING.

THENCE FROM SAID TRUE POINT OF BEGINNING ALONG THE MOST WESTERLY PROPERTY LINE OF SAID 1.924 ACRE TRACT, S 04 DEG. 14' 16" W, A DISTANCE OF 300.43 FEET TO AN IRON PIN (FOUND) CAPPED J. J. SURVEY;

THENCE ALONG THE MOST SOUTHERLY PROPERTY LINE OF SAID 1.924 ACRE TRACT, S 85 DEG. 59' 31" E, A DISTANCE OF 249.79 FEET TO AN IRON PIN (FOUND), CAPPED J. AND J. SURVEY, SAID IRON PIN BEING LOCATED AT THE WESTERLY RIGHT OF WAY LINE OF HIGH STREET (VARIABLE WIDTH);

THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF SAID HIGH STREET, S 19 DEG. 39' 25" W, A DISTANCE OF 201.51 FEET TO AN IRON PIN (FOUND);

THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, S 19 DEG. 51' 00" W, A DISTANCE OF 153.75 FEET TO AN IRON PIN (SET), SAID IRON PIN BEING LOCATED AT THE MOST NORTHEASTERLY PROPERTY CORNER OF A 0.617 ACRE TRACT OF LAND BELONGING TO DAVID V. AND CAROL S. MANNING;

THENCE ALONG THE NORTHERLY PROPERTY LINE OF SAID 0.617 ACRE TRACT, AND ALSO ALONG A NORTHERLY PROPERTY LINE OF A 2.6923 ACRE TRACT BELONGING TO GREAT SOUTHERN OWNER LLC AND ALSO ALONG A NORTHERLY PROPERTY LINE OF A 15.0422 ACRE TRACT BELONGING TO GREAT SOUTHERN OWNER LLC, N 86 DEG. 40' 35" W, A DISTANCE OF 569.98 FEET TO AN IRON PIN (FOUND);

THENCE ALONG THE EASTERLY PROPERTY LINE OF A 8.991 ACRE TRACT OF LAND BELONGING TO THE CITY OF COLUMBUS, N 04 DEG. 19' 34" E, A DISTANCE OF 641.97 FEET TO A MAG NAIL (SET IN CONCRETE SLAB) SAID NAIL BEING LOCATED AT THE SAID SOUTHERLY RIGHT OF WAY LINE OF WILLIAMS ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S 85 DEG. 36' 54" E, A DISTANCE OF 414.15 FEET TO THE TRUE POINT OF BEGINNING, AND CONTAINING 7.697 ACRES OF LAND MORE OR LESS.

BASIS OF BEARING USED IN THIS DESCRIPTION THE WESTERLY PROPERTY LINE OF A 8.505 ACRE TRACT BEING, N 04 DEG. 19' 34" E, OF RECORD IN OFFICIAL RECORD 25573 B12.

Known as Address: 3469 South High Street; Columbus, OH 43207
Parcel Numbers: 010-180058

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an indoor self-storage facility occupying 50,000 square feet of the existing building (100,000 square feet on two levels), or those uses permitted in the C-4, Commercial District.

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

SECTION 5. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same

SECTION 6. That Ordinance #0439-2014, passed July 28, 2014, be and is hereby repealed.