



Legislation Details (With Text)

File #: 1688-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/7/2022 **In control:** Zoning Committee

On agenda: 7/25/2022 **Final action:** 7/27/2022

Title: To grant a Variance from the provisions of Sections 3363.01, M- manufacturing districts; 3309.14, Height districts; 3312.11, Drive-up stacking area; 3312.21, Landscaping and screening; 3312.27, Parking setback line; 3312.49(B), Minimum numbers of parking spaces required; 3312.51, Loading space; 3356.05(E)(2), C-4 district development limitations; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City Codes; for the property located at 1445 OLENTANGY RIVER RD. (43212) to permit an extended stay hotel with reduced development standards in the M, Manufacturing District (Council Variance #CV21-153).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1688-2022.Attachments, 2. ORD1688-2022.Labels

Date	Ver.	Action By	Action	Result
7/27/2022	1	CITY CLERK	Attest	
7/26/2022	1	ACTING MAYOR	Signed	
7/25/2022	1	COUNCIL PRESIDENT	Signed	
7/25/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
7/25/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/25/2022	1	Zoning Committee	Approved	Pass
7/18/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV21-153

APPLICANT: Campus Hotel LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus OH 43215.

PROPOSED USE: Hotel and extended stay hotel.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel in the M, Manufacturing District that is developed with two hotels, one fronting on King Avenue, and one fronting on Olentangy River Road. The requested variance will allow the King Avenue hotel to be redeveloped with a 117-room extended stay hotel which is a prohibited use of the M district. The 55-room hotel that fronts on Olentangy River Road will remain, and an existing 300 square foot drive-thru window connected to the hotel which is used for checking in/out, will be repurposed to include guest food service. Variances are included to increase building height, eliminate a bypass lane and stacking for the drive-thru, reduce the landscaping and screening requirements, reduce the parking setback line on King Avenue from 10 feet to 0 feet, reduce the minimum number of parking spaces from 176 required to 97 provided, permit the loading space to be located in a drive aisle, and reduce the building setback along King Avenue. The site is within the planning boundaries of

the 5th by Northwest Area Plan (2009), which recommends “Community Commercial” land uses at this location. The “Community Commercial” land use designation includes multi-story mixed use projects including office/retail and multi-unit residential development, which is consistent with the proposed extended stay hotels. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*, which recommends that buildings be parallel to and facing the street, landscaping and street trees be provided, high quality and durable materials be utilized, and any drive-thru pickup windows be located to the rear or side of the building. Additionally, the Plan states that parking be located behind or to the side of the building, that bicycle parking be provided, and that parking variances can be considered based on access to public transit, pedestrian connectivity, and the provision of bicycle parking. The proposal is consistent with the land use and design recommendations of the Plan and C2P2 guidelines, does not add a new or intrusive use to the neighborhood, and is compatible with the recent development pattern in the area. Staff notes that the existing parcel (010-025750) has a parking easement across adjacent parcels (010-0277748 and 010-040233) which allows 51 shared parking spaces, further justifying the requested parking variance.

To grant a Variance from the provisions of Sections 3363.01, M- manufacturing districts; 3309.14, Height districts; 3312.11, Drive-up stacking area; 3312.21, Landscaping and screening; 3312.27, Parking setback line; 3312.49(B), Minimum numbers of parking spaces required; 3312.51, Loading space; 3356.05(E)(2), C-4 district development limitations; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City Codes; for the property located at **1445 OLENTANGY RIVER RD. (43212)** to permit an extended stay hotel with reduced development standards in the M, Manufacturing District (Council Variance #CV21-153).

WHEREAS, by application #CV21-153, the owner of property at **1445 OLENTANGY RIVER RD. (43212)**, is requesting a Council variance to permit an extended state hotel with reduced development standards in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M- manufacturing districts, prohibits extended stay hotels, while the applicant proposes to redevelop the site with an 117-room extended stay hotel, while retaining a 55-room hotel with 300 square feet of accessory drive-thru space; and

WHEREAS, Section 3309.14, Height districts, requires that within a 60 foot height district, no building or structure shall be erected to a height in excess of 60 feet, while the applicant proposes an extended stay hotel that fronts King Avenue with a height of 66 feet; and

WHEREAS, Section 3312.11, Drive-up stacking area, requires stacking spaces for the drive-thru with a by-pass lane, while the applicant proposes to eliminate the stacking and by-pass lane for the drive-thru connected to the hotel on Olentangy River Road; and

WHEREAS, Section 3312.21, Landscaping and screening, requires the interior of any parking lot containing 10 or more parking spaces to provide one deciduous shade tree per 10 spaces, or 6 trees for a parking lot containing 55 spaces; that interior parking lot trees shall be planted in landscaped islands or peninsulas containing a minimum soil area of 145 square feet per tree; and that headlight screening be provided along public streets within a landscaped area at least 4 feet in width, while the applicant proposes the following for the extended-stay hotel site: to provide 2 trees instead of 6 in the parking lot; to eliminate the minimum soil area and radius of soil area per tree; and to eliminate the headlight screening along King Avenue; and

WHEREAS, Section 3312.27, Parking setback line, requires the parking setback line to be 10 feet from King Avenue, while the applicant proposes to maintain a zero foot parking setback; and

WHEREAS, Section 3312.49(B), Minimum numbers of parking spaces required, requires 1 parking space per guest room and 1 parking space per 175 square feet of eating and drinking establishment space with a pickup unit and seating, or a total of 44 spaces for a 55-room hotel and 300 square feet of eating and drinking establishment space, including Community Commercial Overlay reductions as allowed in Section 3372.609(B), while the applicant proposes 43 parking

spaces; and

WHEREAS, Section 3312.51, Loading space, requires loading spaces to be located on the same lot as the intended use they are to serve and that they shall have a clearance height of not less than fifteen (15) feet, a width of twelve (12) feet, and a length of fifty (50) feet, whereas the applicant proposes loading space areas to be in a drive aisle; and

WHEREAS, Section 3356.05(E)(2), C-4 district development limitations, requires extended stay hotels to be subject to the parking requirements for a multi-unit residential use, or 1.5 parking spaces per unit, or a total of 176 spaces for 117-room extended stay hotel, while the approval proposes to provide 55 parking spaces; and

WHEREAS, Section 3363.24, Building lines in an M-manufacturing district, requires a building setback of 40 feet from King Avenue, while the applicant proposes a 36 foot setback; and

WHEREAS, the Fifth by Northwest Area Commission recommends disapproval; and

WHEREAS, City Departments recommend approval because the requested variances allow a hotel and extended stay hotel that are consistent with the land use and design recommendations of the *5th by Northwest Area Plan* and the *Columbus Citywide Planning Policies (C2P2) Design Guidelines*, does not add new or intrusive uses to the neighborhood, and are compatible with the recent development pattern in the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **1445 OLENTANGY RIVER RD. (43212)**, 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 3363.01, M- manufacturing districts; 3309.14, Height districts; 3312.11, Drive-up stacking area; 3312.21, Landscaping and screening; 3312.27, Parking setback line; 3312.49 (B), Minimum numbers of parking spaces required; 3312.51, Loading space; 3356.05(E)(2), C-4 district development limitations; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City Codes, is hereby granted for the property located at **1445 OLENTANGY RIVER RD. (43212)**, insofar as said sections prohibit extended stay hotels in the M, Manufacturing district, with an increased building height from 60 feet to 66 feet; no stacking or by-pass lane for the accessory drive-thru for the existing hotel on Olentangy River Road; a reduction in the required parking lot trees from 6 to 2, no minimum soil area or radius of soil area per tree, and no headlight screening for the King Avenue extended stay hotel; a reduction in the parking setback line from 10 feet to 0 feet from King Avenue; a reduction in required parking spaces for the Olentangy River Road hotel from 44 required to 43 provided spaces; loading space areas to be located in the drive aisle; a reduction in required parking spaces for the extended stay hotel from 176 required to 55 provided spaces; and a reduction in the building setback along King Avenue from 40 feet to 36 feet; said property being more particularly described as follows:

1445 OLENTANGY RIVER RD. (43212), being 2.1± acres located on the west side of Olentangy River Road, 475± feet south of King Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 18

of the United States Military Lands, being part of Lot 4 of the Plat of the Franklin County Infirmary Farm of record in Plat Book 3, Page 4, also being part of Lots 18 and 19 of the Subdivision of Lots No's 3 and 7 of the Old Franklin County Infirmary Lots of record in Plat Book 3, Page 175, and also being all of a tract of land conveyed to Campus Hotel, LLC; all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows;

COMMENCING at the intersection of the southerly right-of-way line of King Avenue and the westerly right-of-way line of Olentangy River Road, also being the northeasterly corner of a 0.400 acre tract conveyed to Tim Donut U.S. Limited, Inc.;

Thence along said southerly right-of-way line, and along the northerly line of said 0.400 acre tract, North 86°49'25" West, 174.98 feet;

Thence continuing along said southerly right-of-way line, and along the westerly line of said 0.400 acre tract, South 01°36'33" East, 10.04 feet to the POINT OF BEGINNING;

Thence continuing along the westerly line of said 0.400 acre tract, South 01°36'33" East, 89.96 feet to the southwest corner of said 0.400-acre tract, and also being the northwesterly corner of a 0.6706 acre tract conveyed to Thomas 22, Limited;

Thence along the westerly line of said 0.6706-acre tract, South 01°32'52" East, 194.60 feet to the northerly line of a 0.278 acre tract conveyed to G4 Olentangy, LLC;

Thence along said northerly line, North 86°53'35" West, 121.72 feet to the northwest corner of said 0.278 acre tract;

Thence along the westerly line of said 0.278-acre tract, and along the westerly line of a 0.530-acre tract also conveyed to G4 Olentangy, LLC, South 11°29'33" East, 165.14 feet to the southwest corner of said 0.530-acre tract;

Thence along the southerly line of said 0.530-acre tract, South 86°53'35" East, 268.86 feet to the westerly right-of-way line of said Olentangy River Road and the southeasterly corner of said 0.530-acre tract;

Thence along said westerly right-of-way line, South 01°39'40" East, 126.10 feet to the northeasterly corner of a 2.011-acre tract conveyed to Black Sapphire C Columbus University 2014 Inc.;

Thence along the northerly line of said 2.011-acre tract, North 87°30'58" West, 289.12 feet to the easterly line of a tract conveyed to The Chesapeake and Ohio Railway Company;

Thence along said easterly line for the following four (4) courses;

- 1) North 02°47'43" West, 111.88 feet;
- 2) North 11°29'33" West, 126.36 feet;
- 3) South 86°28'33" East, 2.07 feet;
- 4) North 11°29'33" West, 350.22 feet to the southerly right-of-way line of said King Avenue;

Thence along said southerly right-of-way line, South 86°49'25" East, 196.24 feet to THE POINT OF BEGINNING, containing an area of 2.055 acres, more or less.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 117 room extended stay hotel, 55 room hotel, and 300 square feet of eating and drinking space, or those uses permitted in the M, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "ZONING SITE PLAN," dated June 13, 2022 and elevations titled, "EXTERIOR ELEVATIONS, HOME2 SUITES," dated May 4, 2022, both signed by Jeffrey L. Brown, Attorney for the Applicant. The plans 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 plans 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 Certificates 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.