



## Legislation Text

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**File #:** 1745-2017, **Version:** 1

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### **Council Variance Application: CV17-039**

**APPLICANT:** Belle Isle Investment Co. LP; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

**PROPOSED USE:** General office and/or federal immigration enforcement processing station uses.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is comprised of two parcels developed with an office/industrial building, and is zoned in the M, and M-1, Manufacturing Districts. The requested Council variance will allow general office use and a U.S. Immigrations and Customs Enforcement (ICE) Processing Station to replace industrial uses in the portion of the building in the M-1 district. The M-1 district only permits office uses in conjunction with industrial uses, and does not permit the proposed immigration enforcement processing center. Variances to maneuvering, parking space size, and minimum number of parking spaces are included in the request because the original building was constructed across two parcels which cannot be combined as they are in different taxing districts. However, the required parking and maneuvering are provided between the two parcels. The site is located within the *Northland I Area Plan* (2014), which recommends "Employment Center" uses (including office and light industrial uses) at this location.

To grant a Variance from the provisions of Sections 3365.01, M-1, Manufacturing District; 3312.25, Maneuvering; 3312.29, Parking space; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **6480 DOUBLETREE AVENUE (43229)**, to allow general office uses and a federal Immigration and Customs Enforcement processing station with reduced parking standards in the M-1, Manufacturing District (Council Variance # CV17-039).

**WHEREAS**, by application # CV17-039, the owner of property at **6480 DOUBLETREE AVENUE (43229)**, is requesting a Variance to allow general office uses and a federal Immigration and Customs Enforcement processing station with reduced parking standards in the M-1, Manufacturing District; and

**WHEREAS**, the U.S. Immigrations and Customs Enforcement (ICE) is the primary investigative arm of the United States Department of Homeland Security (DHS), and is responsible for identifying, investigating, and dismantling vulnerabilities regarding the nation's border, economic, transportation, and infrastructure security. If the ICE elects to lease all or part of the subject site, the facility will accommodate approximately 60 ICE professionals, who will be primarily involved in administrative, investigative and clerical tasks; and

**WHEREAS**, the processing station is akin to an office use in that it does not require after-hours occupation of the facility. This facility will process individuals held for verification of legal status, and individuals taken to the facility will either be released or transported to long-term holding facilities; and

**WHEREAS**, Section 3365.01, M-1, Manufacturing District, prohibits stand-alone general office and immigration enforcement processing station uses, while the applicant proposes said uses within the portion of an existing building that is zoned in the M-1, District; and

**WHEREAS**, Section 3312.25, Maneuvering, requires sufficient maneuvering area on the lot for the parking spaces for which it serves, while the applicant proposes to maintain the existing condition of maneuvering across a parcel line,

subject to applicable the total code required maneuvering area being provided; and

**WHEREAS**, 3312.29, Parking space, parking spaces to be no less than 9 feet wide by 18 feet deep, while the applicant proposes to maintain parking spaces that are divided by an existing parcel line, subject to the overall parking space meeting the required dimensions; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires code-required parking to be calculated based on use, while the applicant proposes to maintain the parking lot being divided by a tax district parcel line, subject to applicable total minimum numbers of parking spaces required being provided for each use within the development; and

**WHEREAS**, City Departments recommend approval because the requested variance will not introduce incompatible uses to the area. The *Northland I Area Plan* recommends “Employment Center” uses (including office and light industrial uses) for this location. The proposed uses are compatible with the adjacent office/industrial developments; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **6480 DOUBLETREE AVENUE (43229)**, in using said property as desired and; 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 3365.01, M-1, Manufacturing District; 3312.25, Maneuvering; 3312.29, Parking space; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at **6480 DOUBLETREE AVENUE (43229)**, insofar as said sections prohibit general office uses and a federal Immigration and Customs Enforcement processing station in the M-1, Manufacturing District, with a tax district parcel line crossing through aisles, maneuvering areas, and parking spaces, subject to applicable code-required minimum parking space size, maneuvering area, and number of parking spaces being provided for the development as a whole; said property being more particularly described as follows:

**6480 DOUBLETREE AVENUE (43229)**, being 2.06± acres located on the east side of Doubletree Avenue, across from the intersection with Crupper Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Range 18, Township 2, Quarter Section 4, United States Military Lands, and being a 2.058 acre tract as described in deed to Belle Isle Investment Company (Official Record Volume 32720 I11) and being more fully described as follows:

Beginning at a point at the Intersection of the easterly right of way line of Doubletree Avenue with the southerly right of way of Crupper Avenue;

Thence North 02°45'03" East a distance of 135.31 feet along the easterly right of way of said Doubletree Avenue to an existing iron pin at the southeast corner of Columbus Hotel Joint Venture (Deed Book 3758, Page 697);

Thence South 87°50'41" East a distance of 319.99 feet along the southerly line of said Columbus Hotel to an existing iron

pin;

Thence South 02°50'13" West a distance of 135.02 feet, along a westerly line of said Columbus Hotel to an existing iron pin;

Thence South 87°54'50" East a distance of 186.23 feet along a southerly line of said Columbus Hotel to an existing iron pin;

Thence South 16°50'03" West a distance of 97.11 feet along the westerly right of way of Interstate Route 71;

Thence North 87°54'44" West a distance of 482.37 feet along the northerly lines of Robert C. and Nellie A. Zumstein (Deed Book 2100, Page 246) and Robert C. Zumstein (Deed Book 1430, Page 3) to an existing iron pin;

Thence North 02°45'03" East a distance of 94.00 feet to the Point of Beginning containing 2.058 acres more or less according to an actual field survey of the premises in July of 1996.

Addressed as 6480 Doubletree Avenue, Columbus, OH 43229.

Known as Franklin County Auditor Parcel Numbers 610-132745 & 010-182940.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for general office uses and/or a federal Immigration and Customs Enforcement processing station, or those uses permitted in the M, Manufacturing or M-1, Manufacturing districts.

**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 4.** That this ordinance is further conditioned upon the following: If the ICE occupies all or part of the subject site as an immigration enforcement processing station, any individuals taken to the facility will either be released or transported to long-term holding facilities. No overnight detention of individuals will occur on site.

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