



## Legislation Details (With Text)

**File #:** 0439-2014      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 2/13/2014      **In control:** Zoning Committee

**On agenda:** 7/28/2014      **Final action:** 7/30/2014

**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-premise Ground Signs, of the Columbus City Codes; for the property located at 3469 S. HIGH STREET (43207), to allow a self-storage facility and vehicle parking and storage with reduced development standards and to conform a reduced sign setback in the C-4, Commercial District (Council Variance # CV13-040). (REPEALED BY ORD. 2935-2018; PASSED 11/5/2018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#0439-2014 Attachments Amendment, 2. ORD#0439-2014.Attachments, 3. Notice Of Public Hearing - Council Mtg20140310, 4. Notice Of Public Hearing - Council Mtg20140728

| Date      | Ver. | Action By             | Action                            | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 7/30/2014 | 2    | CITY CLERK            | Attest                            |        |
| 7/29/2014 | 2    | MAYOR                 | Signed                            |        |
| 7/28/2014 | 2    | COUNCIL PRESIDENT     | Signed                            |        |
| 7/28/2014 | 1    | Zoning Committee      | Taken from the Table              | Pass   |
| 7/28/2014 | 1    | Zoning Committee      | Amended as submitted to the Clerk | Pass   |
| 7/28/2014 | 1    | Zoning Committee      | Approved as Amended               | Pass   |
| 3/10/2014 | 1    | Zoning Committee      | Tabled Indefinitely               | Pass   |
| 3/3/2014  | 1    | Columbus City Council | Read for the First Time           |        |

**Council Variance Application: CV13-040**

**APPLICANT:** WTOL, LLC; c/o Donald Plank, Atty; Plank Law Firm, LPA; 145 E. Rich Street, 3<sup>rd</sup> Floor; Columbus, OH 43215.

**PROPOSED USE:** Self-storage and vehicle parking and storage.

**FAR SOUTH COLUMBUS AREA COMMISSION:** Disapproval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned C-4, Commercial District, and is developed with a partially vacant retail center. The requested Council Variance will allow 70,350 square feet of the existing structure to be used for self-storage and the existing north parking lot for vehicle storage. The site is located within the planning area of *Scioto Southland Plan* (2007), which recommends mixed-use regional commercial development for this location. Although the proposal is not consistent with land use recommendations of *Scioto Southland Plan*, it should be noted that the site will still incorporate retail development in the remaining 24,150 square feet along South High Street. With the proposed site design and incorporation of parking lot screening, Staff is confident that the proposal will integrate well with the area. Furthermore, the requested variance will put a largely vacant tract and

structure back into productive use. This ordinance also provides a variance to the minimum setback of an existing sign from fifteen (15) feet to nine (9) feet that is rendered non-conforming due to right of way dedication. Due to these factors, and the ease of conversion back to retail use if market conditions allow, Staff supports the requested variances and deviation from the Plan's land use recommendations.

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-premise Ground Signs, of the Columbus City Codes; for the property located at **3469 S. HIGH STREET (43207)**, to allow a self-storage facility and vehicle parking and storage with reduced development standards and to conform a reduced sign setback in the C-4, Commercial District (Council Variance # CV13-040). **(REPEALED BY ORD. 2935-2018; PASSED 11/5/2018)**

**WHEREAS**, by application No. CV13-040, the owner of property at **3469 S. HIGH STREET (43207)**, is requesting a Council variance to allow a self-storage facility and vehicle parking and storage with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 Permitted Uses, does not permit storage as a principal use, while the applicant proposes a self-storage facility and vehicle parking and storage within an existing, partially vacant retail center as shown on the site plan; and

**WHEREAS**, Section 3312.27, Parking Setback Line, requires a twenty-five (25) foot parking setback along Williams Road, while the applicant proposes a ten (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 as shown on the site plan; and

**WHEREAS**, Section 3372.804, Setback Requirements, requires a minimum of a ten (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 as shown on the site plan; and

**WHEREAS**, Section 3377.05, Tables of Elements for On-premise Ground Signs, requires a minimum of a fifteen (15) foot setback, while the applicant proposes the existing South High Street ground sign to remain located at a nine (9) foot setback after right of way dedication in accordance with the Columbus Thoroughfare Plan totaling sixty (60) feet from centerline as shown on the site plan; and

**WHEREAS**, The Far South Columbus Area Commission recommends disapproval; and

**WHEREAS**, City Departments recommend approval because the requested Council variance will put a largely vacant tract and structure back into productive use. Although the proposal is not consistent with land use recommendations of *Scioto Southland Plan*, it should be noted that the site will still incorporate retail development in the remaining portion of the building along South High Street. With the proposed site design and incorporation of parking lot landscaping, Staff is confident that the proposal will integrate well with the area. Due to these factors, Staff supports the requested variance and deviation from the Plan's land use recommendations; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variances will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variances 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 variances will alleviate the difficulties encountered by the owners of the property located at **3469 S. HIGH STREET (43207)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That variances 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-premise Ground Signs, of the Columbus City Codes; is hereby granted for the property located at **3469 S. HIGH STREET (43207)**, insofar as said section prohibits a self-storage facility and vehicle parking and storage in the C-4, Commercial District; said property being more particularly described as follows:

**3469 S. HIGH STREET (43207)**, being 7.70± acres located on the west side of S. High Street, 350± feet south of West Williams Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, 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.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a self-storage facility.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**SITE PLAN**," drawn by DCH Architects, LLC, dated ~~February 6~~ **June 20**, 2014, and signed by Donald Plank, Attorney for the Applicant. The plan 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 adjustments to the plan 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 upon the following:

- a) There shall be no barb wire, razor wire or similar material at the premises.
- b) As part of applicant's exterior surveillance system, applicant shall install a minimum of ~~two (2)~~ **three (3)** cameras directed at Heer Park, to the west, subject to permission of the Columbus Recreation and Parks Department.
- c) The fence along Williams Road (north property line) shall consist of brick columns (6'+/-) with wrought iron fence (aluminum permitted), 6 feet tall, between the brick columns.
- d) Other site fencing may be chain link, up to a maximum of eight (8) feet tall.
- e) The eight (8) foot chain link fence along the west property line shall have a black plastic or vinyl coating on the chain link fence.
- f) Within the outside vehicle storage area, the only vehicles permitted to be stored within the north 100 feet of the storage area shall be passenger cars, SUV's, vans and light trucks (1 ton manufacturers rating or less). All boats, RV's and other vehicles shall be stored south of the 100 foot setback line.
- g) The lighting from onsite parking lot will be directed to the park.
- h) The property owner is presently permitted to park in the parking lot located in Heer Park, to the west, by terms of the land conveyance from James Casto to the City of Columbus. For as long as the property is used for the uses permitted by this ordinance, applicant waives the use of parking in Heer Park and shall release such right by public record recorded with the Franklin County Recorder.

**SECTION 4 5.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.