



Legislation Details (With Text)

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File created: 6/18/2018 **In control:** Zoning Committee

On agenda: 7/16/2018 **Final action:** 7/18/2018

Title: To grant a Variance from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.27, Parking setback line; and 3312.53, Minimum number of loading spaces required, of the Columbus City Codes; for the property located at 4900 SINCLAIR ROAD (43229), to permit reduced development standards in the L-M, Limited Manufacturing District (Council Variance # CV17-085).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1784-2018_Attachments, 2. ORD1784-2018_Labels

Date	Ver.	Action By	Action	Result
7/18/2018	1	CITY CLERK	Attest	
7/17/2018	1	MAYOR	Signed	
7/16/2018	1	COUNCIL PRESIDENT	Signed	
7/16/2018	1	Zoning Committee	Approved	Pass
7/9/2018	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV17-085

APPLICANT: U-Haul Company of Ohio, Inc.; 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: Limited commercial and manufacturing uses.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance # 1783-2018; Z17-059) to the L-M, Limited Manufacturing District to redevelop a vacant hotel with limited commercial and less-objectionable manufacturing uses. The applicant is requesting variances to interior landscaping, parking setback line and minimum number of loading spaces required. These reduced development standards reflect existing conditions of the site and are therefore supportable by Staff.

To grant a Variance from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.27, Parking setback line; and 3312.53, Minimum number of loading spaces required, of the Columbus City Codes; for the property located at **4900 SINCLAIR ROAD (43229)**, to permit reduced development standards in the L-M, Limited Manufacturing District (Council Variance # CV17-085).

WHEREAS, by application # CV17-085, the owner of property at **4900 SINCLAIR ROAD (43229)**, is requesting a Council variance to permit reduced development standards concurrent with a rezoning request to the L-M, Limited

Manufacturing District; and

WHEREAS, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing ten or more parking spaces to provide one shade tree per ten spaces, while the applicant is improving an existing parking lot requiring 29 shade trees and providing only 8 shade trees, as shown on the site plan; and

WHEREAS, Section 3312.27, Parking setback line, requires a twenty-five foot parking setback line in the M, Manufacturing District, while the applicant proposes a reduced parking setback line of five (5) feet for the western 365 feet of Freeway Drive South and zero (0) feet for the eastern 350 feet of Freeway Drive South; and

WHEREAS, Section 3312.53, Minimum number of loading spaces required, requires a minimum of 3 loading spaces, while the applicant proposes 1 loading space; and

WHEREAS, the City Departments recommend approval because the requested variances will allow the applicant to conform existing conditions on site; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a 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 **4900 SINCLAIR ROAD (43229)**, 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 3312.21(A), Landscaping and screening; 3312.27, Parking setback line; 3312.53, Minimum number of loading spaces required, of the Columbus City Codes, is hereby granted for the property located at **4900 SINCLAIR ROAD (43229)**, insofar as said sections prohibit a reduced parking setback line from 25 feet to five (5) feet along the western 365 feet of Freeway Drive South and zero (0) feet along the eastern 350 feet along Freeway Drive South; with reduced parking lot shade trees from 29 to 8; and a reduced minimum number of loading spaces required from 3 to 1; said property being more particularly described as follows:

4900 SINCLAIR ROAD (43229), being 6.87± acres located at the southeast corner of Sinclair Road and Freeway Drive South, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Quarter Township 4, Township 2, Range 18, United States Military Lands, and being a part of Lot 2 of Blackmore Subdivision shown of record in Plat Book 40, Page 29, Recorder's office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the southerly line of Freeway Drive South (60 feet wide) as dedicated in Plat Book 40, Page 66, with the easterly line of Sinclair Road as dedicated in Plat Book 40, Page 29, said point begin at the northwesterly corner of said Lot 2;

Thence, South 86 ° 04' 00" East, along the southerly line of said Freeway Drive south, and along the northerly line of said Lot 2, a distance of 365.17 feet to an iron pin at the angle point in said line;

Thence, South 49 ° 24' 32" East, continuing along the southerly line of said Freeway Drive South, and along the northerly

line of said Lot 2, a distance of 349.82 feet to an iron pin on the westerly Limited Access Right-of-way line of Interstate #71, at the northeasterly corner of said Lot 2;

Thence, South 40 ° 35' 28" West , along the westerly Limited Access Right-of-way line of said Interstate #71, and along the easterly line of said Lot 2, a distance of 189.00 feet to an iron pin at an angle point of said line;

Thence, South 33 ° 17' 00" West, continuing along the westerly Limited Access Right-of-way line of said Interstate #71 , and along the easterly line of said Lot 2, a distance of 182.16 feet to an iron pin at the northeasterly corner of a 1.027 acre tract conveyed to the City of Columbus shown on record in Deed Book 3707, Page 715, and known as Morse Road Loop Ramp Limited Access Right-of-way;

Thence, South 57 ° 28' 40" West, across said Lot 2, and along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way Line of said Morse Road Loop Ramp, a distance of 87.47 feet to an iron pin at an angle point in said line;

Thence, South 80 ° 43' 32" West, continuing across Lot 2, and along the northerly line of said 1.027 acre tract ,and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a distance of 85.60 feet to an iron point at an angle point in said line;

Thence, North 86 ° 04' 00" West, continuing across said Lot 2, along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a distance of 255.00 feet to an iron pin at an angle point in said line;

Thence, North 24 ° 22' 03" West, continuing across Lot 2, along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a distance of 73.82 feet to an iron pin on the easterly line of said Sinclair Road, and on the westerly line of said Lot 2, said point being at the northwesterly corner of said 1.027 acre tract;

Thence North 03 ° 56' 00" East, along the easterly line of said Sinclair Road, and along the westerly line of said Lot 2, a distance of 525.78 feet to a place of beginning, containing 6.865 acres, more or less.

Parcel Number: 010-182523

Property Address: 4900 Sinclair Road, Columbus, OH 43229

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-M, Limited Manufacturing District, specified by Ordinance No. 1783-2018; Z17-059.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE PLAN**" dated June 1, 2018, and signed by David B. Perry, Agent for the Applicant and 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 subject to review and approval 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 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.