



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/4/2020 **In control:** Zoning Committee

On agenda: 10/5/2020 **Final action:** 10/8/2020

Title: To grant a Variance from the provisions of Sections 3363.24, Building lines in an M-Manufacturing district; and 3363.41, Storage, of the Columbus City Codes for property located at 6395 ABBIE TRAILS DR. (43110), to permit reduced development standards for a self-storage facility in the L-M, Limited Manufacturing District (Council Variance #CV20-060) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#2043-2020_Attachments, 2. ORD#2043-2020_Labels

Date	Ver.	Action By	Action	Result
10/8/2020	2	CITY CLERK	Attest	
10/7/2020	2	MAYOR	Signed	
10/5/2020	2	COUNCIL PRESIDENT	Signed	
10/5/2020	1	Zoning Committee	Amended to Emergency	Pass
10/5/2020	1	Zoning Committee	Approved as Amended	Pass

APPLICANT: 1901 Western Avenue LLC; c/o Jeffrey L. Brown, Atty.; 37 W. Broad St., Suite 460; Columbus, OH 43215.

PROPOSED USE: Self-storage facility.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the L-M, Limited Manufacturing District (Ordinance #2042-2020; Z20-044) to permit a self-storage facility with outdoor storage and related accessory uses. Variances to reduce building setbacks and open storage distance separation requirements from the adjacent residential districts are included in this request. Staff finds the requested variances to be supportable because the site is being designed in a manner that mitigates its impact on nearby residential uses, and contains design elements that are compatible with *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*.

To grant a Variance from the provisions of Sections 3363.24, Building lines in an M-Manufacturing district; and 3363.41, Storage, of the Columbus City Codes for property located at **6395 ABBIE TRAILS DR. (43110)**, to permit reduced development standards for a self-storage facility in the L-M, Limited Manufacturing District (Council Variance #CV20-060) **and to declare an emergency**.

WHEREAS, by application #CV20-060, the owner of property at **6395 ABBIE TRAILS DR. (43110)**, is requesting a

Council variance to permit reduced development standards for a self-storage facility in the L-M, Limited Manufacturing District; and

WHEREAS, Section 3363.24, Building lines in an M-Manufacturing district, requires a building line of 80 feet, while the applicant proposes a 65 foot building line, as shown on the site plan; and

WHEREAS, Section 3363.41, Storage, requires the open storage of materials be located at least 100 feet from any residential district, while the applicant proposes a setback of 55 feet, as shown on the site plan; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; and

WHEREAS, the Greater South East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the site is being designed in a manner that mitigates its impact on nearby residential uses and incorporates design elements that are compatible with C2P2 Design Guidelines; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **6395 ABBIE TRAILS DR. (43110)**, 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 from the provisions of Sections 3363.24, Building lines in an M-Manufacturing district; and 3363.41, Storage, of the Columbus City Codes; for property located at **6395 ABBIE TRAILS DR. (43110)**, insofar as said sections prohibit industrial development with a reduced building setback line from 80 feet to 65 feet; and reduced distance of outside storage from residentially-zoned property from 100 feet to 55 feet; said property being more particularly described as follows:

6395 ABBIE TRAILS DR. (43110), being 9.23± acres located on the east side of Gender Road, 725± feet south of Abbie Trails Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 1, Township 11, Range 21 of Buckingham's Survey of Congress Lands East of The Scioto River, and being out of the remainder of the 104.991 acre tract conveyed to Long Road Development Company, LLC by deed of record in Instrument Number 199905040112415 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING, for reference, at the intersection of the easterly right-of-way line of Gender Road (120 foot right-of-way width) with the southerly right-of-way line of Abbie Trails Drive (100 foot right-of-way width) and the southwesterly corner of the 7.103 acre tract conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 199912290317413;

Thence South 00 deg. 15' 42" East, with said easterly right-of-way line and the westerly line of said remainder tract, a

distance of 714.65 feet to the TRUE POINT OF BEGINNING;

Thence South 85 deg. 35' 02" East, partly across said remainder tract, with a line common to said remainder tract and the 5.393 acre tract conveyed to Abbie Cove Apartments II LLC by deed of record in Instrument Number 201411040146505 and the 10.003 acre tract conveyed to Abbie Cove Apartments LLC by deed of record in Instrument Number 201210150154916, a distance of 1266.98 feet, to a corner common to said remainder tract and said 10.003 acre tract, also in the westerly line of the 28.787 acre tract conveyed to Brice Grove Apartments, LLC by deed of record in Instrument Number 200006120115526;

Thence South 04 deg. 24' 59" West, with the line common to said remainder tract and said 28.787 acre tract, a distance of 322.68 feet to a common corner thereof and in the northerly line of the 164.473 acre tract conveyed to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District by deed of record in Instrument Number 200712100211704, also being the southerly line of said Section 1;

Thence North 85 deg. 23' 45" West, with the line common to said remainder tract and said 164.473 acre tract and the line common to the 1.932 acre tract conveyed to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District by deed of record in Instrument Number 200912220184728, a distance of 1240.92 feet to a common corner thereof and in the easterly right-of-way line of Gender Road;

Thence North 00 deg. 15' 42" West, with said easterly right-of-way line and the westerly line of said remainder tract, a distance of 319.67 feet to the TRUE POINT OF BEGINNING containing 9.2 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 those uses permitted in the L-M, Limited Manufacturing District as specified in Ordinance #2042-2020 (Z20-044).

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**ABBIE TRAILS STORAGE ZONING SITE PLAN**," signed by Jeffrey L. Brown, attorney for the Applicant, and dated August 14, 2020. 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 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.**