



Legislation Text

File #: 1289-2019, **Version:** 2

Council Variance Application: CV19-006

APPLICANT: Ohio Community Development Finance Fund; c/o Jeff Mohrman; 175 South Third Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Supportive housing development.

FRANKLINTON 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 (Ordinance #1288-2019; Z19-005) to the AR-1, Apartment Residential District to allow the development of a supportive housing apartment complex. The requested variances will maintain reduced aisle and maneuvering areas, permit a commercial van to be parked in the complex for residents, reduces the minimum number of parking spaces required from 158 to 130 spaces, and reduces the perimeter yard from 25 feet to between 0 and 14 feet. Staff is supportive of the variances, preferring the adaptive re-use of a previous commercial use as recommended by the *West Franklinton Plan* (2014). The proposal is compatible with adjacent zoning and development patterns.

To grant a Variance from the provisions of Sections 3312.09, Aisle; 3312.25, Maneuvering; 3312.35, Prohibited parking; 3312.49, Minimum numbers of parking spaces required; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **1551 WEST BROAD STREET (43223)**, to permit the development of a supportive housing development with reduced development standards in the AR-1, Apartment Residential District (Council Variance #CV19-006).

WHEREAS, by application #CV19-006, the owner of property at **1551 WEST BROAD STREET (43223)**, is requesting a Council variance to permit the development of a supportive housing development with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3312.09, Aisle, requires aisle width and maneuvering to be twenty (20) feet for 90 degree garage parking spaces, while the applicant proposes to maintain reduced aisle widths as shown on the site plan; and

WHEREAS, Section 3312.25, Maneuvering, requires the maneuvering area for 90 degree parking spaces to be 20 feet, while the applicant proposes to maintain reduced maneuvering area as shown on the site plan; and

WHEREAS, Section 3312.35, Prohibited parking, prohibits commercial vehicles from being stored on residentially-zoned lots, while the applicant proposes a 14-passenger van intended for residents of the complex, to be parked on the property; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or a maximum total of 158 parking spaces for 104 units, while the applicant proposes a total of 130 parking spaces for this development; and

WHEREAS, Section 3333.255, Perimeter yard, requires a perimeter yard of 25 feet, while the applicant proposes a reduced perimeter yard to between 0 and 14 feet along the north and east property lines as shown on the site plan.; and

WHEREAS, the Franklinton Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of the variances, preferring the adaptive re-use of a previously commercial use for a supportive housing apartment complex that is consistent with the recommendations of the *West Franklinton Plan* and compatible with adjacent zoning and development patterns; and

WHEREAS, this ordinance requires separate submission for all applicable permits and Certificates 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 **1551 WEST BROAD STREET (43223)**, 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 3312.09, Aisle; 3312.25, Maneuvering; 3312.35, Prohibited parking; 3312.49, Minimum numbers of parking spaces required; and 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **1551 WEST BROAD STREET (43223)**, insofar as said sections prohibit a multi-unit residential development with reduced aisle widths; reduced maneuvering; a commercial vehicle to be parked on the residentially-zoned property; a parking space reduction from 158 required spaces to 130 provided spaces; and reduced perimeter yards along the north and east property lines from 25 feet to between 0 and 14 feet; said property being more particularly described as follows:

1551 WEST BROAD STREET (43223), being 3.84± acres located at the southeast corner of West Broad Street and Interstate 70, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military Survey Number 1393, being a part of Lot 10, as the same is numbered and delineated on the record plat for Franklin Square, of record in Plat Book 67, Page 17, said Lot conveyed by deed to AUM 99 LLC, of record in Instrument Number 200910060144358, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described for zoning purposes only as follows:

BEGINNING at the southwest corner of said Lot 10, being on the former northerly right-of-way line for West Town Street (now vacated), said vacated right-of-way having been conveyed by deed to Board of Education of the Columbus City School District, of record in Instrument Number 201309050150797, and being on the easterly limited access right-of-way line for Interstate Route 70, as conveyed by deed to the State of Ohio as Parcel 11-WL, of record in Deed Book 3160, Page 668;

Thence **North 28 degrees 26 minutes 11 seconds West**, along the westerly line of said Lot 10, along the easterly limited access right-of-way line for said Interstate Route 70, a distance of **344.58 feet** to an angle point;

Thence **North 22 degrees 56 minutes 10 seconds West**, continuing along the westerly line of said Lot 10 and the easterly limited access right-of-way line for said Interstate Route 70, a distance of **282.91 feet** to a point;

Thence **North 67 degrees 03 minutes 50 seconds East**, across said Lot 10, (passing at a distance of 30.00 feet a northeast corner of said Lot 10 and the southwest corner of Lot 8 of said Franklin Square), continuing along a northerly line of said Lot 10 and the southerly line of said Lot 8, a total distance of **200.00 feet** to a northeast corner of said Lot 10, being the southeast corner of said Lot 8, and being on the westerly line of Lot 9 of said Franklin Square;

Thence **South 14 degrees 53 minutes 25 seconds East**, along an easterly line of said Lot 10, along the westerly line of said Lot 9, a distance of **210.00 feet** to a northeast corner of said Lot 10, being the southwest corner of said Lot 9;

Thence **North 75 degrees 06 minutes 35 seconds East**, along a northerly line of said Lot 10, along the southerly line of said Lot 9, a distance of **191.24 feet** to a northeast corner of said Lot 10, being the southeast corner of said Lot 9, and being on the westerly line of a tract of land conveyed by deed to Board of Education of the Columbus City School District, of record in Instrument Number 200701290017021;

Thence **South 08 degrees 38 minutes 04 seconds East**, along the easterly line of said Lot 10, along the west line of said Board of Education tract, a distance of **459.86 feet** to the southeast corner of said Lot 10, being the southwest corner of said Board of Education tract, and being on the northerly line of said vacated West Town Street;

Thence **South 81 degrees 22 minutes 18 seconds West**, along the southerly line of said Lot 10, along the northerly line of said vacated Town Street, a distance of **220.17 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **3.844 acres** within Franklin County Auditor's Parcel Number 010-209349.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a supportive housing apartment complex, or those uses permitted in the AR-1, Apartment Residential District specified by Ordinance #1288-2019 (Z19-005).

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, **"1551 W BROAD STREET - SITE PLAN"** dated, May 2, 2019 and signed by Jeff Morhman, 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 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 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.