



Legislation Details (With Text)

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On agenda: 12/12/2016 **Final action:** 12/15/2016

Title: To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing uses; 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 7343 & 7349 WORTHINGTON-GALENA ROAD (43085), to permit a religious facility with reduced parking requirements in the M-2, Manufacturing District (Council Variance # CV16-061).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3102-2016_Attachments, 2. ORD3102-2016_Labels

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Zoning Committee	Approved	Pass
12/5/2016	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV16-061

APPLICANT: Vista Community Church; c/o Stephanie Pendleton, Agent; 10697 Winchcombe Drive; Dublin, OH 43016.

PROPOSED USE: Religious facility.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with two office/warehouse buildings on separate parcels in an office/industrial park zoned in the M-2, Manufacturing District. The applicant requests a Council variance to allow a church with related accessory uses in approximately 14,100 square feet of a 37,578 square-foot building. The request also includes a parking space reduction of 66 required spaces, and to conform an existing condition of parcel lines dividing the parking lot. The site is within the planning area of the Far North Area Plan (2014), which recommends warehouse uses on the site. The balance of the building will consist of office and warehouse space, as permitted in the M-2, Manufacturing District. While the Planning Division has some reservations about introducing institutional uses in industrial locations, the religious use would occur mainly on Sundays when the industrial park is largely unused. Therefore, Staff does not believe that the introduction of a religious facility with a parking space reduction to the otherwise industrial site will create any level of conflict. Furthermore, the majority of the site will still be utilized for office and industrial uses.

To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing uses; 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 **7343 & 7349 WORTHINGTON-GALENA ROAD (43085)**, to permit a religious facility with reduced parking requirements in the M-2, Manufacturing District (Council Variance # CV16-061).

WHEREAS, by application # CV16-061, the owner of property at **7343 & 7349 WORTHINGTON-GALENA ROAD (43085)**, is requesting a Council Variance to permit religious services and accessory classroom and support uses in an existing building with reduced parking requirements in the M-2, Manufacturing District; and

WHEREAS, Section 3367.01, M-2, Manufacturing District, prohibits religious facilities, while the applicant proposes to use approximately 14,500 square feet of an existing 37,578 square-foot office/warehouse building in the M-2, Manufacturing District for religious services and accessory classroom and support uses; 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 parcel lines; and

WHEREAS, 3312.29, Parking space, requires 90 degree 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 existing parcel lines, but with the overall parking space meeting the required dimensions; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires one (1) parking space for every 30 square feet of sanctuary or auditorium space for churches, or 107 spaces for a 3,209± square-foot sanctuary; one (1) parking space for every 250 square feet of accessory church uses, or 44 spaces for 10,895± square feet; one (1) parking space for every 450 square feet of general office use, or 31 spaces for 13,425± square feet; and one (1) parking space for every 1,000 square feet of warehousing/storage space, or 18 spaces for 17,192± square feet; for a total parking requirement of 200 spaces, while the applicant proposes to maintain 134 parking spaces for both parcels, with 99 surface spaces and 35 spaces provided on the existing gravel parking lot; and

WHEREAS, City Departments recommend approval because the proposed religious facility would occur primarily on Sundays when the industrial park is largely unused. Therefore, Staff does not believe that the introduction of a religious facility with a parking space reduction to the otherwise industrial site will create any level of conflict. Furthermore, the majority of the site will still be utilized for office and industrial uses; and

WHEREAS, said 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 owner of the property located at **7343 & 7349 WORTHINGTON-GALENA ROAD (43085)**, 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 3367.01, M-2, Manufacturing uses; 3312.25, Maneuvering; 3312.29, Parking space; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; is hereby granted for the property located at **7343 & 7349 WORTHINGTON-GALENA ROAD (43085)**, insofar as said sections prohibit a religious facility in the M-2, Manufacturing District, with maneuvering over parcel lines and parking spaces divided by parcel lines, and a reduction in the minimum number of parking spaces required from 200 to 134 spaces (99 existing surface spaces and 35 spaces in the existing nonconforming parking lot); said property being more

particularly described as follows:

7343 & 7349 WORTHINGTON-GALENA ROAD (43085), being 3.98± acres located at the northeast corner of Sancus Boulevard and Worthington-Galena Road, and being more particularly described as follows:

EXHIBIT A

Situated in the County of Franklin, State of Ohio, and in the City of Columbus:

TRACT ONE:

Being a part of Lot 5 of Smith and Jenkins Subdivision in Quarter Township 1, Township 2, Range 18, United States Military Lands, and bounded and described as follows:

Beginning at an iron pin in the east line of McCampbell Road, said iron pin being N 0° 29' E, 105 feet from an iron pin found at the northwest corner of the Frank J. and Joan M. Penny tract as the same is shown of record in D.B. 1995, page 285;

Thence S 89° 54' E, 330 feet to an iron pin;

Thence S 0° 29' W, 105 feet to an iron pin;

Thence N 89° 54' W 330 feet to the place of beginning, containing 0.795 acre, more or less.

TRACT TWO:

Being a part of Lot 5 of Smith and Jenkins Subdivision in Quarter Township 1, Township 2, Range 18, United States Military Lands, and bounded and described as follows:

Beginning at an iron pipe found at the southeast corner of the Frank J. and Joan M. Penny tract, as the same is shown of record in D.B. 1995, page 285;

Thence along the south line of the Amanda F. Brushart tract, as the same is shown of record in D.B. 970, page 397, S 89° 54' E, 224.15 feet to a railroad spike in the center line of Worthington Galena Road;

Thence along the center line of Worthington Galena Road N36° 58' E, 250.1 feet to a nail, being the southeast corner of the tract herein intended to be described,

Thence N 89° 54' W, (passing an iron pin at 37.51 feet) 267.3 feet to an iron pin;

Thence N 0° 29' E, 204.33 feet to an iron pin;

Thence S 89° 54'E, (passing an iron pin at 381.77 feet) 419.28 feet to a nail in the center line of Worthington Galena Road,

Thence along the centerline of Worthington Galena Road, S 36° 58' W, 252.2 feet to the place of beginning, containing 1,610 acres, more or less.

TRACT THREE:

Being part of Lot 5 of Smith and Jenkins Subdivision, in Quarter Township 1, Township 2, Range 13, United States Military Lands, and being 1.259 acres, said 1.259 acres being all of TRACT 2, said parts of TRACT 3 and TRACT 4 as the same were conveyed to Rose Marie Clark in a Certificate of Transfer of record in D.B. 2763, page 472, and being

more particularly described as follows:

Beginning at an iron pin at the southwesterly corner of said TRACT 2, also being the northwesterly corner of that one acre tract as conveyed to R.L. & M.A. Copley by deed of record in D.B. 2756, page 373, and in the easterly line of McCampbell Road;

Thence N 3° 11' 48" E, with the westerly line of said TRACT 2, the easterly line of McCampbell Road, a distance of 105.00 feet to an iron pin, the northwesterly corner of said TRACT 2;

Thence S 87° 11' 12" E, with the northerly line of said TRACT 2 a distance of 330.00 feet to an iron pin, the northeasterly corner of said TRACT 2, being in the westerly line of that tract of land as conveyed to J.N. & S.R. Lobmiller by deed of record in D.B. 2146, page 642;

Thence S 3° 11' 48" W, with the easterly line of said TRACT 2, the westerly line of said Lobmiller tract, a distance of 99.33 feet, to an iron pin, the southeasterly corner of said TRACT 2, the southwesterly corner of said Lobmiller tract, the northerly line of said TRACT 3;

Thence S 87° 11' 12" E, with the southerly line of said Lobmiller tract, the northerly line of said TRACT 3, a distance of 176.67 feet to an iron pin in the westerly right-of-way of relocated Worthington Galena Road;

Thence S 65° 21' 14" W, with the westerly right-of-way of relocated Worthington Galena Road a distance of 319.50 feet to an iron pin, in the westerly line of said TRACT 4, being also the easterly line of said Copley one acre tract;

Thence N 3° 11' 48" E, with the westerly line of said TRACT 4, the westerly line of said TRACT 3, the easterly line of said Copley one acre tract, a distance of 141.66 feet to an iron pin, the northeasterly corner of said Copley one acre tract, a southeasterly corner of said TRACT 2,

Thence N 87° 11' 12" W, with the southerly line of said TRACT 2, the northerly line of said Copley one acre tract, a distance of 224.15 feet to the place of beginning and containing 1.259 acres, more or less.

TRACT FOUR:

Beginning at an iron pin in the southwest corner of the parcel herein intended to be described, said iron pin being 487.37 feet left of and at right angles from Station 967 + 24.89 in the center line of a survey made in 1963 by the Ohio Department of Highways in Franklin County, Ohio, and further, said iron pin being in the north line of the John M. Markeson property, and in the southeast corner of the Frank J. Penny and Joan M. Penny (fee) and Melvin Magill (land contract) property;

Thence along grantor's westerly property line, and said Penny and Magill easterly property line N 3° 11' 48" E, a distance of 52.67 feet to a point in the proposed northerly right-of-way line of relocated Worthington Galena Road;

Thence along said right-of-way line N 65° 20' 31" E, a distance of 319.44 feet to a point in grantor's northerly property line, and the southerly line of the Lobmiller property;

Thence along grantor's northerly property line, and said Lobmiller southerly property line S 87° 16' 18" E, a distance of 90.56 feet to grantor's northeast property corner, said Lobmiller southeast property corner, said corner being in the centerline of existing Worthington Galena Road, and in the Zenith Holding and Trading Corporation westerly property line, passing the centerline of relocated Worthington Galena Road at a distance of 81.07 feet at Station 59 + 78.76 in said centerline;

Thence along grantor's easterly property line, the westerly line of Zenith Holding and Trading Corporation property, and the said centerline of existing Worthington Galena Road S 39° 42' 13" W, a distance of 250.16 feet to grantor's southeast property corner, and the northeast corner of said Markeson property;

Thence along grantor's southerly property line, and the northerly line of said Markeson property N 87° 12' 34" W, a distance of 224.17 feet to the point of beginning, passing said centerline of relocated Worthington Galena Road at a distance of 189.52 feet at Station 55 + 90.81 in said centerline.
Containing 0.893 acres, more or less, exclusive of the present road which occupies 0.172 acres, more or less, inclusive.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

EXCEPTING THEREFROM:

Being a part of Lot 5 of Smith and Jenkins Subdivision in Quarter Township 1, Township 2, Range 18, United States Military Lands, containing 0.191 acre of land, more or less, 0.095 acre of said 0.191 acre being a part of that 0.795 acre tract designated as PARCEL II and described in the deed to SEA Properties, of record in O.R. 06745E18, 0.096 acre of said 0.191 acre being a part of that 1.259 acre tract of land described in Exhibit "A" in the deed to SEA Properties of record in D.B. 3778, page 490, said 0.191 acre of land being more particularly described as follows:

Beginning at a southwesterly corner of said 1.259 acre tract, said point being in the easterly right-of-way line of McCampbell Road and also being the northwesterly corner of a one acre tract of land described in Exhibit "A" in the deed to Delbert I. Graves, of record in D.B. 3727, page 351;

Thence from said point of beginning N 3° 09' 12" E, with a westerly line of said 1.259 acre tract and said PARCEL II, the same an easterly right-of-way line of McCampbell Road, a distance of 208.28 feet to the northwesterly line of said PARCEL II, said point also being in the southwesterly corner of a tract of land designated as STRIP ONE in the deed to the City of Columbus, of record in D.B. 3538, page 286,

Thence S 87° 13' 22" E, with the southerly line of said STRIP ONE and with the northerly line of PARCEL II, a distance of 40.00 feet to a point;

Thence S 3° 09' 12" W, parallel with and 40.00 feet easterly from, as measured at right angles, the westerly line of said PARCEL II and the westerly line of said 1.259 acre tract, a distance of 208.28 feet to a point in the southerly line of said 1.259 acre tract, said point also being in the northerly line of said 1.259 acre tract, said point also being in the northerly line of said one acre tract;

Thence N 87° 13' 22" W, with the southerly line of said 1.259 acre tract and with the northerly line of said one acre tract, a distance of of 40.00 feet to the point of beginning and containing 0.191 acre of land, more or less.

Tax Parcel No: 610-128228

EXHIBIT B

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being a part of the First Quarter, Second Township, Range 18, United States Military Lands and also being part of the North one-half of the North one-half of Lot 4 of Smith and Jenkins Subdivision of part of said Quarter Township, and being one acre out of the southwest corner of said tract described as Fourth Parcel in the deed of Eliza Dora Brushart to Amanda F. Brushart, as the same is shown of record in D.B. 970, page 397, and being more particularly described as follows:

Beginning at an iron pin at the southwest corner of the North one-half of the North one-half of Lot 4 above mentioned, said iron pin being Northerly measured along the Half Section line, 601.8 feet from its intersection with the center line of Worthington Galena Road;

Thence from said beginning point, North along the Half Section line, 194.33 feet to an iron pin;

Thence easterly, parallel with the south line of the North one-half of the North one-half of said Lot 4, 224.15 feet to an iron pin;

Thence southerly, parallel with the Half Section line 194.33 feet to an iron pin in the south line of the North one-half of the North one-half of said Lot 4;

Thence with said line westerly 224.15 feet to the place of beginning, containing one acre.

EXCEPTING THEREFROM:

Being a part of the First Quarter, Second Township, Range 18, United States Military Lands and also being part of the North one-half of the North one-half of Lot 4 of Smith and Jenkins Subdivision of part of said Quarter Township, containing 0.179 acre of land, more or less, said 0.179 acre of land being out of that one acre tract of land described in "EXHIBIT A" in the deed to Delbert L. Graves, of record in D.B. 3727, page 351, said 0.1798 are of land being more particularly described as follows:

Beginning at the northwesterly corner of said one acre tract, said point also being a southwest corner of a 1.259 acre tract of land described in Exhibit "A" of the deed to SEA Properties, of record in D.B. 3778, page 490, said point also being in an easterly right-of-way line of McCampbell road;

Thence, from said beginning point S 87° 13' 22" E, with the northerly line of said one acre tract and with a southerly line of said 1.259 acre tract, a distance of 40.00 feet to a point;

Thence S 3° 09' 12" W, parallel with and 40.00 feet easterly from, as measured at right angles, the westerly line of said one acre tract and an easterly line of said McCampbell Road, a distance of 179.61 feet to a point of curvature;

Thence southeastwardly, with the arc of a curve to the left having a radius of 23.77 feet, a central angle of 38° 46' 54" and a chord that bears S 18° 25' 16" E, a chord distance of 15.78 feet to a point in the southerly line of said one acre tract, said point also being in the northerly line of a 1.177 acre tract of land designated as PARCEL 3 and described in the deed to Ranco Incorporated, of record in D.B. 3046, page 587;

Thence N 87° 13' 22" W, with the southerly line of said one acre tract and with the northerly line of said PARCEL 3, a distance of 45.81 feet to the southwest corner of said one acre tract and the northwesterly corner of said PARCEL 3, said point also being in the easterly right-of-way line of said McCampbell Road;

Thence N 3° 09' 12" E, with the westerly line of said one acre tract and with the easterly line of said McCampbell Road, a distance of 194.33 feet to the point of beginning and containing 0.179 acre of land, more or less.

Tax Parcel No: 610-128229

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a church with accessory religious uses with a maximum sanctuary size of 3,209± square feet and up to 10,895± square feet of accessory classroom and religious support space, or those uses in the M-2, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance is further conditioned on the following: At the time of site compliance review, the applicant shall address any necessary right-of-way dedication, traffic access studies, or reconfiguration of access points to the satisfaction of the Public Service Department.

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