



## Legislation Text

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File #: 3410-2023, Version: 2

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### Council Variance Application CV23-097

**APPLICANT:** Moody Engineering, c/o Gary Davis; 300 Spruce Street, Suite 200; Columbus, OH 43215.

**PROPOSED USE:** Community center with accessory eating and drinking establishment.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently developed with a former Columbus Metropolitan Library branch in the R-3, Residential District. A Council variance is required because the R-3 district does not allow commercial uses, while the applicant proposes to reuse the existing building to provide a community center with an accessory eating and drinking component. A variance to reduce required number of parking spaces from 38 to ~~36~~ **35** provided spaces is included in the request. The site is located in the *Near East Area Plan (2005)* planning boundary, which does not contain a specific land use recommendation for this location, but contains criteria to evaluate proposed commercial uses in residential areas. Staff supports the proposed use and parking reduction as it repurposes a commercial building, and will have minimum impact on adjacent properties due to its quasi-institutional nature akin to the former library.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49(C), ~~Minimum number of parking spaces required~~ **Required parking**, of the Columbus City Codes; for the property located at **1600 E. LONG ST. (43203)**, to allow a community center with an eating and drinking establishment and reduced parking in the R-3, Residential District (Council Variance #CV23-097).

**WHEREAS**, by application #CV23-097, the owner of property at **1600 E. LONG ST. (43203)**, is requesting a Council variance to allow a community center with an eating and drinking establishment and reduced parking in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3 residential district, prohibits commercial uses, while the applicant proposes to use the existing building to provide a community center with an accessory eating and drinking establishment; and

**WHEREAS**, Section 3312.49(C), ~~Minimum number of parking spaces required~~ **Required parking**, requires one parking space per 250 square feet of retail space and one parking space per 175 square feet of eating and drinking establishment space, or a total of 34 spaces for retail space and a total of four spaces for eating and drinking establishment space, while the applicant proposes a total of ~~36~~ **35** parking spaces; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the requested variances will allow the site to be repurposed with a community center and an accessory eating and drinking establishment which will have a minimal impact on neighboring properties; 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 the 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 of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1600 E. LONG ST. (43203)**, in using said property as desired;

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

**SECTION 1.** That a variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49, ~~Minimum number of parking spaces required~~ **Required parking**, of the Columbus City Codes, is hereby granted for the property located at **1600 E. LONG ST. (43203)**, insofar as said sections prohibit a community center and accessory eating and drinking establishment in the R-3, Residential District; with a parking space reduction from 38 spaces to ~~36~~ **35** spaces; said property being more particularly described as follows:

**1600 E. LONG ST. (43203)**, being 0.74± acres located on the north side of East Long Street, 200± feet west of Woodland Avenue:

The Board of Trustees of Columbus Metropolitan Library, formerly known as The Board of Trustees of the Public Library of Columbus and Franklin County, a County Library District, organized pursuant to Ohio Revised Code 3375.19 ("Grantor"), for One Dollar and No Cents (\$1.00) and other good and valuable consideration paid, grants with general warranty covenants to State of Ohio for the use and benefit of the Ohio State University, whose tax mailing address is: 1534 North High Street, Gateway D, 2nd Floor, Columbus. OH 43201, the following described real estate:

Tract I:

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

Being Lots Numbered Twenty-two (22) and Twenty-three (23) of Calender and Rockwell's Subdivision of Lots Numbers 15, 16, 17 and 18 of Keyes Barr's North Addition to Eastwood, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115, and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Tract II:

Subtract I:

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

Being 2.40 feet off of the entire east side of Lot Number Twenty-seven (27), and all of Lot Number Twenty-six (26), and 24.47 feet off the west side of Lot Number Twenty-five (25), of CALENDER AND ROCKWELL'S SUBDIVISION of Lots 15, 16, 17 and 18 of Keyes Barr's North Addition to Eastwood, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115, and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Subtract II:

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

Being Lot Number Twenty-Four (24) and Fifteen (15) feet off the East side of Lot Number Twenty-Five (25) of Callender and Rockwell's Subdivision of Lots 15, 16, 17, and 18 of KEYS BARR'S ADDITION, to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115 and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Property Address: 1600 East Long Street. Columbus, OH 43203

Parcel Number: 010-023596

Prior Instrument Reference: Deed Book 3563, Page 269. Official Record 18913. Page B03 and Official Record 19635. Page B11 of the Franklin County, Ohio Recorder's Office

This conveyance is subject to all legal highways, restrictions, and easements of record, and real estate taxes and assessments not yet due and payable.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a community center and an accessory eating and drinking establishment, or those uses permitted in the R-3, Residential District.

**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 November 14 28, 2023, and signed by Mark Larrimer, Engineer 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 upon the applicant obtaining all applicable permits and 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.