



Legislation Details (With Text)

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On agenda: 6/29/2020 **Final action:** 7/2/2020

Title: To grant a Variance from the provisions of Sections 3332.02, R, rural district; 3353.03, Permitted uses; 3312.21(A), Landscaping and screening; and 3312.49(B), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 2200 W. BROAD ST. (43223), to permit a 208-bed behavioral healthcare hospital with reduced development standards in the R, Rural District, and the L-C-2, Limited Commercial District (Council Variance #CV20-008).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1380-2020_Attachments, 2. ORD1380-2020_Labels

Date	Ver.	Action By	Action	Result
7/2/2020	1	CITY CLERK	Attest	
7/1/2020	1	MAYOR	Signed	
6/29/2020	1	COUNCIL PRESIDENT	Signed	
6/29/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
6/29/2020	1	Zoning Committee	Approved	Pass

Council Variance Application: CV20-008

APPLICANT: Ohio Department of Mental Health and Addiction Services; c/o Janice Franke, Atty.; 30 East Broad Street, 36th Floor; Columbus, OH 43215, and Curtis Smith, Agent; 30 East Broad Street, 11th Floor; Columbus, OH 43215.

PROPOSED USE: Behavioral healthcare hospital.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 41.22± acres site is the southwestern corner of parcel 010-067014 which is developed with an existing behavioral healthcare hospital in the L-C-2, Limited Commercial, and R, Rural districts. The requested Council variance will permit a new 208-bed behavioral healthcare hospital to be constructed on the site. The request includes variances to the arrangement of parking lot shade trees, and a reduction in required bicycle spaces. The site is within the planning boundaries of the *Hilltop Land Use Plan* (2019), which recommends institutional land uses at this location. Additionally, the Plan has complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). The proposed behavioral healthcare hospital is consistent with the Plan's land use recommendation and will not introduce incompatible uses to the area.

To grant a Variance from the provisions of Sections 3332.02, R, rural district; 3353.03, Permitted uses; 3312.21(A), Landscaping and screening; and 3312.49(B), Minimum numbers of parking spaces required, of the Columbus City Codes;

for the property located at **2200 W. BROAD ST. (43223)**, to permit a 208-bed behavioral healthcare hospital with reduced development standards in the R, Rural District, and the L-C-2, Limited Commercial District (Council Variance #CV20-008).

WHEREAS, by application #CV20-008, the owner of the property at **2200 W. BROAD ST. (43223)**, is requesting a Variance to permit a 208-bed behavioral healthcare hospital with reduced development standards in the R, Rural District, and the L-C-2, Limited Commercial District; and

WHEREAS, Section 3332.02, R, rural district, prohibits hospital and healthcare uses, while the applicant proposes a new 208-bed behavioral healthcare hospital; and

WHEREAS, Section 3353.03, Permitted uses, does not inpatient hospital uses, while the applicant proposes a new 208-bed behavioral healthcare hospital; and

WHEREAS, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing 10 or more parking spaces to provide one deciduous shade tree per 10 spaces, or 60 trees for a parking lot containing 599 spaces, while the applicant proposes shade trees both within peninsulas and island as well as along the perimeter of the as shown on the submitted site plan; and

WHEREAS, Section 3312.49(B), Minimum numbers of parking spaces required, requires 2 bicycle spaces and an additional 1 space per 20 vehicle parking spaces, with a total of 20 bicycle spaces required for a 599 space parking lot, while the applicant proposes 10 bicycle spaces; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal is consistent with the *Hilltop Land Use Plan*'s land use recommendation, will not introduce incompatible uses to the area, and includes appropriate landscaping and some bicycle parking spaces; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **2200 W. BROAD ST. (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 is hereby granted from the provisions of Sections 3332.02, R, rural district; 3353.03, Permitted uses; 3312.21(A), Landscaping and screening; and 3312.49(B), Minimum numbers of parking spaces required of the Columbus City Codes; for the property located at **2200 W. BROAD ST. (43223)**, insofar as said sections prohibit a 208-bed behavioral healthcare hospital in the R, Rural District and the L-C-2, Limited Commercial District; with parking lot shade trees being mixed within peninsulas and islands as well as the perimeter of the parking lot where 60 are required; and a bicycle parking space reduction from 20 required spaces to 10 provided spaces; said property being more particularly described as follows:

2200 W. BROAD ST. (43223), being 41.22± acres located on the north side of West Broad Street, 475± feet east of North Wheatland Avenue, and being more particularly described as follows:

ZONING DESCRIPTION OF 37.056 ACRE TRACT:

Being situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 2668, and being a part of a 300 acre tract conveyed to the State of Ohio in deed of record in Deed Book 101, Page 390, Franklin County Recorder's Office and being more particularly described as follows:

Beginning at the southwesterly corner of said 300 acre tract, said point also being the southeasterly corner of a 1.45 acre tract conveyed to the City of Columbus by deed of record in Official Record 19320, Page E14, and being on the northerly right of way of West Broad Street (80' Wide);

Thence along the westerly line of said 300 acre tract and the easterly line of said 1.45 acre tract, North 03° 13' 56" West for a distance of 250.00 feet to a point, being the northeasterly corner of said 1.45 acre tract;

Thence across the 300 acre tract for the following six (6) courses:

1. North 03° 13' 56" West for a distance of 1474.60 feet to a point;
2. South 72° 10' 59" East for a distance of 72.31 feet to a point;
3. South 80° 01' 49" East for a distance of 295.46 feet to a point;
4. South 88° 54' 19" East for a distance of 167.78 feet to a point;
5. North 68° 33' 37" East for a distance of 125.56 feet to a point;
6. South 89° 59' 10" West for a distance of 458.34 feet to a point on the westerly edge of pavement of Buckeye Drive West (Private Drive);

Thence along the westerly edge of pavement of Buckeye Drive West for the following fifteen (15) courses:

1. South 02° 17' 05" West for a distance of 67.26 feet to a point;
2. South 06° 04' 39" West for a distance of 128.38 feet to a point;
3. South 09° 46' 30" West for a distance of 113.83 feet to a point;
4. South 03° 23' 44" West for a distance of 53.88 feet to a point;
5. South 02° 01' 22" East for a distance of 348.60 feet to a point;
6. South 02° 49' 04" West for a distance of 33.51 feet to a point;
7. South 16° 08' 09" West for a distance of 34.06 feet to a point;
8. South 30° 35' 02" West for a distance of 136.77 feet to a point;
9. South 18° 33' 17" West for a distance of 31.44 feet to a point;
10. South 05° 58' 47" West for a distance of 37.42 feet to a point;
11. South 03° 02' 28" East for a distance of 247.22 feet to a point;
12. South 09° 28' 50" West for a distance of 52.97 feet to a point;
13. South 03° 12' 20" East for a distance of 380.91 feet to a point;
14. South 11° 18' 43" West for a distance of 19.09 feet to a point;
15. South 38° 53' 05" West for a distance of 19.22 feet to a point at the intersection of the westerly edge of pavement of Buckeye Drive West (Private Drive) with the northerly right of way line of West Broad Street (80 feet wide);

Thence along the northerly right of way line of West Broad Street, South 86° 50' 52" West for distance of 878.51 feet to the True Point of Beginning, containing 37.045 acres, all of which is within Auditor's Parcel Number 010-006701400, subject however to all other legal rights of way, easements and agreements of record.

ZONING DESCRIPTION OF 3.463 ACRE TRACT:

Being situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 2668, and being a part of a 300 acre tract conveyed to the State of Ohio in deed of record in Deed Book 101, Page 390, Franklin County

Recorder's Office and being more particularly described as follows:

Commencing at the southwesterly corner of said 300 acre tract, said point also being the southeasterly corner of a 1.45 acre tract conveyed to the City of Columbus by deed of record in Official Record 19320, Page E14, and being on the northerly right of way of West Broad Street (80' Wide);

Thence along the westerly line of said 300 acre tract and the easterly line of said 1.45 acre tract, North 03° 13' 56" West for a distance of 250.00 feet to a point, being the northeasterly corner of said 1.45 acre tract, being the True Point of Beginning;

Thence continuing along the westerly line of said 300 acre tract and the northerly line of said 1.45 acre tract, South 86° 50' 52" West for a distance of 89.16 feet to a point, being the southeasterly corner of a 3.41 acre tract conveyed to the City of Columbus Ohio by deed of record in Instrument Number 200307020202150;

Thence continuing along the westerly line of said 300 acre tract, said line also being the easterly line of said 3.41 acre tract, North 03° 18' 30" West for a distance of 949.77 feet to a point;

Thence continuing along the westerly line of said 300 acre tract and the easterly line of said 3.41 acre tract, North 08° 23' 56" West for a distance of 608.77 feet to a point;

Thence across the 300 acre tract for the following three (3) courses:

1. South 61° 26' 56" East for a distance of 120.68 feet to a point;
2. South 70° 19' 17" East for a distance of 46.31 feet to a point;
3. South 03° 13' 56" East for a distance of 1474.60 feet to the True Point of Beginning, containing 3.463 acres, all of which is within Auditor's Parcel Number 010-006701400, subject however to all other legal rights of way, easements and agreements of record

ZONING DESCRIPTION OF 0.710 ACRE TRACT:

Being situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 2668, and being a part of a 300 acre tract conveyed to the State of Ohio in deed of record in Deed Book 101, Page 390, Franklin County Recorder's Office and being more particularly described as follows:

Commencing at the southwesterly corner of said 300 acre tract, said point also being the southeasterly corner of a 1.45 acre tract conveyed to the City of Columbus by deed of record in Official Record 19320, Page E14, and being on the northerly right of way of West Broad Street (80' Wide);

Thence along the westerly line of said 300 acre tract, the easterly line of said 1.45 acre tract, and extending across the 300 acre tract, North 03° 13' 56" West for a distance of 1724.60 feet to a point;

Thence continuing across the 300 acre tract, South 89° 59' 10" East for a distance of 627.29 feet to a point, being the True Point of Beginning;

Thence continuing across the 300 acre tract for the following five (5) courses:

1. North 52° 33' 37" East for a distance of 165.46 feet to a point;
2. North 68° 50' 56" East for a distance of 33.67 feet to a point;
3. South 79° 47' 08" East for a distance of 157.61 feet to a point;
4. South 54° 47' 11" East for a distance of 118.02 feet to a point;
5. South 88° 21' 25" East for a distance of 44.66 feet to a point on the westerly edge of pavement of Buckeye Drive West (Private Drive);

Thence along the westerly edge of pavement, South 02° 17' 05" West for a distance of 15.58 feet to a point;

Thence leaving the westerly edge of pavement, North 89° 59' 10" West for a distance of 458.34 feet to the True Point of Beginning, containing 0.710 acres, all of which is within Auditor's Parcel Number 010-006701400, subject however to all other legal rights of way, easements and agreements of record.

Parcel Nos. 010-067014 (partial)

Property Address: 2200 W. Broad St., Columbus, OH 43232.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a behavioral healthcare hospital with a maximum of 208 beds, or those uses permitted in the R, Rural District and L-C-2, Limited Commercial District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plan drawing titled, "**IMPROVEMENT PLAN SHEETS 1 & 2,**" signed by Curtis Smith, Agent for the Applicant, and Jonathan Baker, Applicant, dated June 8, 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 adjustment to the plan shall be reviewed and may be approved 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 Certificates of Occupancy for the proposed uses.

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