



Legislation Details (With Text)

File #: 0171-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/20/2021 **In control:** Zoning Committee

On agenda: 2/8/2021 **Final action:** 2/11/2021

Title: To grant a Variance from the provisions of Sections 3332.029, SR suburban residential district; 3312.27, Parking setback line; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 3860 KIMBERLY PKWY. N. (43232), to permit a youth center with reduced development standards in the SR, Suburban Residential District (Council Variance #CV20-009).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0171-2021_Attachments, 2. ORD0171-2021_Labels

Date	Ver.	Action By	Action	Result
2/11/2021	1	CITY CLERK	Attest	
2/10/2021	1	MAYOR	Signed	
2/8/2021	1	COUNCIL PRESIDENT	Signed	
2/8/2021	1	Zoning Committee	Approved	Pass
2/1/2021	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV20-009

APPLICANT: Directions for Youth and Families; c/o Kathleen Kelly, Agent; 1444 Manning Parkway; Powell, OH 43065.

PROPOSED USE: Youth center.

MIDEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a shared living facility in the SR, Suburban Residential District as permitted by Special Permit SP81-244. The requested Council variance will permit the applicant to repurpose the existing building for a 3,031 square foot youth center, a use that includes counseling, educational, recreational, and general office uses which are not permitted in the SR, Suburban Residential District. Variances for parking setback and a parking reduction from seven required spaces to six provided spaces are included in the request. The site is within the planning boundaries of the *Hamilton Road Corridor Revitalization Plan* (2008), which recommends multi-unit residential land uses at this location. Staff supports the proposal because the applicant is committing to develop the site in accordance with the submitted site plan, which shows additional bicycle parking and enhanced parking lot screening. Additionally, the proposed youth center will not add incompatible uses to the area as the applicant conducts a similar operation on the adjacent property to the west, and this site will expand current programming.

To grant a Variance from the provisions of Sections 3332.029, SR suburban residential district; 3312.27, Parking setback line; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **3860 KIMBERLY PKWY. N. (43232)**, to permit a youth center with reduced development standards in the SR, Suburban Residential District (Council Variance #CV20-009).

WHEREAS, by application #CV20-009, the owner of the property at **3860 KIMBERLY PKWY. N. (43232)**, is requesting a Variance to permit a youth center with reduced development standards in the SR, Suburban Residential District; and

WHEREAS, Section 3332.029, SR suburban residential district, does not permit youth centers, while the applicant proposes a 3,031 square foot youth center on the site; and

WHEREAS, Section 3312.27, Parking setback line, requires a minimum parking setback line of 25 feet along Kimberly Parkway North, while the applicant proposes to reduced parking setback line of 15 feet from Kimberly Parkway North; and

WHEREAS, Section 3312.49(C), Minimum numbers of parking spaces required, requires one parking space per 500 square feet of youth center use, or seven total parking spaces for this proposal, while the applicant proposes to provide six parking spaces; and

WHEREAS, the Mideast Area Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area, and includes a site plan that shows additional bicycle parking with enhanced parking lot screening; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed youth center; 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 **3860 KIMBERLY PKWY. N. (43232)**, 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 3332.029, SR suburban residential district; 3312.27, Parking setback line; and 3312.49(C), Minimum numbers of parking spaces required,, of the Columbus City Codes; for the property located at **3860 KIMBERLY PKWY. N. (43232)**, insofar as said sections prohibit a 3,031 square foot youth center in the SR, Suburban Residential District; with a reduced parking setback from 25 feet to 15 feet; and a reduction of the minimum number of parking spaces required from seven spaces to six spaces; said property being more particularly described as follows:

3860 KIMBERLY PKWY. N. (43232), being 0.38± acres located on the north side of Kimberly Parkway North, 1,040± feet east of Courtright Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, and is described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 29, Township 12, Range 21, Refugee Lands, containing 0.384 acres of land, more or less, being all out of that 38.398 acre tract of land as described in a deed to Kimberly Company, of record in Deed Book 2904, page 541, (all references to Deed Books and Plat Books in this description refer to the records of the Recorder's Office, Franklin County, Ohio) said 0.384 acre tract of land being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Kimberly Parkway West and Kimberly Parkway North, as the same is delineated and designated upon the recorded plat, "DEDICATION OF KIMBERLY PARKWAY WEST AND KIMBERLY PARKWAY NORTH (KIMBERLY V), of record in Plat book 45, page 11; thence N 55 deg. 00" E., with the centerline of said Kimberly Parkway North, a distance of 704.95 feet to a point; thence N 34 deg. 45' 00" W., a distance of 30.00 feet to a point in a northerly line of said Kimberly Parkway North, the true point of beginning;

Thence, from said true point of beginning, N 34 deg. 45' 00" W., a distance 167.27 feet to a point;

Thence, N 55 deg. 15' 00" E., a distance of 100.00 feet to a point;

Thence S 34 deg. 45' 00" E., a distance of 167.27 feet to a point;

Thence, S 55 deg. 15' 00" W., a distance of 100.00 feet to the true point of beginning and containing 0.384 acres of land more or less.

Property Address: 3860 Kimberly Parkway North, Columbus, Ohio 43232

Parcel No.: 010-014214-00

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 3,031 square foot youth center, or those uses permitted in the SR, Suburban Residential District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plan titled, "**SITE PLAN**," signed by Kathleen A. Kelly, Applicant, and dated January 14, 2021. 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 a Certificate of Occupancy for the proposed youth center.

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