



Legislation Text

File #: 2530-2018, Version: 1

Council Variance Application: CV18-026

APPLICANT: Al-Huda Islamic Center; c/o Jeanne Cabral, Architect; 2939 Bexley Park Road; Columbus, OH 43209.

PROPOSED USE: Religious facility and community center.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This 2.48+/- acres site is zoned in the M-1, Manufacturing District, and is developed with a 5,047 square foot office/warehouse building. The applicant requests a Council variance to permit a religious facility and community center. The request includes variances to reduce the minimum number of required parking spaces from 77 spaces to 65 spaces and also to conform the existing zero building setback from the south property line. The site is within the boundaries of the *Hamilton Road Corridor / Eastland Area Revitalization Plan* (2007), which recommends "conservation" uses at this location. While conservation of the area is recommended due to the adjacent floodplain, staff recognizes that the site is presently developed and supports the reuse of an existing building.

To grant a Variance from the provisions of Sections 3365.01, M-1, Manufacturing uses; 3312.49, Minimum numbers of parking spaces required; and 3365.21(b)(2), Height and area regulations, of the Columbus City Codes; for the property located at **2100 COURTRIGHT ROAD (43232)**, to permit a religious facility and community center with reduced development standards in the M-1, Manufacturing District (Council Variance # CV18-026).

WHEREAS, by application # CV18-026, the owner of property at **2100 COURTRIGHT ROAD (43232)**, is requesting a Council Variance to permit a religious facility and community center in an existing building with reduced development standards in the M-1, Manufacturing District; and

WHEREAS, Section 3365.01, M-1, Manufacturing District, does not permit religious facilities and community centers, while the applicant proposes to use an existing 5,047 square foot building in the M-1, Manufacturing District for religious services and a community center; 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 64 spaces for a 1,900± square-foot sanctuary; one (1) parking space for every 250 square feet of accessory non-assembly area, or 13 spaces for 3,147 square feet; for a total parking requirement of 77 spaces, while the applicant proposes to provide 65 parking spaces; and

WHEREAS, Section 3365.21, Height and area regulations, requires a minimum 25 foot side yard in the M-1, Manufacturing District for contiguous industrial lots while the applicant proposes to conform the existing zero foot side yard setback along the south property line for the existing building; and

WHEREAS, City Departments recommend approval nothing that the site is presently developed and that a religious facility and community center is an appropriate adaptive reuse for the building; 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 **2100 COURTRIGHT ROAD (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 from the provisions Sections 3365.01, M-1, Manufacturing uses; 3312.49, Minimum numbers of parking spaces required; and 3365.21(b)(2), Height and area regulations, of the Columbus City Codes; is hereby granted for the property located at **2100 COURTRIGHT ROAD (43232)**, insofar as said sections prohibit a religious facility and community center in the M-1, Manufacturing District, with a reduction in the minimum number of required parking spaces from 77 to 65; and a reduced side yard setback from 25 feet to zero feet along the south property line for the existing building, said property being more particularly described as follows:

2100 COURTRIGHT ROAD (43232), being 2.41± acres located at the southeast corner of Courtright Road and Groves Road, and being more particularly described as follows:

Tract 1:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 29, Township 12, Range 21, Refugee Lands and containing 1.968 acres of a certain tract conveyed by deed to Courtright Investment Company by deed of record in Deed Book 3420, page 857, all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the dedicated easterly right-of-way line of Courtright Road and in the northerly line of a 0.438 acre tract (presently owned by Robert S. Beal and R.D. Stout by deed of record in Official Record 1021 OE06), said point being delineated on the plat of "DEDICATION OF GROVES COURTRIGHT & PETZINGER ROADS AND EASEMENTS" and recorded in Plat Book 49, Page 79;

Thence leaving the north line of said 0.438 acre tract, North 1° 38' 18" East, along the easterly right-of way line of Courtright Road, a distance of 386.37 feet to a point where said line intersects an easterly line of a 0.544 acre tract conveyed to the State of Ohio, by deed of record in Deed Book 2631, page 76;

Thence North 23° 26' 22" East, along an easterly line of said 0.544 acre tract, a distance of 53.85 feet to a corner of said tract;

Thence North 3° 45' 34" East, along an easterly line of said tract, a distance of 135.09 feet to a corner of said tract;

Thence North 80° 42' 34" East, along a southerly line of said 0.544 acre tract, a distance of 99.85 feet to a point where said southerly line intersects the center of a creek (said creek being known as "Mason Run");

Thence leaving the southerly line of said State of Ohio tract, South 0° 44' 00" West, along the center of Mason Run, a distance of 221.74 feet to an iron pin;

Thence South 12° 04' 00" East, continuing along the center of Mason Run, a distance of 377.31 feet to a point;

Thence leaving the center of Mason Run, North 88° 53' 42" West, passing the northeast corner of said 0.438 acre tract at 25.94 feet, a distance of 215.94 feet to the place of beginning, containing 1.968 acres, more or less.

Tract II:

Situated in the State of Ohio, County of Franklin and in the City of Columbus, being located in Half Section 51, Section 29, Township 12, Range 21, Refugee Lands, and being 0.518 acres out of the Anton F. Keller, et al. (7) Trustee Tract as shown of record in Deed Book 2609, page 237, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows: Beginning at a point in the centerline of Courtright Road, at the northwesterly corner of the Anton F. Keller, Jr., et al. (7), Trustee 0.823 acre tract of record in Deed Book 3071, page 51, that is South 1 degree 30' West, 727.25 feet from the intersection of the centerline of the said Courtright Road with the centerline of the said Courtright Road with the centerline of Groves Road;

Thence along the centerline of the said Courtright Road, North 1 deg. 30' East, 94.0 feet to a point;

Thence South 89 deg. 02' East, 230.0 feet to a point;

Thence South 10 deg. 32' East, 95.92 feet to a point in the northerly line of said 0.823 acre tract;

Thence along the northerly line of the said 0.823 acre tract, North 89 deg. 02' West, 250.0 feet to the place of beginning, containing 0.518 acres, more or less.

EXCEPTING THEREFROM:

Being Forty (40) feet off of the West end of a certain 0.51 acre tract conveyed by KELLER LIMITED PARTNERSHIP TO SAMUELSON CORP. by deed recorded in Deed Book _ Page _, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the centerline of Courtright Road, said point being the southwesterly corner of the said 0.518 acre tract, which is South 10 30' West 727.25 feet from the intersection of the centerline of the said Courtright Road with the centerline of said Courtright Road with the centerline of Groves Road;

Thence along the centerline of the said Courtright Road, North 1 degree 30' East, 94.0 feet to a point;

Thence South 89 degrees 02' East, 40 feet to a point;

Thence South 1 degree 30' West, 94.0 feet to a point in the southerly line of the said 0.518 acre tract;

Thence along the southerly line of the said 0.518 acre tract, North 89 degrees 02 West, 40 feet to the place of beginning, containing 0.08 acres, more or less.

Parcel #: 010-002640

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a religious facility and community center or those uses permitted in the M-1, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the plan titled "**AL-HUDA ISLAMIC CENTER**," dated June 28, 2018, signed by Jeanne M. Cabral, Architect for the Applicant. The Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final 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 a 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.