

SHEET
A201



FINAL RECEIVED ELEVATIONS 06/12/2025; Sheet 1 of 1; CV24-158

ELEVATION RENDERING



in front 6-11-25

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

APPLICATION: CV24-158
Location: 2618 BETHESDA AVE. (43219), being 10.18± acres located at the northwest corner of Bethesda Avenue and Sunbury Road (010-156433 and 010-166702; North Central Area Commission).
Requested Zoning: AR-1, Apartment Residential District (H-60).
Proposed Use: Multi-unit residential development.
Applicant(s): Elmington Capital, c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 120; New Albany, OH 43054.
Property Owner(s): Praise Temple Community Church Inc.; 1159 Clinton Street, Columbus, OH 43221.
Planner: Dane Kirk; 614-645-7973; DEKirk@columbus.gov

BACKGROUND:

- The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning to the AR-1, Apartment Residential District (ORD #1601-2025; Z24-070) for a multi-unit residential development. The requested variances reduce the parking and building setback lines and the perimeter yard for a proposed 198-unit apartment complex comprised of three buildings, with the reductions necessary due to a stream corridor protection zone that bisects the site.
- The building and parking setbacks along Sunbury Road are proposed to be reduced from 50 feet and 25 feet, respectively, to 15 feet. The required perimeter yard is proposed to be reduced from 25 feet to 10 feet in certain areas, with parking encroaching into the perimeter yard as reflected on the site plan.
- North of the site are single-unit dwellings in the R, Rural District. South and west of the site are single-unit dwellings in the R-2, Residential District. East of the site is a nature trail in the CPD, Commercial Planned Development District.
- The site is located within the boundaries of the North Central Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this proposed development.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance allows reduced building lines and a reduced perimeter yard. Staff are supportive of the proposal, as it will result in an apartment complex development that includes significant screening, preservation of natural elements, trail and sidewalk connectivity, hides parking to the greatest extent possible, and building elevations that are consistent with *North Central Plan* (2002) design guidelines.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such 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.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes No

2. Whether the variance is substantial.

Yes No

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes No

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes No

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes No

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes No

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Signature of Applicant

David Hodge

Date

STATEMENT IN SUPPORT

APPLICATION: CV24-158

Location: 2618 BETHESDA AVE. (43219), being 10.18± acres located at the northwest corner of Bethesda Avenue and Sunbury Road (010-156433 and 010-166702; North Central Area Commission).

Existing Zoning: R, Rural District and R-2, Residential District.

Requested Zoning. AR-1 (H-60)

Proposed Use. Multi-unit residential development.

Applicant(s): Elmington Capital, LLC; c/o David Hodge, Attorney; Underhill & Hodge LLC; 8000 Walton Parkway, Suite 120; Columbus, OH 43215.

Property Owner(s): Praise Temple Community Church; 1159 Clinton Street; Columbus, OH 43221.

Date of Text: June 11, 2025

The Applicant submits this statement in support of its companion council variance application.

The 10.05-acre site consists of two parcels in the R, Rural District and R-2, Residential District, and is developed with a religious facility. The Property Owner was granted entitlements by council variance in 2023 to permit the development of a 220-unit apartment complex in the R and R-2 Districts (Ord. 2129-2023). The purpose of that action was to become eligible for a competitive funding process by the Ohio Housing Finance Agency, which requires certain land attributes including compliance zoning. That funding has been awarded and now the Applicant requests to rezone the property to the appropriate AR-1 District.

The site is situated within the boundary of the North Central Area Commission. The site is also situated within the boundary of the North Central Plan (2002).

The Applicant proposes development of the site with an apartment complex providing approximately 196 dwelling units. The proposed site plan is substantially similar in form, design, and access to the site plan that was approved with Ord. 2129-2023, however, with approximately 24 less dwelling units. The most significant change between the plans is that the new plan pushed Building 1 toward Sunbury Road frontage so that surface parking areas could be relocated to the side and rear of the development, in accordance recommended planning and design strategies. The Applicant submits with this application a site plan, landscape plan, and conceptual elevations.

Ord 2129-2023 also granted a number of companion area variances including increased building height, reduction of building line, and reduction of perimeter yard. With the relocation of Building 1, the Applicant must modify the previously approved building line reduction. The Applicant will also restate the perimeter yard variance here for clarity. Therefore, the Applicant respectfully requests the following companion area variances:

1. Section 3332.21, Building lines, requires a 50 foot building setback line from Sunbury Road, while the Applicant proposes a reduced setback of 15 feet from Sunbury Road, as shown on the site plan.

2. Section 3332.285, Perimeter yard, requires a perimeter yard totaling no less than 25 feet, and prohibits parking in the required perimeter yard, while the applicant proposes a reduced perimeter yard of 10 feet, and parking to encroach into the perimeter yard, as depicted on the site plan.

3. Section 3312.27, Parking setback line, requires a minimum parking setback of 25 feet from the street right-of-way, while the applicant requests a variance to reduce the minimum parking setback to 15 feet from the street right-of-way.

City Council may permit a variation in the yard, height or parking requirements of any district in conjunction with a change in zoning where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

The site is impacted by practical difficulties in carrying out the zoning district provisions due to wetlands, stream corridor protection zone, and a previous over-dedication of right-of-way to make space for a 10 foot multi-use path which connects to the Alum Creek Trail.

Ord 2129-2023 previously granted a variance to reduce the minimum building line from 50 feet to 25 feet. The Applicant now requests a variance to reduce the minimum building line to 15 feet. The layout of the site was modified to move Building 1 closer to the Sunbury Road right-of-way so that surface parking could be relocated to the side and rear of the development. It is often encouraged to push buildings toward streets and provide surface parking in the rear and sides of buildings.

It is notable that the property owner had previously dedicated property to the Sunbury Road right-of-way to make space for a 10 foot multi-use path which connects to Alum Creek Trail. Sunbury Road is designated a 100 – Suburban Community Connector pursuant to the Columbus Multimodal Thoroughfare Plan. This means that the property owner would be required upon development to dedicate land to Columbus so that the Sunbury Road right-of-way line is 50 feet from the Sunbury Road center line. This property owner had previously over-dedicated 10 feet of land to the City to make way for the multi-use path. As a result, the right-of-way now exists 10 feet closer than it is required to be, but this was made in the interest of the community and the multi-use path.

Though Ord. 2129-2023 granted a variance to reduce the minimum building line to 25 feet, the Applicant now requests a variance to reduce the minimum building line to 15 feet. This further 10 foot reduction is the result of the previous over-dedication for the multi-use path and also redesigning the site to obscure surface parking to the rear and sides of structures. If it were not for that previous over-dedication of 10-feet for the multi-use path, this companion council variance application would not need to be requested.

With respect to the perimeter yard reduction, the Applicant is restating that variance here for clarification. The Applicant does not propose any change with respect to the perimeter yard from what was already approved by Ord. 2129-2023. However, it is notable that this site is significantly impacted by wetlands and a stream corridor protection zone which significantly inhibits the developable area of the site. The wetlands and stream corridor protection zone are even more of a

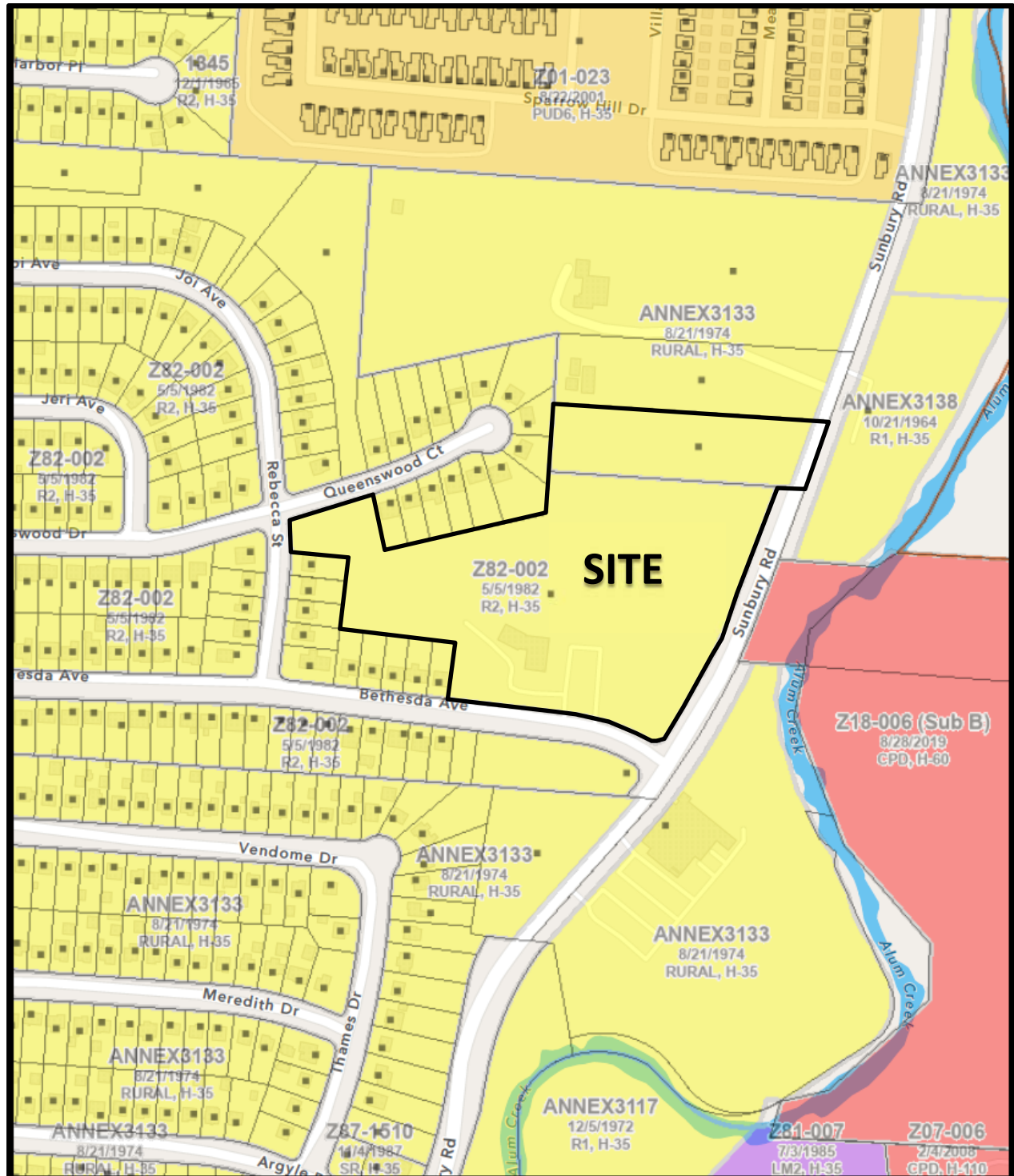
practical difficulty because they are centrally located on the site. As a result, the Applicant needed to design the site in a manner with reduced perimeter yards to account for the lost developable area.

The Applicant submits that the currently requested variances are not substantial deviations and will not cause any detriment because they generally reflect the site's current entitlements granted by Ord. 2129-2023. City Council determined that these companion area variances would not seriously affect any adjoining property or the general welfare when these variances were previously approved. Therefore, the intent of the zoning code will be observed and substantial justice will be done by granting these variances.

Respectfully submitted,



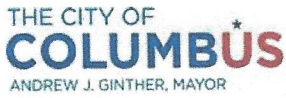
David Hodge, Attorney for Applicant



CV24-158
2618 Bethesda Ave.
 Approximately 10.18 acres



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Approximately 10.18 acres



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number Z24-070 & CV24-158

Address 2618 Bethesda Ave.

Group Name North Central Area Commission

Meeting Date 5/1/2025

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☒ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation (Check only one)

☒ Approval

☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

The North Central Area Commission met with a quorum there was a presentation with new ^{architectural} ~~architurtural~~ renderings showing that the buildings will be closer to Sunbury Rd and the entrance and exit will be off Sunbury Rd. The building on Bethesda Avenue unit numbers was reduced to 24 bringing the total number to 194. Building 1 consist of 111 units, building 2 consists of 59 units and building 3 consists of 24 units . The Brittany Hills sign will be preserved. The Brittany Hills community will enter into a Good Neighbor Agreement (Community Benefits Agreement). Although we do not have staff report, the body is confident that if any changes to design or entrance will be made, the North Central Area Commission will be advised.

Vote 5-0-1

Signature of Authorized Representative *Amara Williams*

Recommending Group Title North Central Area Commission

Daytime Phone Number 614 570 5369

Please e-mail this form to **the assigned planner within 48 hours of meeting day**; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-158

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 120, New Albany, Ohio 43054

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. Elmgton Capital c/o Joe Horowitz 1030 16th Avenue South, Suite 500 Nashville, Tennessee 37212 (Zero Columbus-based employees)	2. Praise Temple Community Church Inc. 1159 Clinton Street Columbus, Ohio 43221 (Zero Columbus-based employees)
3. Michael Patterson, Jr. 2991 Stirlingshire Court Columbus, Ohio 43219 (Zero Columbus-based employees)	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT *Eric Zartman*

Sworn to before me and signed in my presence this 13th day of December, in the year 2024

Aaron L. Underhill
SIGNATURE OF NOTARY PUBLIC

N/A
My Commission Expires

Notary Seal Here



AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

This Project Disclosure Statement expires six (6) months after date of notarization.