

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

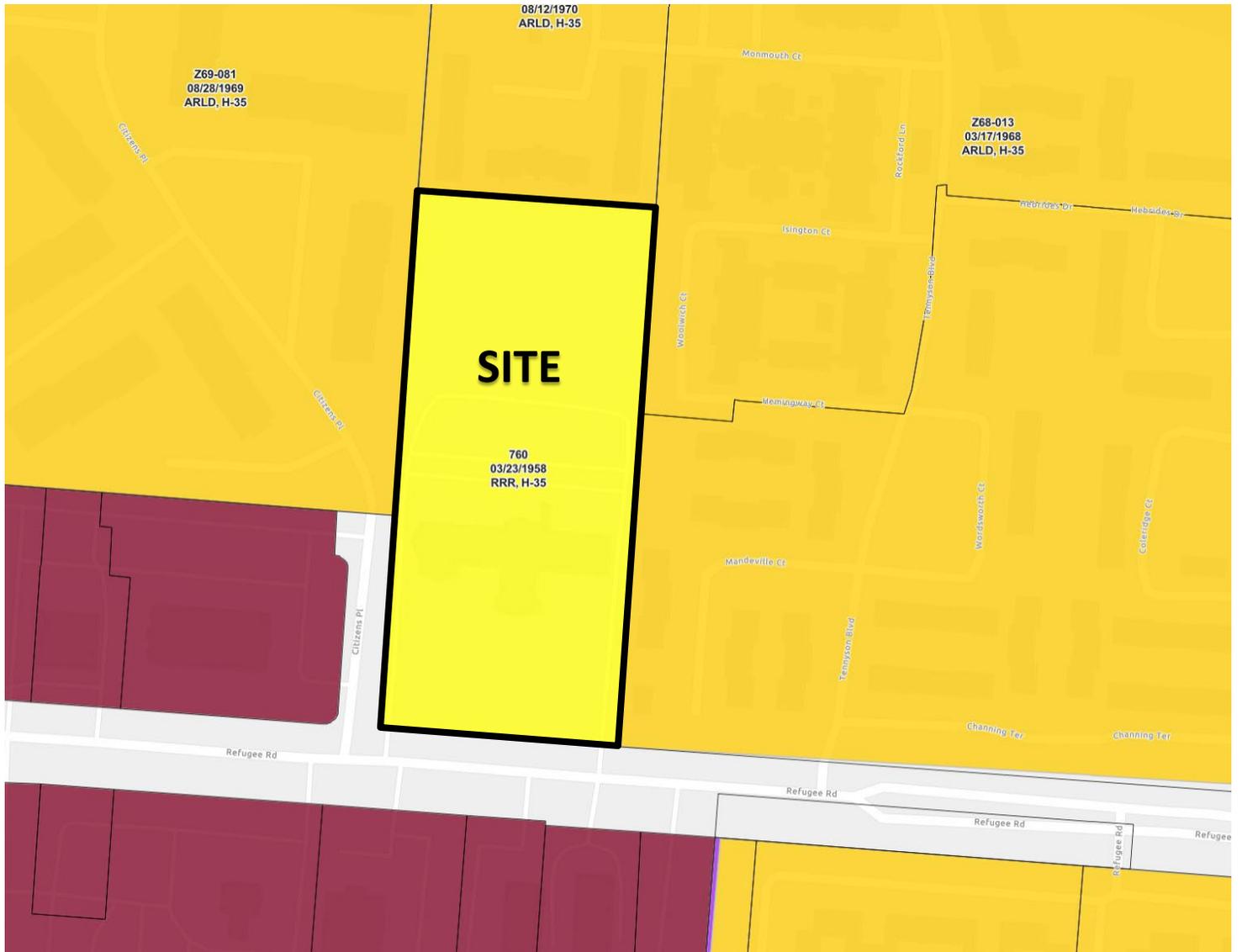
APPLICATION: **CV25-109**
Location: **4500 REFUGEE RD. (43232)**, being 5.58± acres located on the north side of Refugee Road at the northeast corner of Refugee Road and Citizens Place (010-118455; Greater South East Area Commission).
Existing Zoning: RRR, Restricted Rural Residential District (H-35).
Proposed Use: Multi-unit residential development.
Applicant(s): Woda Cooper Cos., Inc., c/o David Perry, Agent; David Perry Company; 411 East Town Street, 1st Floor, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.
Property Owner(s): Ebenezer Baptist Church of Columbus Ohio; 4500 Refugee Road, Columbus, OH 43232.
Planner: Alyssa Saltzman; 614-645-9625; ADSaltzman@columbus.gov

BACKGROUND:

- The 5.58± acre site consists of one parcel developed with a religious facility in the RRR, Restrict Rural Residential District. The requested Council variance will allow the development of a 72-unit apartment building, pending a future lot split, as shown on the submitted site plan. The applicant will be seeking competitive funding from the Ohio Housing Finance Authority (OHFA) for the proposed development.
- A Council variance is required because the RRR district does not allow multi-unit residential development. Variances to parking lot screening, required parking, fronting, rear yard, and height district are included in this request.
- West of the site is an apartment complex in the ARLD, Apartment Residential District and an office building in the CAC, Community Activity Center District. North and east of the site is multi-unit residential development in the ARLD, Apartment Residential District. South of the site are a religious facility and an auto repair shop in the CAC, Community Activity Center District.
- The site is within the planning boundaries of the *Columbus Growth Strategy (2026)* map, which recommends “Mixed-Use 2” uses at this location.
- The site is located within the boundaries of the Greater South East Area Commission, whose recommendation is for approval.
- Staff concurs with the Applicant’s analysis of the seven practical difficulties in achieving this proposed development and support the requested variances.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested variances will allow the development of a 72-unit apartment building, pending a future lot split at this location. The proposed use is consistent with the *Columbus Growth Strategy's* recommendation of "Mixed-Use 2" land uses at this location, and is also consistent with existing housing types and densities in adjacent multi-unit residential developments. The request does not add an incompatible use to the area and provides more housing units at varying price points, which is consistent with the City's priorities.



CV25-109
4500 Refugee Rd.
Approximately 5.58 acres



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Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

The property and acreage can remain in use as a church and accessory parking lot with acreage beyond the parking lot, as it is presently, but there can be no use of the rear 1.91 undeveloped acres for other than accessory church use without variances. The proposed lot split and development of multi-family housing maximizes use of the property. Multi-family uses abut the site to the north, east and west.

2. Whether the variance is substantial.

Yes No

The site is planned to be included in Zone-In Phase 2 and designated CAC, Community Activity Center. If designated CAC, the use, height, parking and fronting variances wouldn't be applicable. The variances aren't substantial in the context of the planned zoning district change and City of Columbus goals for development of additional housing.

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

The essential character of the neighborhood won't be substantially altered nor will adjoining properties suffer substantial detriment. Applicant proposes to develop affordable multi-family housing. The site abuts multi-family housing to the north, east and west.

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

Yes No

There will be no affect on the delivery of governmental services.

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

Yes No

The property owner purchased the property in 2008. Applicant proposes to purchase the property for the proposed development of multi-family housing. The need for this application was determined during applicant's due diligence review.

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

Yes No

The rear 1.91 acres cannot be split and developed for housing by applicant without zoning variances.

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

Yes No

The spirit and intent of the zoning requirement will be observed and substantial justice done by granting the requested variances. The multi-family land use and location of the proposed use is consistent with abutting land uses.

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):

See Exhibit B

Signature of Applicant

Woda Cooper Companies Inc.
by Dan B. Perry, Agent

Date 10/29/2025

Signature of Attorney

Donald Plank

Date 10/29/2025

CV25-109

4500 Refugee Road, Columbus, OH 43232

Variances

- 1). Section 3332.025, RRR, Restricted Rural Residential District, to permit a 72 dwelling unit affordable housing apartment building on 1.91 acres.
- 2). Section 3332.19, Fronting, to permit the proposed 1.91 ac parcel for multi-family development to not front on a public street (Refugee Road), while easement(s) shall be reserved across the fronting 3.51 ac church parcel for access to Refugee Road.
- 3). Section 3332.27, Rear Yard, to reduce Rear Yard for the proposed 1.91 acre multi-family parcel from 25% to 11.5%.
- 4). Section 3332.29, Height District, to increase permitted building height for the multi-family building from 35' to 50'.
- 5). Section 3312.21(D)(b), Landscaping and Screening, to eliminate the four (4) foot landscaped buffer strip and parking lot screening along the north row of parking on the proposed 3.51 acre church parcel, subject to providing the south 23' landscaped parking setback and screening on the proposed 1.91 acre multi-family parcel.
- 6). Section 3312.49, Required Parking, to reduce required parking for the 72 dwelling units (proposed 1.91 ac parcel) from 108 (1.5 per DU) to 88 (1.2 per DU).

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

Case Number _____

Address _____

Group Name _____

Meeting Date _____

Specify Case Type **BZA Variance / Special Permit**
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation **Approval**
(Check only one) **Disapproval**

LIST BASIS FOR RECOMMENDATION:

Vote _____

Signature of Authorized Representative  _____

Recommending Group Title _____

Daytime Phone Number _____

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 #: CV25- 109

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) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm; 411 East Town Street, Floor 2; Columbus, OH 43215
deposes and states that he is 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

<p>1. Ebenezer Baptist Church of Columbus Ohio 4500 Refugee Road, Columbus, OH 43232 Number of Columbus-based employees: <u>3</u> Contact: <u>M. Michael Dickerson 614) 787-3570</u></p>	<p>2. Woda Cooper Companies, Inc. 500 South Front Street, 10th Floor, Columbus, OH 43215 Number of Columbus-based employees: 131 Contact: Jonathan McKay, (614) 377-1750</p>
<p>3. -----</p>	<p>4. -----</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 8th day of October, in the year 2025

MaryAlice Wolf
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires:
October 24, 2028

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