

STATEMENT IN SUPPORT

Application: CV22-032

Property Address: 198 McNaughten Road

Parcel ID: 267-298175, 550-146751, 550-126673, 550-126662, 550-146754, 550-146754

Current District: R

Proposed District: L-AR-12

Owners: (1) 198 McNaughten LLC and (2) Gardenia Properties LLC

Applicant: Fatih Gunal

Attorney: Michael Shannon, Underhill & Hodge

Date of Text: November 8, 2022

The Applicant seeks to rezone a +/- 24.7952 acre site located at 198 McNaughten Road from R to L-AR-12. The Applicant submits this statement in support of its requested companion area variance to develop the property as proposed.

The site is located on the east side of McNaughten Road, about 1,500 feet south of East Broad Street. Part of the site was annexed to Columbus in February 2018 and the rest of the parcels were annexed in October 1976. All are currently zoned R as a result. The site is bordered by Columbus property zoned L-AR-12 on the north, L-R2F on the south, and R-1 and R on the west across McNaughten Road. The Site is also bordered on the west across McNaughten Road by Truro Township property zoned R. The Site is bordered on the east by Reynoldsburg property zoned SR.

The site not subject to a commercial overlay nor planning overlay. The site is within the boundary of the Far East Area Commission area and subject to the Far East Land Use Plan (C2P2). The Plan recommends Low-Medium Density use for this site. This is a sub-classification for a residential development which carries a density guideline of 6-10 dwelling units per acre. The Plan also recommends Low-Medium Density use to the immediate north and High-Density use (24-45 dwelling units per acre) north of that property. The Plan recommends Employment Center and Institutional to the west across McNaughten Road and Low-Medium Density to the south.

The Applicant proposes development of the site with multifamily residential buildings, as depicted in the Site Plan. The Applicant's companion rezoning application makes several commitments to landscape preservation, open space, building materials and design, and screening. However, to develop the project as proposed, the Applicant respectfully requests the following companion area variance:

1. 3312.21(C) – Perimeter parking lot landscaping. The Applicant requests a variance to eliminate the perimeter parking lot landscaping requirement between other parcels within the development (which cannot be combined due to different taxing districts). This is a technical variance.
2. 3312.25 – Maneuvering. The Applicant requests a variance to allow parking spaces to maneuver across parcel line between other parcels within the development (which cannot be combined due to different taxing districts). This is a technical variance.

3. 3312.29 – Parking space. The Applicant requests a variance to reduce the size of parking spaces for parking spaces divided by the parcel line between other parcels within the development (which cannot be combined due to different taxing districts). This is a technical variance.

4. 3333.10-AR-12, area district requirements. The Applicant requests a variance to calculate density based on the total site acreage, and not on each individual parcel (which cannot be combined due to different taxing districts). This is a technical variance.

5. 3333.18 – Building lines. McNaughten Road is a 100 – Suburban Community Connector with a 100-foot right-of-way width pursuant to the multimodal thoroughfare plan. This means that the minimum building setback from McNaughten Road is 50 feet from the right-of-way. The Applicant requests a variance to reduce the minimum building line from 50 feet to 30 feet.

6. 3333.255 – Perimeter yard. This section requires a minimum perimeter yard of 25 feet for parcels of this size. Applicant requests a variance to reduce the minimum perimeter yard from 25 feet to zero feet along both sides of the property line between other parcels within the development (which cannot be combined due to different taxing districts). This is a technical variance.

The Applicant suffers a practical difficulty resulting from conditions on the property. Specifically, the property has a gas easement that runs through the eastern portion of this property. This gas easement significantly reduces the developable area of the property. Additionally, the Applicant is making commitments to preserve landscaping and open space east of the gas easement. This further reduces the developable area of the property and pushes the remaining options for development closer to McNaughten Road. However, commitments to provide this open space to on the east portion of the property are the best interest of the neighborhood and create a better experience for the residents of this development. Additionally, as a result of these entitlement applications and commitment to improve McNaughten Road with a turn lane, the City will require additional McNaughten right-of-way to be dedicated. As a result, the site plan's original proposed setback is reduced by the right-of-way dedication. The reduced setbacks are warranted in consideration of these special conditions and it will not seriously affect any adjoining property owner or the general welfare.

The requested variance is not substantial, will not substantially alter the essential character of the neighborhood, and will not cause adjoining properties to suffer substantial detriment. The request to reduce the building line from 50 feet to 30 feet is not substantial because there will still remain a substantial building and parking setback. Further, the Applicant is committed to front setback landscaping and features which will reduce any impact caused by the reduced building setback.

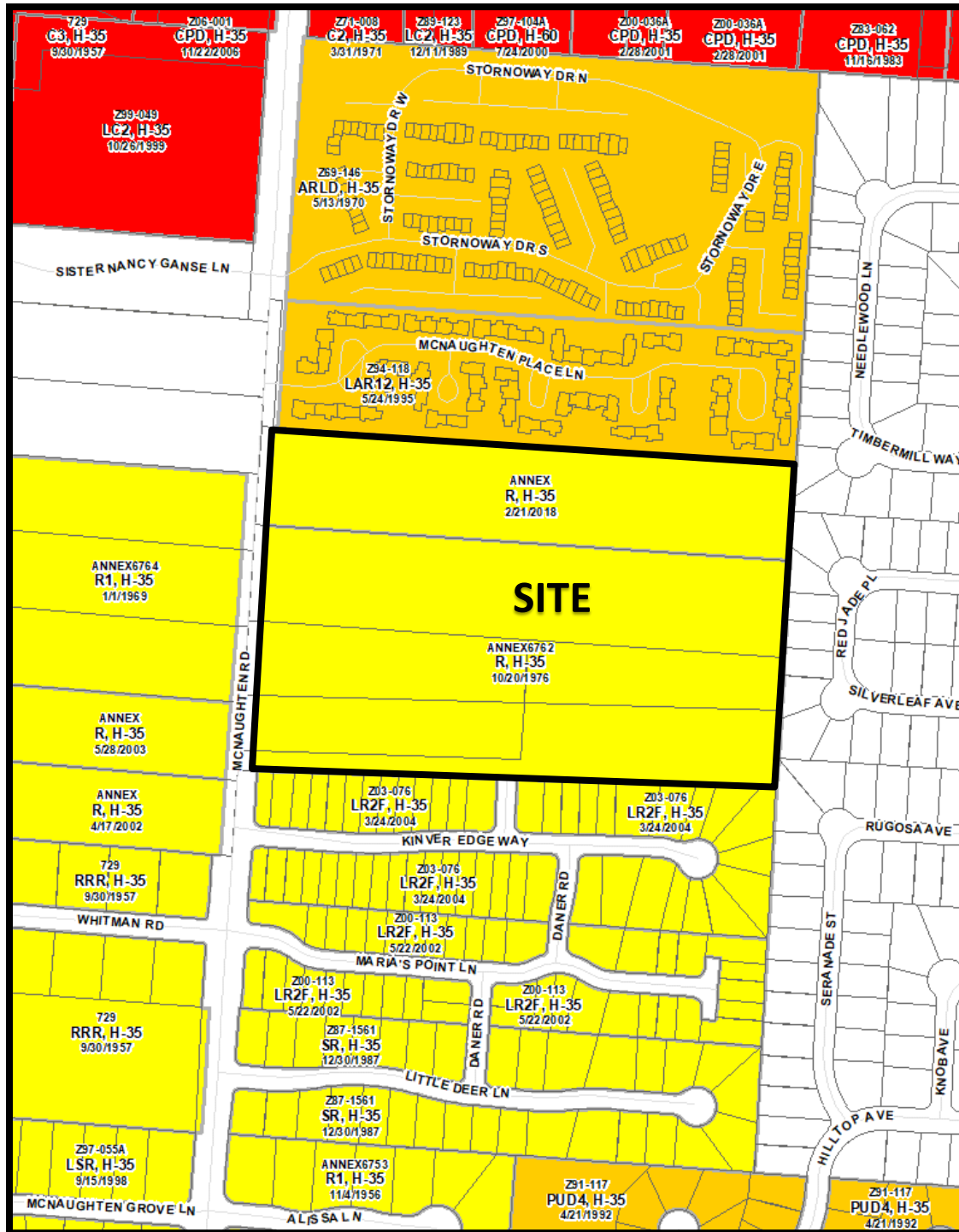
With respect to the variances for reduction of perimeter parking lot landscape screening, reduction of parking spaces, allowance of maneuverability across parcel lines, and reduction of perimeter yard along the parcel line between other parcels within the development (which cannot be combined due to different taxing districts) are necessary to accommodate a difficulty and will not cause the neighborhood any detriment. These are a technical variance which are purely necessary because these two parcels cannot be combined due to their tax identification numbers.

The requested variance will not adversely affect the delivery of governmental services. The Applicant's predicament cannot feasibly be obviated through some other method. Granting of this variance will ensure that the spirit and intent behind the zoning requirements will be observed and substantial justice be done.

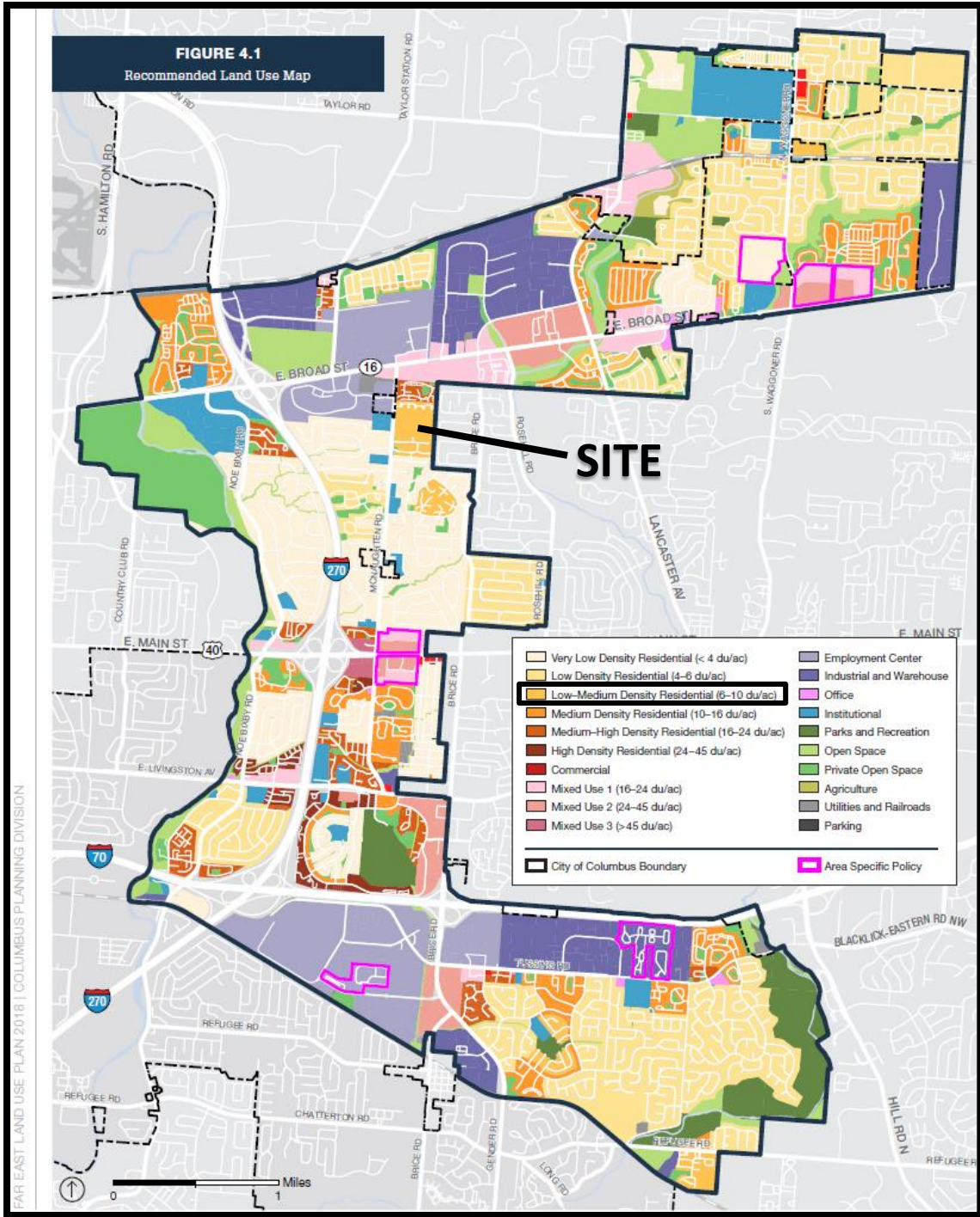
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Shannon", with a long horizontal flourish extending to the right.

Michael Shannon, Attorney for Applicant



7J&&I\$' &
198 McNaughten Road
Approximately 24.8 acres



7th St &
198 McNaughten Road
Approximately 24.8 acres



7J&&!\$' &
198 McNaughten Road
Approximately 24.8 acres

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

Case Number CV22-032 / Z19-043

Address 198 McNaughten Rd

Group Name Far East Area Commission

Meeting Date 09/06/22

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:

NOT AN ACCEPTABLE DENSITY PER OUR AREA PLAN.
LOW-MEDIUM DENSITY 6'-10 DU/ACRE
DENSITY IS EXCEEDED.

Vote 6 VOTES OF DISAPPROVAL 1 VOTE OF APPROVAL

Signature of Authorized Representative Jennifer C. Lambert

Recommending Group Title Far East Area Commission Chair

Daytime Phone Number 614-307-4708

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-032

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) Aaron L. Underhill
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, OH 43054
deposes and states that (he/she) 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:

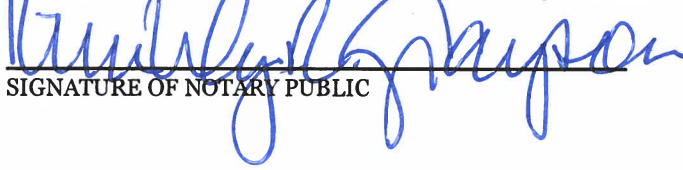
Name of Business or individual (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

<p>1. 198 McNaughten LLC 6580 Longshore St., Suite 200 Dublin, OH 43017</p>	<p>2. Gardenia Properties LLC P.O. Box 992 Grove City, OH 43123</p>
<p>3. Fatih Gunal 6580 Longshore St., Suite 200 Dublin, OH 43017</p>	<p>4. 266 McNaughten LLC 6580 Longshore St., Suite 200 Dublin, OH 43017</p>

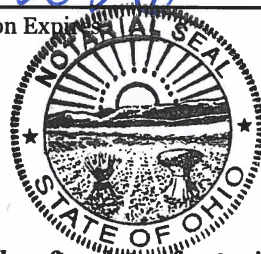
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 10th day of November in the year 2022

SIGNATURE OF NOTARY PUBLIC  My Commission Expires 1-11-2026

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

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