

Final

Plans

received

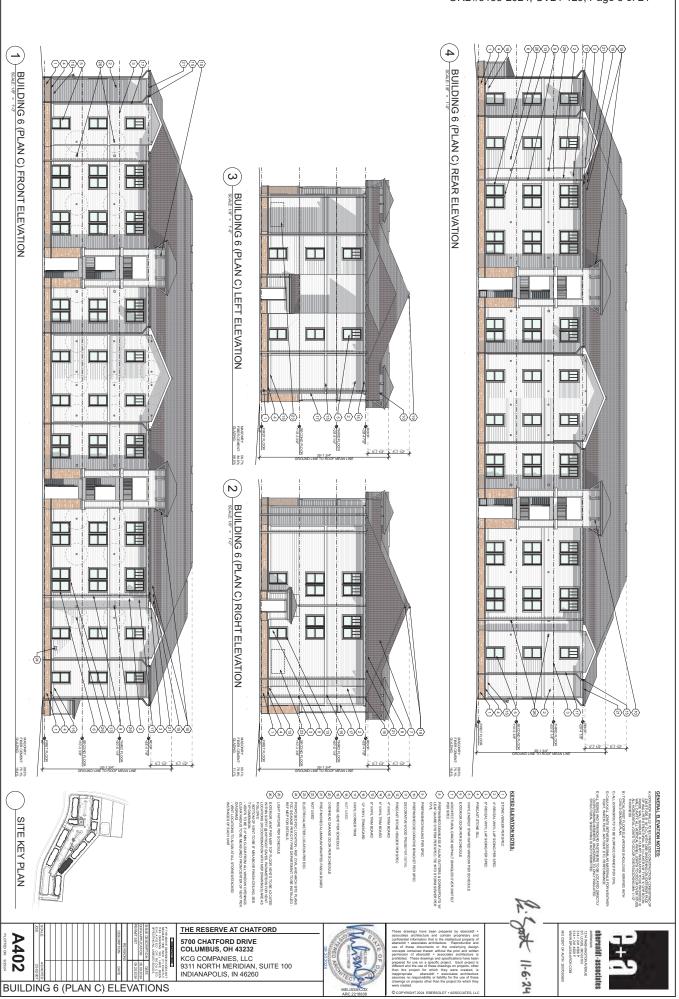
11/6/2024;

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BUILDING 8, 9 (PLAN A) ELEVATIONS

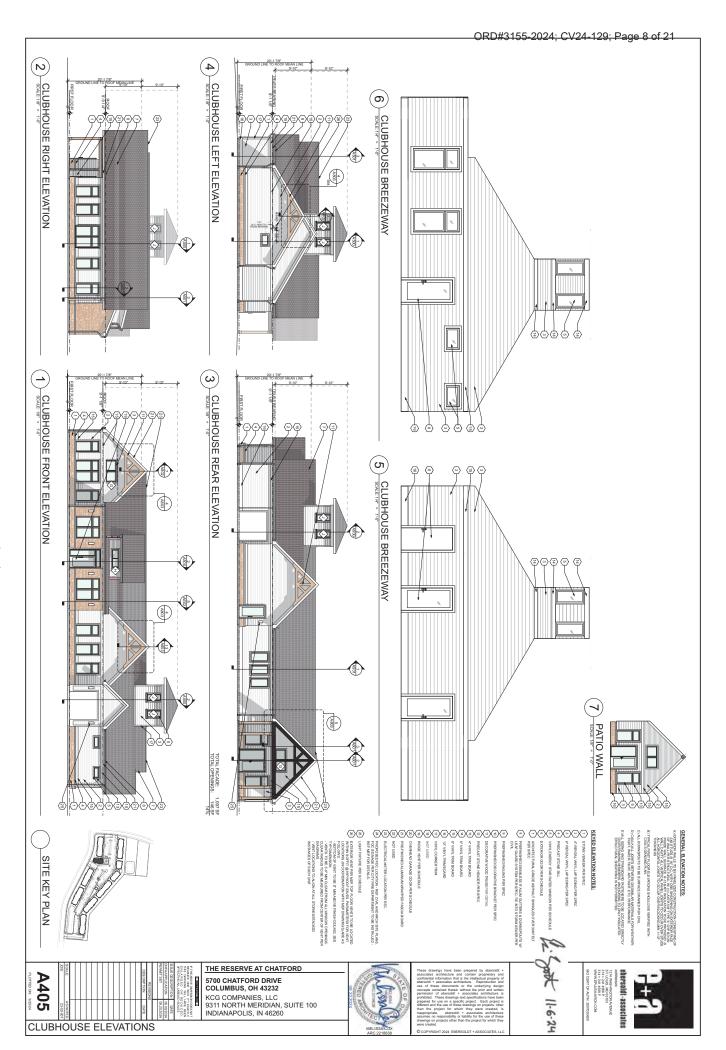


INDIANAPOLIS, IN 46260

BUILDING 3 (PLAN E) ELEVATIONS

11-6-24





CITY COUNCIL – ZONING COMMITTEE STAFF REPORT COUNCIL VARIANCE

APPLICATION: CV24-129

Location: 5700 CHATFORD DR. (43232), being 8.71± acres located at the

northeast corner of Walnut Hill Park Drive and Chatford Drive (010-018828, 010-144725, and 010-144726; Far East Area

Commission).

Existing Zoning: R-1, Residential District, and AR-3, Apartment Residential

District.

Proposed Use: Accessory parking lot and reduced development standards for

an apartment complex.

Applicant(s): KCG Development LLC, c/o David Hodge, Atty.; 8000 Walton

Parkway, Suite 260; New Albany, OH 43054.

Property Owner(s): Woodland Plaza LTD; 3016 Maryland Avenue; Columbus, OH

43209.

Planner: Dane Kirk; 614-645-7973; DEKirk@Columbus.gov

BACKGROUND:

- O The site consists of three undeveloped parcels, one is zoned in the AR-3 Apartment Residential District, and the remaining two parcels are zoned in the R-1 Residential District. The requested Council Variance, replacing previous Application #BZA24-116, proposes a use variance to allow an accessory overflow parking lot use in the R-1 district which is otherwise not allowed as a primary use. The 60-space parking lot, as depicted on the submitted site plan, will serve as required parking for the proposed 192-unit apartment complex. Area variances to reduce building lines, the number of parking lot shade trees, parking setback, perimeter yard, and to increase the building height are also included in this application.
- North of the site are undeveloped parcels in the R-1, Residential District, to the south is an apartment complex in the AR-1, Apartment Residential District, to the east is an apartment complex in the AR-1, Apartment Residential District, and to the west are single-unit dwellings in the RR, Rural Residential and R-2F, Residential District.
- The site is within the planning boundaries of the Far East Land Use Plan (2018), which recommends "High Density Residential (24-25 du/ac)" for the apartment complex area, and "Very Low Density Residential (< 4 du/ac)" land uses for the R-1 district parking lot area. The Plan included complete adoption of Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018). Staff notes the proposal is consistent with these land use and site design recommendations.
- The site is located within the boundaries of the Far East Area Commission, whose recommendation is for approval.
- Staff acknowledges the applicant's practical difficulties for the variances requested for this project.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance will allow a 192-unit apartment complex on the site, consisting of nine apartment buildings and a resident clubhouse. Variances to allow a parking lot as a primary use in the R-1, Residential District, increased building height, reduced parking lot shade tree count, reduced parking setback, reduced building lines, and reduced perimeter yard are included in the request. Staff notes the proposal is consistent with the *Far East Land Use Plan*'s land use recommendation and has been designed in accordance with recommendations of C2P2 Design Guidelines. The intended development will provide mixed-income affordable and workforce housing consistent with the City's objectives.



Council Variance Application CV24-129; Page 11 of 21

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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:

 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 will not yield a reasonable return without variances. The property has a unique shape
that is long and undulating. Any development on this property will require variances to realize a
reasonable return.
2. Whether the variance is substantial. ☐ Yes ✓ No
The requested variances are not substantial. The requested variance are the minor deviations from the
underlying development standards but will ensure that the site may be developed and realize a
beneficial use.
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 proposed development will not substantially alter the essential character of the neighborhood
because the developments to the east and south are apartments and the proposed development aligns
with the goals and recommendations of the Far East Land Use Plan.

Page 3 of 9 ba 07/24



Council Variance Application CV24-129; Page 12 of 21

111 N Front Street, Columbus, Ohio 43215
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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service) Yes No
The requested variances will not adversely affect the delivery of governmental services.
5. Whether the property owner purchased the property with knowledge of the zoning restriction. Yes No
The Applicant has not purchased the property but is in contract to purchase the property.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance. ☐ Yes ✓ No
he requested variances are necessary to relieve the Applicant's predicament. The unique shape of the
lot are circumstances outside of the Applicant's control and caused this practical difficulty. The
requested variances are the minimum deviation possible to alleviate this difficulty.
 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. ✓ Yes No
The Applicant proposes a project which is entitled by the established zoning district and complements
the Far East Land Use Plan. Therefore, development of this site with these variances will respect the
spirit and intent behind the zoning code and allow substantial justice to be done.
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):
(1) Section 3312.21(A) - Interior parking lot landscaping. The Applicant requests a variance to reduce
the minimum number of required interior parking lot trees from 31 to 21. (2) Section 3332.03 – R-1
residential district permitted uses. The Applicant requests a variance to allow the parking lot use in the
R-1 district. (3) Section 3333.18 - Building lines. The Applicant requests a variance to allow utility
structures and A/C equipment within the front setback. (4). Section 3333.255 - Perimeter Yard. The
Applicant requests a variance to reduce the east perimeter yard from 25 feet to 5 feet.
Signature of Applicant Date 10.18.24

STATEMENT IN SUPPORT

Application No.: CV24- 129

Location: 5700 CHATFORD DRIVE. (43232), located on the east side of Walnut

Park Drive and north of Chatford Drive. (010-018828; Far East Area

Commission).

Existing Zoning: AR-3, Apartment Residential and R-1, Residential Proposal: To develop the site with an apartment complex. KCG Development LLC c/o Jenn Wilkins

9311 N. Meridian St., Ste. 100

Indianapolis, IN 46260

Attorney/Agent: David Hodge, Esq., Underhill and Hodge, LLC

8000 Walton Parkway, Suite 260

New Albany, Ohio 43054

Property Owner(s): Woodland Plaza LTD

3016 Maryland Avenue Columbus, Ohio 43209

Date of Text: November 7, 2024

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

This property is located north-east of the intersection of Walnut Park Drive and Chatford Drive in the Walnut Hills neighborhood. The site is approximately 8.71 acres in area and has a long and irregular shape. The site is vacant.

The site was zoned AR-3 in 1964. This is a zoning district which allows multifamily uses and does not limit the site to a maximum density. The adjacent property to the north is zoned RR and is currently used for the Walnut Hill Park disc golf course. The site is bordered on the east and south (across Chatford Drive) by properties zoned AR-1 and developed with apartments. The site is bordered on the west (across Walnut Park Drive) by properties zoned R2-F and RR and are primarily used for single-family residences.

The site is within the boundaries of the Far East Area Commission and the Far East Land Use Plan (2018). The Plan recommends that this site be developed with High Density Residential (24-45 dwelling units per acre) uses.

The Applicant proposes development of the site with an apartment complex providing 192 dwelling units. This apartment complex will be comprised of nine, three-story buildings spread across the site. The site will provide residential amenities including a clubhouse/fitness center, playground, and a dog park. The site was also designed to incorporate recommended planning strategies to internalize the parking areas.

To develop the site as proposed, the Applicant respectfully requests the following area variances:

1. Section 3312.21(A) - Interior parking lot landscaping. The Applicant requests a variance to reduce the minimum number of required interior parking lot trees from 29 to 22.

- 2. Section 3312.27 Parking setback line. The Applicant requests a variance to reduce the minimum parking setback from 25 feet to 10 feet in the R-1 district.
- 3. Section 3332.03 R-1 residential district permitted uses. The Applicant requests a variance to allow the parking lot use in the R-1 district.
- 4. Section 3333.18 Building lines. The Applicant requests a variance to allow utility structures and A/C equipment and hot box/water vault within the front setback within the AR-3 district.
- 5. Section 3333.255 Perimeter Yard. The Applicant requests a variance to reduce the east perimeter yard from 25 feet to 5 feet.
- 6. Section 3309.14 Height district. The Applicant requests a variance to increase the permitted height from 35 feet to 35 feet and 2 inches.

City Council may 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. The Applicant is requesting a use variance to allow the parking lot use in the R-1 district.

The Applicant submits that this use variance will not adversely affect the surrounding property or the surrounding neighborhood. Indeed, this use variance is requested in consideration of the neighborhood. The Applicant had previously met with the Area Commission to present this development, but that iteration did not provide this additional parking lot and the Applicant had requested a variance to reduce the minimum number of required parking spaces. The community expressed concern about the requested parking reduction. In an effort to address that concern, the Applicant now proposes this additional parking lot which will bring the total amount of provided parking in excess of the code requirement. This parking lot will capture any and all overflow parking that is ever needed and significantly reduce the likelihood of street parking. The Applicant is committed to install enhanced landscaping to buffer this additional parking lot from residential neighbors.

Additionally, the Applicant welcomes the community to park in this parking lot. The Applicant believes that this area could become a convenient entry point to Walnut Hills Park if Columbus ever decides to create a path through this south-west corner of the park. This parking lot will create a convenient entry point and set up the conditions for Columbus to make that path.

The Applicant also requests a number of area variances. City Council may permit a variation in the yard, height or parking requirements of any district only in conjunction with a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district providing such variance will not seriously affect any adjoining property or the general welfare.

The requested variances are warranted to alleviate 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 Applicant's proposed development aligns with the property's existing entitlements and the City's land use plan. The site's zoning district permits unlimited density and the Far East Land Use Plan recommends that this site be developed with High Density Residential (24-45 du/a) uses. The property, however, has unique design challenges which stem from its unique long and odd shape. As a result, the Applicant must request these minor variances to achieve the development goals of this property with a high-quality, well-designed apartment complex.

The Applicant is utilizing the site's developable area to its greatest extent. The proposed buildings a placed so that they follow the undulating perimeter and the majority of the parking spaces are centrally located on the property. The result is an encouraged planning strategy to obscure the parking areas.

The requested perimeter yard reduction is not substantial. Typically, perimeter yard reductions concern structures and allow buildings to encroach into an area closer to a neighbor's property. In this case, the Applicant is just asking for a perimeter yard reduction to accommodate additional parking spaces so that as many on-site parking spaces as possible are provided for its residents and to reduce on-street parking. This parking area will be screened so that it does not cause any detrimental effect on the adjacent property.

The requested tree island reduction is not substantial. As stated above, the Applicant put a great amount of thought into the parking lot design to maximize the limited space. Tree islands have been provided to the greatest extent possible without significantly impacting the amount of provided parking. The only property which will be affected by this variance is this Applicant and the future residents of this development. The impact of this variance is significantly decreased with the design of the parking lot being internal to the site. To mitigate this variance, the Applicant is committed to plant additional trees around the site to make up for the tree island deficiency.

The requested building line variance is not substantial. The Applicant does not propose moving the footprint of any building within the minimum required 25 foot building line. However, due to the layout of the site and orientation of the buildings, it is necessary to allow utility structures and A/C equipment within the front setback.

The proposed development will not substantially alter the essential character of the neighborhood or cause adjoining properties to suffer substantial detriment. The proposed development aligns with the recommendations of the Far East Land Use Plan and complements the adjacent apartment uses to the east and south.

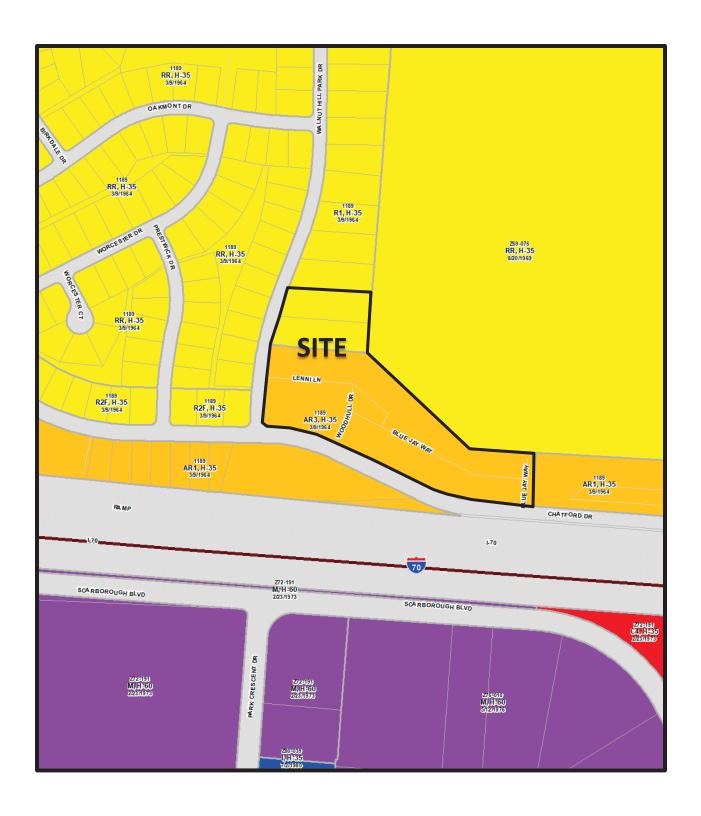
The requested variances will not affect the delivery of governmental services.

The Applicant respectfully requests that City Council weigh these factors in its consideration, determine that they are within the spirit and intent behind the zoning code, and grant the requested variances.

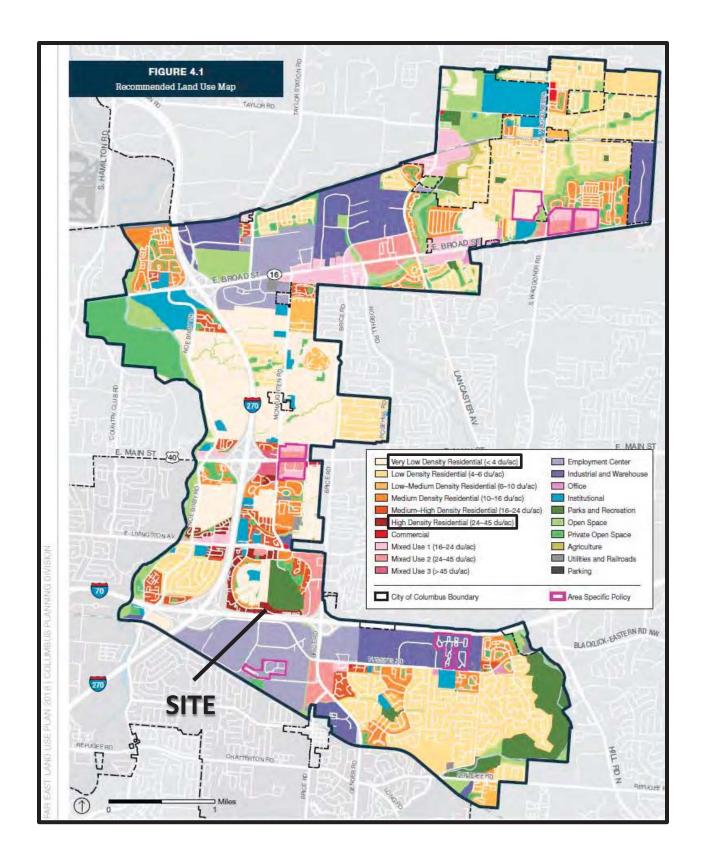
Respectfully submitted,

David Hodge

David Hodge, Attorney for Applicant



CV24-129 5700 Chatford Drive Approximately 8.71 acres



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CV24-129 5700 Chatford Drive Approximately 8.71 acres

Standardized Recommendation Form

Standardized Recommendation For

DEPARTMENT OF BELLDING. AND ZONING SERVELY:

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

Case Number	CV24-129		
Address	5700 Chatford Drive		
Group Name	Far East AREA COMMISSION		
Meeting Date	·		
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:			
	E Parkin Spaces of 30 to 22 For ice Preservation to the North		
- Construction - Section - Section	TION EQUIP TRAVEL BAIRDSFORD/CHATFORD DR. 3333.18 3312.21(A) 3333.255		
Vote Signature of Authorize Recommending Group Daytime Phone Numb	Title ZONING CHAIR		

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.



Council Variance Application CV24-129; Page 21 of 21

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 #:		
Parties having a 5% or more interest in the project that is the subje	ect of this application.		
THIS PAGE MUST BE FILLED OUT COMPLETELY AND N	IOTARIZED. 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 2			
deposes and states that they are the APPLICANT, AGENT, OR DUI			
ist of all persons, other partnerships, corporations or entities having	ng a 5% or more interest in the project which is the subject of this		
application in the following format:			
For Example: Na	me of Business or individual		
1	ntact name and number		
	siness or individual's address; City, State, Zip Code		
	Imber of Columbus-based employees		
	mbor or commons succe omproyees		
1. KCG Development LLC	2. Woodland Plaza LTD		
9311 N. Meridian Street, Suite 100	3016 Maryland Avenue		
Indianapolis, IN 46206	Columbus, OH 43209		
Zero Columbus-based employees	Zero Columbus-based employees		
0			
3.	4.		
Check here if listing additional parties on a separate page.			
Check here is tisting dualitorial further on a separate page.			
DIGNATURE OF A PENANTE			
SIGNATURE OF AFFIANT	0-0-1		
Sworn to before me and signed in my presence thisday	y of October, in the year 2024		
trep	Notary Seal Here		
STONATURE OF NOTARY PUBLIC Justin M. Allaw Justin M. Allaw			
Attorney N.: State of Ohio Notary Public, Sta			
Sec. 1	7. .		
THE OF CHILD			

This Project Disclosure Statement expires $\sin{(6)}$ months after date of notarization.