



Legislation Details (With Text)

File #: 2056-2023 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 6/30/2023 **In control:** Zoning Committee
On agenda: 7/17/2023 **Final action:** 7/21/2023
Title: To grant a Variance from the provisions of Section 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 5860 ROCHE DR. (43229), to permit reduced parking for a multi-unit residential development in the AR-O, Apartment Residential District (Council Variance #CV22-103).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2056-2023_Attachments, 2. ORD2056-2023_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|--|--------|
| 7/21/2023 | 1 | CITY CLERK | Attest | |
| 7/20/2023 | 1 | ACTING MAYOR | Signed | |
| 7/17/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/17/2023 | 1 | Zoning Committee | Accept entire staff report into evidence as an exhibit | Pass |
| 7/17/2023 | 1 | Zoning Committee | Adopt the findings of staff as the findings of Council | Pass |
| 7/17/2023 | 1 | Zoning Committee | Approved | Pass |
| 7/10/2023 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV22-103

APPLICANT: National Church Residences; c/o Matthew Bierlein, Atty.; 2335 North Bank Drive; Columbus, OH 43220.

PROPOSED USE: Multi-unit residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the AR-O, Apartment Office District (Ordinance #2055-2023; Z22-078) to allow multi-unit residential or office development. The requested Council variance proposes a multi-unit residential development with a maximum of 145 units, and includes a reduced parking ratio from 1.5 parking spaces to 0.7 parking spaces per residential unit. The requested parking reduction is supportable because the tenants of buildings owned by this applicant do not typically have automobiles.

To grant a Variance from the provisions of Section 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **5860 ROCHE DR. (43229)**, to permit reduced parking for a multi-unit residential development in the AR-O, Apartment Residential District (Council Variance #CV22-103).

WHEREAS, by application #CV22-103, the owner of property at **5860 ROCHE DR. (43229)**, is requesting a Council variance to permit parking for a multi-unit residential development in the AR-O, Apartment Residential District; and

WHEREAS, Section 3312.49(C), Minimum numbers of parking spaces required, requires that a residential development with four or more dwelling units provide 1.5 parking spaces per unit, while the applicant proposes 0.7 parking spaces per unit; and

WHEREAS, the City Departments recommend approval because the requested parking reduction is appropriate for the future tenants of this development; and

WHEREAS, the Applicant has agreed to provide written documentation to the Northland Community Council Development Committee concerning an off-site parking agreement, even if informal, if one or more neighboring properties are willing to accommodate overflow parking; but noting that any such agreement would not be recognized or enforced by the City of Columbus; 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 roads, 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 owners of the property located at **5860 ROCHE DR. (43229)**, 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 of Section 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; is hereby granted for the property located **5860 ROCHE DR. (43229)**, insofar as said section prohibits reduced parking requirements for a multi-unit residential development from 1.5 parking spaces to 0.7 parking spaces per unit; said property being more particularly described as follows:

5860 ROCHE DR. (43229), being 2.48± acres located on the east side of Roche Drive 160± feet north of Covington Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and State of Ohio: And in the City of Columbus, Section 4, Township 2, Range 18, United States Military Lands, being 2.474 acres of land out of the 5.479 acre tract, as conveyed to Wilbert B. and Stanley R. Gibson, of record in Deed Book 2450, Page 441, being also entirely out of "Reserve E", as the same is designated and delineated upon the recorded Plat of Salem Village No. 2, of record in Plat Book 33, Pages 114 and 115, both being of record in the Franklin County Recorder's Office, said 2.474 acre tract being more particularly described as follows:

Beginning at a point in the Southwesterly corner of said 5.479 acre tract, the Easterly line of Roche Drive (60 feet in width), as the same is designated and delineated upon the recorded plat of said Salem Village No. 2, said point being located also in the Northwesterly corner of a 0.12 acre tract now or formerly owned by The Columbus Motel Corporation and described in Deed Book 2352, Page 674, Franklin County Recorder's Office;

Thence North 4° 58' 15" East, with the Westerly line of said 5.479 acre tract and Reserve "E", the Easterly line of said Roche Drive, a distance of 225.00 feet to a point;

Thence South 85° 01' 45" East, parallel to the Southerly line and crossing said 5.479 acre tract and Reserve "E", perpendicular to the preceding course, a distance of 430.63 feet to a point in a Northeasterly line of said 5.479 acre tract, Reserve "E" and Salem Village No. 2, a Southwesterly line of Route 1-71 (North Freeway);

Thence South 19° 18' 30" East, with a Northeasterly line of said 5.479 acre tract, Reserve "E" and Salem Village No. 2, a Southwesterly line of said Route 1-71, a distance of 165.37 feet to a point;

Thence South 8° 58' 10" East, continuing with a Northeasterly line of said 5.479 acre tract, Reserve "E" and Salem Village No. 2, a Southwesterly line of said Route 1-71, a distance of 76.51 feet to a point in the Southeasterly corner of said 5.479 acre tract, the Northeasterly corner of said 0.12 acre tract, said point being located North 8° 58' 10" West, a distance of 10.30 feet from the Southeasterly corner of said Reserve "E", the Northeasterly corner of Reserve "F" of said Salem Village No. 2;

Thence North 85° 01' 45" West, with the Southerly line of said 5.479 acre tract, the Northerly line of said 0.12 acre tract, crossing said Reserve "E", a distance of 517.06 feet to the place of beginning, and containing 2.474 acres of land, more or less.

Subject to a 10 foot easement along the Easterly line of the above described premises, and also subject to all roadways, easements, rights, reservations, restrictions, zoning ordinances and conditions of record, if any.

Address: 5860 Roche Drive, Columbus, OH 43229

PPN: 010-085780-00

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with multi-unit residential development with a maximum of 145 units, or with those uses permitted in the AR-O, Apartment Office District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.