



## Legislation Text

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**File #:** 3429-2023, **Version:** 2

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### **Council Variance Application: CV23-119**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; Underhill and Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Apartment complex.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #3426-2023; Z23-059) to the AR-O, Apartment Office District. This concurrent Council variance proposes a 204-unit apartment complex with a density of 7.4 dwelling units per acre, and includes a variance for reduced perimeter yards. The requested variance allows for a site design that places parking behind buildings and provides centralized open space, generally consistent with the *Far North Area Plan's* (2014) design recommendations.

To grant a Variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes; for the property located at **7450 HUNTINGTON PARK DR. (43235)**, to allow reduced development standards for an apartment complex in the AR-O, Apartment Office District (Council Variance #CV23-119).

**WHEREAS**, by application #CV23-119, the owner of property at **7450 HUNTINGTON PARK DR. (43235)**, is requesting a Council variance to allow reduced development standards for an apartment complex in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yards along the north, east, and south property lines ~~varying between three, nine, and~~ of five feet, ~~respectively~~, as depicted on the site plan; and

**WHEREAS**, the City Departments recommend approval of said Council variance because the variance will allow an apartment complex generally consistent with *Far North Area Plan's* design recommendations; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed development; 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 streets, 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 **7450 HUNTINGTON PARK DR. (43235)**, 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 Sections 3333.255, Perimeter Yard, of the Columbus City Codes, is hereby granted for the property located at **7450 HUNTINGTON PARK DR. (43235)**, insofar as said section prohibits a reduced perimeter yard from 25 feet to ~~3 feet along the northern property line, to 9 feet along the eastern property line, and to 5 feet along the southern property line~~ **five feet along the northern, eastern and southern property lines**; said property being more particularly described as follows:

**7450 HUNTINGTON PARK DR. (43235)**, being 7.39± acres located on the east side of Huntington Park Drive, 480± feet southeast of Horizon Drive, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 60 and 61 of Section 2, Township 2, Range 18, United States Military Lands, of record in O.R. 6939, Page G05 and part of the original 32.251 and 52.697 acre tracts conveyed to East Ponco Land Development Company by Deeds of record in O.R. 5708, Page A01 and O.R. 6939, Page G01, respectively, records of the recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning for reference at a point in the northerly line and at the easterly end of Horizon Drive (being 60.00 feet in Width) as delineated upon the Plat of Crosswoods Center Section Four, shown of record in Plat Book 63, Page 71, said point being a southeasterly corner of a 6.321 acre tract conveyed to Campus Corporate Center by Deed of Record in O.R. 5708, Page A11;

Thence, with a curve to the right, having a radius of 380.00 feet, a central angle of 12° 36' 01" the chord to which bears South 37° 37' 27" East, a chord distance of 83.40 feet along the northerly line of Horizon Drive (being 60.00 feet in width) of record in Plat Book 64, Page 100, to the point of true beginning for the herein described tract:

Thence the following Two (2) courses and distances across said 32.251 acre tract:

- 1) Thence North 58° 40' 53" East, a distance of 111.39 feet to a point;
- 2) Thence South 86° 49' 53" East, a distance of 427.56 feet to a point in the common line of said original 32.251 acre tract and lands now or formerly owned by N & W Railroad;

Thence South 02° 50' 23" East, a distance of 651.58 feet along the common line of said Railroad lands with said original 32.251 and 52.697 acre tracts to a point;

Thence North 86° 49' 53" West, a distance of 520.77 feet across said original 52.697 and 26.809 acre tracts to a point in the easterly line of Horizon Drive;

Thence the following Two (2) courses and distances along the easterly line of Horizon Drive:

- 1) Thence North 03° 10' 07" East, a distance of 369.73 feet to a point of curvature;
- 2) Thence with a curve to the left having a radius of 380.00 feet, a Central angle of 34° 29' 34" the chord of which bears North 14° 04' 40" West, a chord distance of 225.33 feet to the point of true beginning, containing 7.376 acres, more or less.

Commonly Known As: 7450 Huntington Park Drive, Columbus, OH 43235

Parcel No.: 610-205680 & 610-211630

Address: 7450 Huntington Park Drive; Columbus, OH 43235

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the AR-O, Apartment Office District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**SITE PLAN**," dated November 17, 2023, and signed by Eric Zartman, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed development.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.