



Legislation Text

File #: 1571-2024, **Version:** 1

Council Variance Application: CV23-095

APPLICANT: Thrive Companies, c/o Dave Perry; Dave Perry Company; 411 East Town Street, Floor 1; Columbus, OH 43215 and Charles Campisano; Thrive Companies; 842 North 4th Street, Suite 200; Columbus, OH 43215.

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 #1507-2024; Z23-052) to the L-AR-2, Limited Apartment Residential District for a multi-unit residential development containing up to 353 units. The requested Council variance allows reduced landscaping, reduced required parking, and reduced perimeter yard. Staff supports the proposed variances as they will have minimal impact on adjacent properties. In addition, the requested variances will allow for centralized open space within the development, and the location of parking on the perimeter reflects the development pattern on adjacent commercial developments.

To grant a Variance from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.49, Required parking; and 3333.25, Perimeter yard, of the Columbus City Codes; for the property located at **7745 WALTON PKWY. (43054)**, to allow reduced development standards for an apartment complex in the L-AR-2, Limited Apartment Residential District (Council Variance #CV23-095).

WHEREAS, by application #CV23-095, the owner of the property at **7745 WALTON PKWY. (43054)**, requests a Council variance to allow reduced development standards for an apartment complex in the L-AR-2, Limited Apartment Residential District; and

WHEREAS, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing 10 or more parking spaces to provide one deciduous shade tree per 10 spaces within islands or peninsulas, with 47 shade trees being required for a 468-space parking lot, while the applicant proposes 21 shade trees; and

WHEREAS, Section 3312.49, Required parking, requires 1.5 parking spaces per dwelling unit, or 530 spaces for 353 apartment units, while applicant proposes 468 spaces; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yard along the east and west property lines of three feet and 10 feet, respectively; and

WHEREAS, City Departments recommend approval because the requested variances result in centralized open space for the proposed development, and will have a minimal impact on neighboring properties; and

WHEREAS, this ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed apartment complex; 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 **7745 WALTON PKWY. (43054)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance is hereby granted from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.49, Required parking; and 3333.25, Perimeter yard; of the Columbus City Codes; for the property located at **7745 WALTON PKWY. (43054)**, insofar as said sections prohibit reduced parking lot shade trees from 47 required trees to 21 provided trees; a reduction in required parking spaces from 530 required to 468 provided spaces; and reduced perimeter yards from 25 feet to three feet along the east property line, and to 10 feet along the west property line; said property being more particularly described as follows:

7745 WALTON PKWY. (43054), being 10.17± acres located on the south side of Walton Parkway, 1,250± feet east of New Albany Road:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 13, Quarter Township 2, Township 2, Range 16, United States Military Lands and being all of a 10.165 acre tract as conveyed to The New Albany Company LLC as recorded in Instrument Number 202207110100789, all references refer to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

BEGINNING at a magnetic nail found in the southerly right-of-way line of Walton Parkway (60 feet wide) as dedicated in Plat Book 95, Page 38, and a common line between the corporation limits of City of Columbus and City of New Albany, said point being the northeasterly corner of said 10.165 acre tract;

Thence South 03°29'36" West, a distance of 435.89 feet along the easterly line of said 10.165 acre tract, to a pinched iron pipe found at an angle point;

Thence continuing along said easterly line, South 03°10'51" West, a distance of 271.86 feet, to a 3/4" iron pin found (capped EMHT INC.) in the northerly right-of-way line of State Route 161, and also being the southeasterly corner of said 10.165 acre tract;

Thence with said right-of-way line and southerly line of said 10.165 acre tract for the following two (2) courses:

- 1) North 85°26'05" West, a distance of 448.72 feet to an angle point;
- 2) North 70°00'58" West, a distance of 313.58 feet to a point being the southwesterly corner of said 10.165 acre tract

Thence leaving said right-of-way line and along the westerly line of said 10.165 acre tract, North 24°16'57" East, a distance of 558.44 feet, to an angle point;

Thence continuing along said westerly line, North 03°37'44" East, a distance of 89.56 feet, to a point on the southerly right-of-way line of said Walton Parkway, and also being the northwesterly corner of said 10.165 acre tract;

Thence along said southerly right-of-way line and also along the north line of said 10.165 acre tract, South 86°22'16" East, a distance of 549.42 feet to the POINT OF BEGINNING;

Containing an area of 10.165 acres, more or less

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 allowed in the L-AR-2, Limited Apartment Residential District, specified by Ordinance #1507-2024; Z23-052.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed apartment complex.

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