



## Legislation Text

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**File #:** 3040-2022, **Version:** 1

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### **Council Variance Application: CV22-047**

**APPLICANT:** Robinwood Corporate Center, LLC; c/o Michael Shannon, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**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 (Ordinance #3039-2022; Z22-036) to the L-AR-1, Limited Apartment Residential District for the development of an apartment building containing up to 132 units. The requested Council variance permits a reduced parking setback line from Corporate Exchange Drive. Staff supports the variance as it will have minimum impact on adjacent properties.

To grant a Variance from the provisions of Sections 3312.27(2), Parking setback line, of the Columbus City Codes; for the property located at **6455 PRESIDENTIAL GATEWAY (43231)**, to permit a reduced parking setback for an apartment building in the L-AR-1, Limited Apartment Residential District (Council Variance #CV22-047).

**WHEREAS**, by application #CV22-047, the owner of property at **6455 PRESIDENTIAL GATEWAY (43231)**, is requesting a Council variance to permit a reduced parking setback for an apartment building in the L-AR-1, Limited Apartment Residential District; and

**WHEREAS**, Section 3312.27(2), Parking setback line, requires a minimum parking setback line of no less than 25 feet from Corporate Exchange Drive, while the applicant proposes a reduced parking setback line of 6 feet; and

**WHEREAS**, the City Departments recommend approval because the requested variance will have a negligible effect on neighboring properties; and

**WHEREAS**, this 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 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 **6455 PRESIDENTIAL GATEWAY (43231)**, 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 3312.27(2), Parking setback line, of the Columbus City Codes, is hereby granted for the property located at **6455 PRESIDENTIAL GATEWAY (43231)**, insofar as said section prohibits a reduced parking setback along Corporate Exchange Drive from 25 feet to 6 feet; said property being more particularly described as follows:

**6455 PRESIDENTIAL GATEWAY (43231)**, being 4.12± acres located at the southwest corner of Corporate Exchange Drive and Presidential Gateway, and being more particularly described as follows:

**Tract 1 - 4.122 Acres:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 2, Township 2 N, Range 17 W of the United States Military Lands, and being 4.122 acres out of that original 98.906 acre tract as conveyed to P. Ronald Sabatino by the instrument filed as Official Record volume 27389, page C11 (all deed references refer to the records of The Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning at a 3/4" iron pipe found at the northwesterly corner of the said 98.906 acre tract, the northeasterly corner of Newton Commons Condominium Number Twelve as recorded in Condominium Plat Book volume 12, page 21, and declared by the instrument filed as Official Record volume 00412, page C13, and on the southerly line of a parcel conveyed to Cass Information Systems, Inc. by the instrument filed as Instrument Number 200010170211430, the said pipe being the True Point of Beginning of the parcel herein described.

Thence along the Grantor's northerly line and along the southerly line of the said Cass Information Systems, Inc. parcel and then along the southerly right-of-way line of Corporate Exchange Drive (width varies) as dedicated by Plat Book volume 60, page 22, South 85 degrees 45 minutes 47 seconds East for a distance of 439.74 feet to an iron pin set on the westerly right-of-way line of Presidential Gateway (40' wide) as dedicated by the plat of Hidden Cove recorded as Plat Book volume 83, page 79;

Thence along the Grantor's easterly line and along the said westerly right-of-way line the following four (4) courses:

With a curve to the right, said curve having a central angle of 89 degrees 50 minutes 50 seconds, a radius of 20.00 feet, an arc length of 31.36 feet, and a long chord which bears South 40 degrees 50 minutes 22 seconds East for a distance of 28.25 feet to an iron pin set;

South 04 degrees 05 minutes 03 seconds West for a distance of 307.64 feet to an iron pin set;

With a curve to the right, said curve having a central angle of 30 degrees 56 minutes 00 seconds, a radius of 219.85 feet, an arc length of 118.69 feet, and a long chord which bears South 19 degrees 33 minutes 03 seconds West for a distance of 117.26 feet to an iron pin set at the Grantor's southeasterly corner and at the northeasterly corner of a parcel conveyed to T&R Communities, Inc. by the instrument filed as Official Record volume 31684, page B05;

Thence along the Grantor's southerly line and along the northerly line of the said T&R Communities, Inc. parcel, North 54 degrees 59 minutes 46 seconds West for a distance of 112.83 feet to an iron pin set;

Thence continuing along the Grantor's southerly line and along the northerly line of the said T&R Communities, Inc. parcel, North 85 degrees 55 minutes 31 seconds West for a distance of 331.56 feet to an iron pin set at the Grantor's southwesterly corner, the northwesterly corner of the said T&R Communities, Inc. parcel, and on the easterly line of a parcel conveyed to Christine Holdings LLC by the instrument filed as Instrument Number 201408200109092;

Thence along the Grantor's westerly line and along the easterly line of the said Christine Holdings LLC parcel, then the easterly line of a parcel conveyed to Matt Liston Properties, LLC by the instrument filed as Instrument Number 201508100110245, then the easterly line of a parcel conveyed to M.X.V. Properties, LLC by the instrument filed as Instrument Number 200508050158708, then the easterly line of a parcel conveyed to Richard L. Perry, Trustee, Richard

L. Perry Revocable Living Trust dated August 11, 2005 by the instrument filed as Instrument Number 200509220198186, North 04 degrees 04 minutes 29 seconds East for a distance of 383.90 feet to the True Point of Beginning, containing 4.122 acres, more or less, all contained within Franklin County Auditor's Parcel number 010-231127.

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

All iron pins called as set are 5/8" x 30" rebar with yellow cap stamped "CESO".

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2007), with ties to Franklin County Engineer Monuments FRANK 76 and FCGS 9959 having a relative bearing of North 59 degrees 46 minutes 49 seconds East.

Property Parcel: part of 010-231127.

Property Address: 6455 Presidential Gateway, Columbus, OH (43231).

**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 L-AR-1, Limited Apartment Residential District, specified by Ordinance #3039-2022; Z22-036.

**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.