



Legislation Text

File #: 1272-2026, **Version:** 1

Council Variance Application CV26-018

APPLICANT: Evergreen Real Estate Group; c/o Eric Zartman, Atty.; 8000 Walton Parkway, Suite 120; Columbus, OH 43054.

PROPOSED USE: Assisted living facility.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a portion of one undeveloped parcel in the CPD, Commercial Planned Development District, Subarea C of Rezoning Application Z14-044. The requested Council Variance will allow an assisted living facility with a maximum of 120 units. A Council variance is required because assisted living facilities are only allowed in the I, Institutional District and certain apartment residential districts, and this subarea allows C-4 and C-5, Commercial District uses, and no ground-floor residential uses. Additionally, variances to allow increased building height and density, and to reduce required parking from 90 to 70 spaces are included in the request. The site is within the planning area of the *Columbus Growth Strategy (CGS) (2026)*, which recommends "Mixed Use 3" land uses for this location, consistent with the proposed use. Additionally, the submitted building elevations are consistent with CGS Residential Design Guidelines. Staff recognizes the existing gas main easement as a mitigating factor for the proposed site design layout, and notes the proposed landscaping and screening along the southern parking lot on the submitted site plan as factors warranting support for the project.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3361.02, CPD permitted uses; 3312.49 (C), Required parking; and 3361.04(B), Performance criteria, of the Columbus City Codes; for the property located at **4991 E. DUBLIN-GRANVILLE RD. (43054)**; to allow an assisted living facility with reduced development standards in the CPD, Commercial Planned Development District (Council Variance #CV26-018).

WHEREAS, by application #CV26-018, the owner of property at **4991 E. DUBLIN-GRANVILLE RD. (43054)**, is requesting a Council variance to allow an assisted living facility with reduced development standards in the CPD, Commercial Planned Development District; and

WHEREAS, Section 3356.03, C-4 permitted uses, prohibits assisted living facilities, while the applicant proposes to develop the site with an assisted living facility in a CPD district that only allows C-4 or C-5, Commercial District uses; and

WHEREAS, Section 3361.02, Permitted uses, specifies limited C-4 and C-5 district uses in Subarea C of Rezoning Application #Z14-044, while the applicant proposes to develop the site with an assisted living facility which is prohibited in this CPD district; and

WHEREAS, Section 3312.49(C), Required parking, requires 0.75 parking spaces per assisted living unit, or 90 spaces total for 120 assisted living units, while the applicant proposes 70 parking spaces; and

WHEREAS, Section 3361.04(B), Performance criteria, limits the height of buildings with a primary use that is anything other than hotels, offices, or parking garages or structures to a maximum of 35 feet, and limits building density to 12,000 square feet of building area per acre for non-office uses, while the applicant proposes an increased allowable building

height of 50 feet, and an increased building density of 20,082 square feet per acre for an assisted living facility that has a total building area of 98,000 square feet; and

WHEREAS, City Departments recommend approval because the proposal is consistent with the *Columbus Growth Strategy's* land use recommendation of "Mixed Use 3" land uses, and includes building elevations that are consistent with CGS Residential Design Guidelines; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed assisted living facility; 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 **4991 E. DUBLIN-GRANVILLE RD. (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 from the provisions of Sections 3356.03, C-4 permitted uses; 3361.02, CPD permitted uses; 3312.49(C), Required parking; and 3361.04(B), Performance criteria, of the Columbus City Codes; is hereby granted for the property located at **4991 E. DUBLIN-GRANVILLE RD. (43054)**, insofar as said sections prohibit assisted living facilities in this particular CPD, Commercial Planned Development District subarea, with a parking reduction from 90 required to 70 provided spaces; an increase in building height from 35 to 50 feet; and an increase in building density from 12,000 to 20,082 square feet per acre; said property being more particularly described as follows:

4991 E. DUBLIN-GRANVILLE RD. (43054), being 4.88± acres located on the south side of East Dublin-Granville Road; 420± feet east of Old Hamilton Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military District, being part of that 29.379 acre tract conveyed to Center State Enterprises LLC by deeds of record in Instrument Number 201409180123641 and Instrument Number 201512210178187 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

BEGINNING in the southerly right-of-way line of Dublin-Granville Road, as dedicated in Plat Book 122, Page 85, at the northwesterly corner of the remainder of said 29.379 acre tract, the northeasterly corner of that 1.158 acre tract conveyed to New Albany Wash Investments LLC by deed of record in Instrument Number 202010230166187;

Thence South 87° 06' 16" East, with the southerly right-of-way line of said Dublin-Granville Road, a northerly line of the remainder of said 29.379 acre tract, a distance of 262.41 feet to a point of curvature;

Thence with the southerly right-of-way line of said Dublin-Granville Road, a northerly line of said 29.379 acre tract, with the arc of a curve to the left, having a central angle of 14° 57' 58", a radius of 533.50 feet, an arc length of 139.35 feet, a chord bearing of North 85° 24' 45" East and chord distance of 138.96 feet to the common corner of the remainder of said 29.379 acre tract and the remainder of that 44.294 acre tract conveyed to Hamilton Crossing LLC by deed of record in Instrument Number 201810290147105;

Thence South 03° 50' 57" West, with the line common to said 29.379 and 44.294 acre tracts, a distance of 556.80 feet to the northeasterly corner of that 3.318 acre tract conveyed to RHD New Albany, LLC by deed of record in Instrument

Number 201910290143729;

Thence North 86° 08' 50" West, with the line common to the remainder of said 29.379 acre tract and said 3.318 acre tract, a distance of 390.97 feet to the northwesterly corner of said 3.318 acre tract;

Thence North 02° 53' 44" East, across said 29.379 acre tract and with the easterly line of said 1.158 acre tract, a distance of 532.09 feet to the POINT OF BEGINNING, containing 4.879 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 an assisted living facility or those uses allowed by the CPD, Commercial Planned Development District in accordance with Ordinance #1758-2015 (Z14-044).

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**PROPOSED SITE PLAN**," and said building elevations titled, "**EXTERIOR VIEW**," both signed by Eric Zartman, Attorney for the Applicant, and dated April 9, 2026. The plans 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 a Certificate of Occupancy for the proposed assisted living facility.

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