

ZONING DIVISION

200 S. Hamilton Road Gahanna, Ohio 43230 614-342-4025 zoning@gahanna.gov www.gahanna.gov

CONDITIONAL USE APPLICATION

	PROPERTY IN	IFORMATION	
Project/Property Address:		Project Name/Bus	iness Name:
Parcel #:	Zoning: (see <u>Map</u>)		Acreage:
	LMFRD and S	SCPD	
		FICATIONS	
Proposed Use/Project Description:			
STAFF USE ONLY:			
(Code Section):			
	APPLICANT IN	NFORMATION	
Applicant Name (Primary Contact):		Applicant Address:	
Applicant E-mail:		Applicant Phone:	
Applicant L-mail.		Аррисант гнопе.	
Business Name		I	
(if applicable):			
	ADDITIONA	CONTACTS	
Pleas	ADDITIONA se list all applicable co	L CONTACTS	ondence
Name(s)	se list all applicable co		ntact Information (phone/email)
Trainie(s)			react mornation (priority circuity
Property Owner Name: (if different from A	pplicant)	Property Owner Co	ontact Information (phone no./email):

ADDITIONAL INFORMATION ON NEXT PAGE....

ITERNAL

Zoning File No. CU-0059-2023

RECEIVED: KAW

DATE: __2-16-2023

PAID: 200.00

DATE: 02-16-2023

Updated Apr 2022



CONDITIONAL USE APPLICATION - SUBMISSION REQUIREMENTS

	TO BE COMPLETED/SUBMITTED BY THE APPLICANT:
1.	Review Gahanna Code Chapter <u>1169</u> (visit <u>Zoning Code</u>)
2.	Legal description of property certified by registered surveyor (11"x17")
3.	Statement of the proposed use of the property
4.	Statement of the necessity or desirability of the proposed use to the neighborhood or community
5.	Statement of the relationship of the proposed use to adjacent property & land use
6.	Plot Plan including the following: (11"X17" preferred) - The boundaries and dimensions of the lot - The size and location of existing and proposed buildings and/or structures - The proposed use of all parts of the lot, buildings and/or structures, including access ways, walks, off-street parking and loading spaces, and landscaping - The relationship of the proposed development to the applicable development standards - The use of land and location of structures on adjacent property
7.	List of contiguous property owners & their mailing address
8.	One set of pre-printed mailing labels for all contiguous property owners
9.	Application fee (in accordance with the Building & Zoning Fee Schedule)
10.	Application & all supporting documents submitted in digital format
11.	Application & all supporting documents submitted in hardcopy format
12.	Authorization Consent Form Complete & Notarized (see page 3)

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED

I certify that the information on this application is complete and accurate to the best of my knowledge, and that the project as described, if approved, will be completed in accordance with the conditions and terms of that approval.

Applicant Signature: Applicant Signature:	Date:

PLEASE NOTE:

- The Public Hearing will not occur until the City of Gahanna reviews the Application for Code Consistency. Applications that are not consistent with the code will not be scheduled for hearing.
- The application expires if no action is taken 6 months from the date of the last staff comment letter.



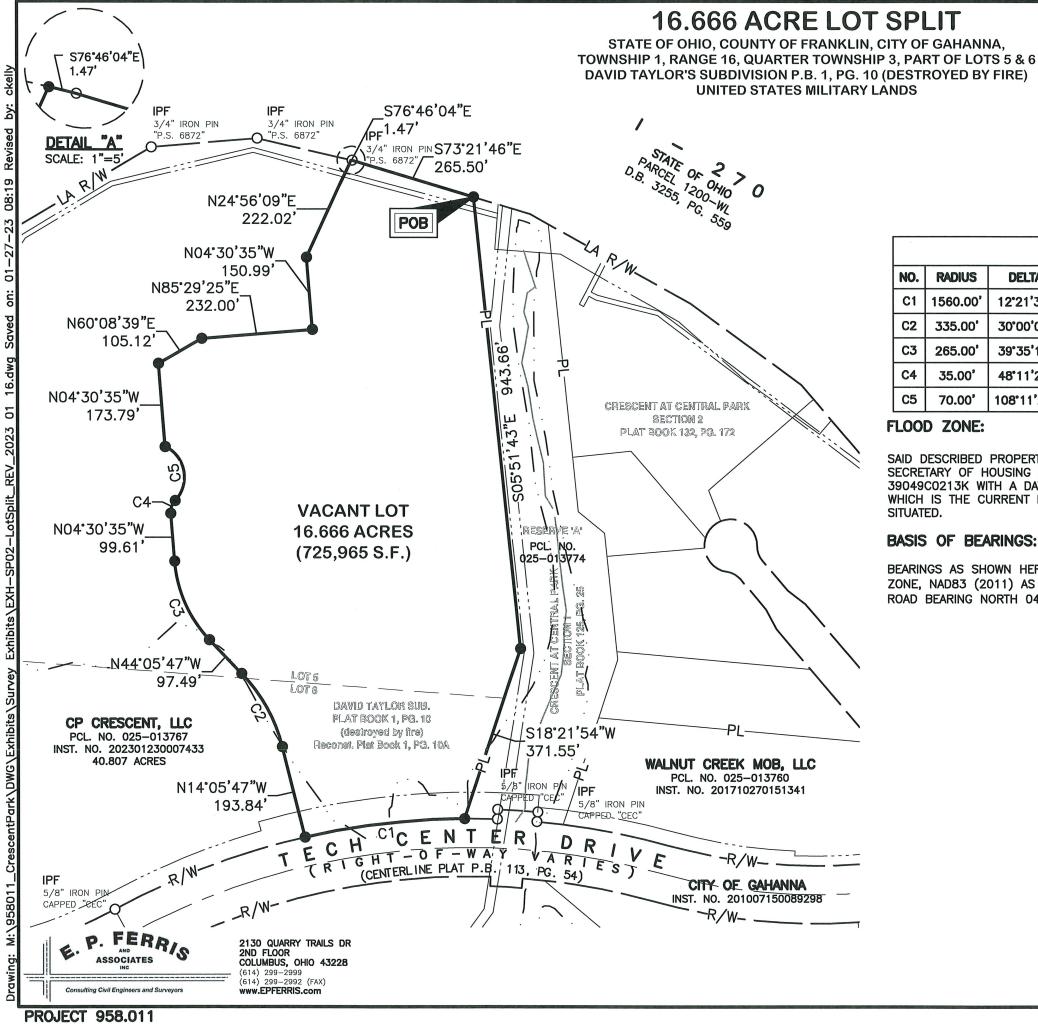
AUTHORIZATION CONSENT FORM

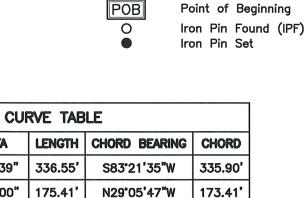
(must sign in the presence of a notary)

If you are filling out more than one application for the same project & address, you may submit a copy of this form with additional applications.

As the property owner/authorized owner's representative of the subject property listed on this application, hereby at the applicant/representative to act in all matters pertaining to the processing and approval of this application, includ modifying the project. I agree to be bound by all terms and agreements made by the applicant/representative. (property owner name printed) (property owner signature) (property owner signature) (date) AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/owner of the subject property this application, hereby agree that the project will be completed as approved with any conditions and terms of the and any proposed changes to the approval shall be submitted for review and approval to City staff. AUTHORIZATION TO VISIT THE PROPERTY I hereby authorize City representatives to visit, photograph and accurate to the best of my knowledge. APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information on this application is come and accurate to the best of my knowledge. Garaffar Country of Frauktin (applicant/representative/property owner name printed) Authorized for property and accurate to the best of my knowledge. Garaffar Country of Frauktin (applicant/representative/property owner signature) (applicant/representative/property owner signature) (date)	Z	IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION	<u> </u>
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Steven K. Dankof, Jr., Attorney At Law NOTARY PUBLIC - STATE OF OHIO early Public Signature: **Sec. 147,03 R.C.**		notice (if applicable) on the subject property as described. APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information and accurate to the best of my knowledge. Cartfine Carthor (applicant/representative/property owner name printed) (applicant/representative/property owner signature) Tibed and sworn to before me on this 10th day of February 2023.	al to City staff. Intatives to visit, photograph and possition on this application is complete 2/10/23 (date)

Updated Apr 2022





N24°18'11"W

N19°35'07"E

N10°24'53"W

<u>Legend</u>

R/W

PL

LA R/W

Right-of-Way

Property Line

Right-of-Way

179.47

28.58

113.40

Limited Access



200

SCALE IN FEET

400

FLOOD ZONE:

RADIUS

1560.00'

335.00

265.00

35.00

70.00'

DELTA

12°21'39"

30'00'00"

39°35'13"

48'11'23"

108°11'23"

183.09'

29.44

132.18'

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" AND "AE" BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP NO. 39049C0351K AND 39049C0213K WITH A DATE OF IDENTIFICATION OF JUNE 17, 2008, IN FRANKLIN COUNTY, STATE OF OHIO, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS

BASIS OF BEARINGS:

BEARINGS AS SHOWN HEREON ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD83 (2011) AS DETERMINED BY ODOT RTN OBSERVATIONS, WITH THE CENTERLINE OF HAMILTON ROAD BEARING NORTH 04°09'11" EAST.

> Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.

> Mag nails set are magnetic nails with a 1.5" diameter brass washer with "EP FERRIS SURVEYOR 8342" inscribed on top.

Field survey was conducted from 07-2020 through 06-2021.

We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code.



Matthew Lee Sloat, P.E., P.S. Registered Surveyor No. 8342

16.666 ACRE LOT SPLIT

DATE: 01/27/2023 JOB NO: DRAWN BY: CHECKED BY: APPROVED BY: MLS OF

LEGAL DESCRIPTION 16.666 ACRES

Situated in the State of Ohio, County of Franklin, City of Gahanna, being in Quarter Township 3, Township 1, Range 16, United States Military Lands, within Lots 5 and 6 of David Taylor's Subdivision (Destroyed by fire), Plat Book 1, Page 10, reconstituted in Plat Book 1, Page 10A, and being part of a 40.807 acre tract as conveyed to CP Crescent, LLC in Instrument Number 202301230007433, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING at an iron pin set at the northwesterly corner of a Reserve "A" as delineated in Crescent At Central Park Section 1, as recorded in Plat Book 125 page 25, also being the northeasterly corner of said 40.807 acre tract and on the southerly limited access right-of-way line of Interstate 270, as conveyed to the State of Ohio in Deed Book 3255, Page 559;

Thence along the easterly line of said 40.807 acre tract and the westerly line of said Reserve "A", the following courses:

South 05°51'43 East, 943.66 feet to an iron pin set;

South 18°21'54" West, 371.55 feet to an iron pin set, being on the northerly right-of-way line of Tech Center Drive (Varies), as delineated in the Centerline Plat FRA-Tech Center Drive, Plat Book 113, Page 54, as conveyed to the City of Gahanna in Instrument Number 201007150089298, also being the southeasterly corner of said 40.807 acre tract, also being the southwesterly corner of said Reserve "A";

Thence along the northerly right-of-way of said Tech Center Drive and along the southerly line of said 40.807 acre tract, along a curve to the left having a radius of 1560.00 feet, a delta angle of 12°21'39", an arc length of 336.55 feet, and a chord bearing and distance of South 83°21'35" West, 335.90 feet to an iron pin set;

Thence across said 40.807 tract, the following twelve (12) courses:

North 14°05'47" West, 193.84 feet to an iron pin set on a point of curvature;

Along a curve to the left having a radius of 335.00 feet, a delta angle of 30°00'00", an arc length of 175.41 feet, and a chord bearing and distance of North 29°05'47" West, 173.41 feet to an iron pin set at a point of tangency;

North 44°05'47" West, 97.49 feet to an iron pin set at a point of curvature;

Along a curve to the right having a radius of 265.00 feet, a delta angle of 39°35'13", an arc length of 183.09 feet, and a chord bearing and distance of North 24°18'11" West, 179.47 feet to an iron pin set at a point of tangency;

North 04°30'35" West, 99.61 feet to an iron pin set at a point of curvature;

Along a curve to the right having a radius of 35.00 feet, a delta angle of 48°11'23", an arc length of 29.44 feet, and a chord bearing and distance of North 19°35'07" East, 28.58 feet to an iron pin set at a point of reverse curvature;

Along a curve to the left having a radius of 70.00 feet, a delta angle of 108°11'23", an arc length of 132.18 feet, and a chord bearing and distance of North 10°24'53" West, 113.40 feet to an iron pin set;

North 04°30'35" West, 173.79 feet to an iron pin set;

North 60°08'39" East, 105.12 feet to an iron pin set;

North 85°29'25" East, 232.00 feet to an iron pin set;

North 04°30'35" West, 150.99 feet to an iron pin set;

North 24°56'09" East, 222.02 feet to an iron pin set being on the northerly line of said 40.708 acre tract, and said southerly limited access right-of-way of Interstate 270;

Thence along the northerly line of said 40.708 acre tract and said southerly limited access right-of-way line of Interstate 270, the following courses:

South 76°46'04" East, 1.47 feet to a 3/4" iron pin found capped "P.S. 6872";

South 73°21'46" East, 265.50 feet to the **POINT OF BEGINNING**, containing 16.666 acres (725,965 S.F.), more or less.

Bearings referenced herein are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (2011), as determined by ODOT RTN observations, with the centerline of Hamilton Road bearing North 04°09'11" East.

All monuments found are in good condition unless otherwise noted.

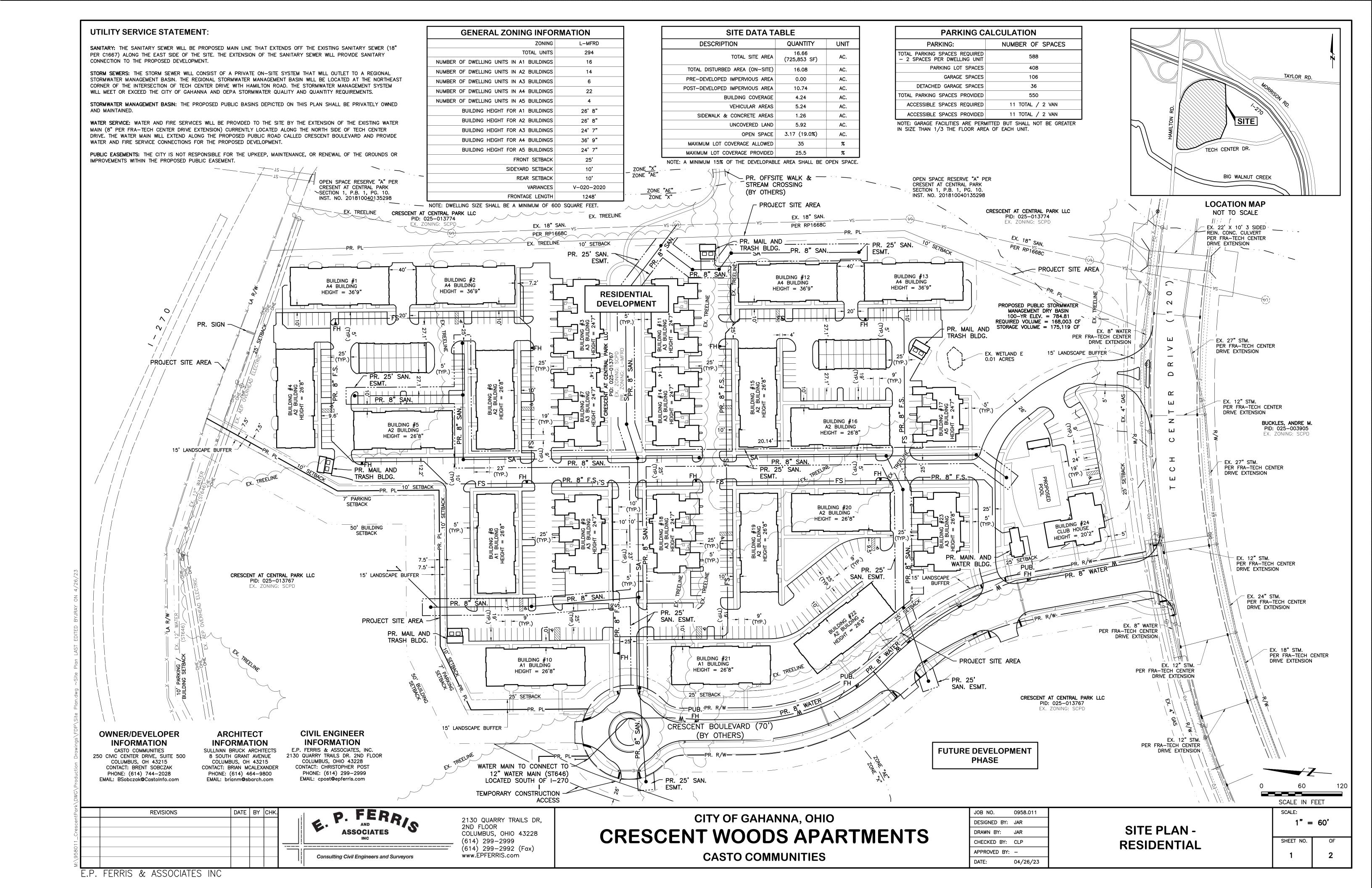
Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top. Mag nails set are magnetic nails with 1.5" diameter brass washer with "EP FERRIS SURVEYOR 8342" inscribed on top.

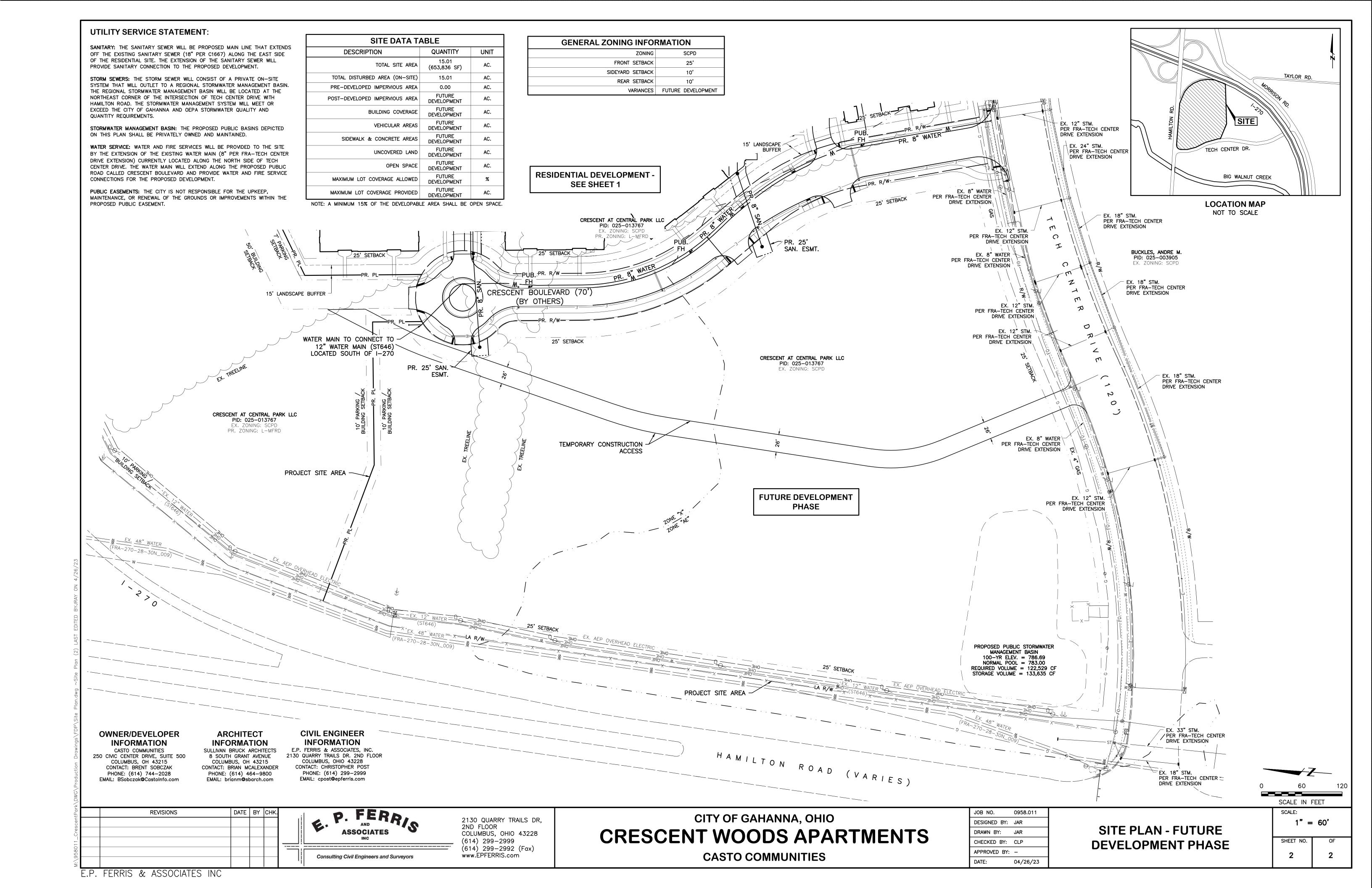
This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. in July 2020 and June 2021 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342.



Matthew Lee Sloat, PS

Registered Surveyor No. 8342











CONDITIONAL USE STATEMENT

ADDRESS: 0 Hamilton Road PARCEL: 025-013767

SIZE: +/- 16.666 acres
CURRENT: LMFRD and SCPD

PROPOSED: LMFRD

OWNER: CP Crescent LLC

APPLICANT: CP Crescent LLC c/o Griffin Caldwell ATTORNEY: Aaron Underhill, Underhill & Hodge, LLC

DATE: March 22, 2023

Applicant respectfully submits this statement in support of its conditional use request.

I. Statement of the Proposed Use

The site is located southeast of the South Hamilton Road and Interstate 270 interchange and north of Tech Center Drive. The site is undeveloped property and currently zoned in the Limited Multi-family Residential District (LMFRD) and the Select Commercial Planned District (SCPD). A majority of the site was rezoned from SCPD to LMFRD in 2020 to allow development of site for multifamily residential use. As the plan for the development has evolved over the last couple years, the site's boundary has slightly changed. This application is submitted to modify the site's boundary accordingly and rezone the remainder SCPD property to LMFRD with the rest of the development.

The Applicant proposes rezoning the property from LMFRD and SCPD to LMFRD to permit the development of a multifamily residential development as the initial component to a mixed-use development. The Applicant proposes a total of 262 units on +/- 16.666 acres for a density of +/- 15.72 dwelling units per acre.

The Applicant requests conditional uses pursuant to Gahanna Code of Ordinances from the following sections:

Section 1149.02(a)(1) to permit the development of a multifamily residential development with buildings containing up to 16 dwelling units.

Section 1149.02(a)(2) to permit more than one residential building on the same lot.,

Section 1149.02(a)(3) to permit an average density of 18 dwelling units per acre.

Section 1149.02(c) to permit accessory buildings in association with permitted dwellings.

Section 1149.03(g) to permit residential buildings with three full stories.

II. Statement of Desirability

Gahanna conducted a survey in preparation for the recently adopted 2019 Gahanna Land Use Plan. The survey participants generally believe that Gahanna is in need of more apartment

and mixed-use developments. Notably, at least 60% of respondents in each age category believe that more apartments are needed. These results align with *Insight 2050* which projects Central Ohio's population to increase by a half a million to a million people by 2050. The proposed development will provide the desirable apartment use and spur commercial development in the immediate area.

The Applicant proposes a project that addresses the stated needs of the community, which were adopted and incorporated into the 2019 Gahanna Land Use Plan. The requested conditional uses will allow the Applicant to develop the property in a manner which provides the needed apartments while maintaining quality development standards.

Notably, the "triangle" within the South Hamilton, Interstate 270, and Tech Center Drive is largely undeveloped. The proposed development will jumpstart further commercial development within the triangle and establish the area as a mixed-use commercial and residential node of Gahanna.

III. Conditional Use Criteria

Gahanna Zoning Code Section 1169.04 provides the following criteria for consideration of conditional use requests.

(1) The proposed use is a conditional use of the zoning district and the applicable development standards established in this Zoning Ordinance are met.

The proposed use and requested conditional uses are indeed permitted and conditional uses in the MFRD district. The development overwhelmingly meets the MFRD district's development standards except for a few variances requested in a companion variance application.

(2) The proposed development is in accord with appropriate plans for the area.

The proposed development is appropriate for the area because the 2019 Gahanna Land Use Plan calls for mixed use within and adjacent to the Site. This is a classification which recommends retail, office, and residential at 10-30 dwelling units per acre.

The Plan also recognizes the need for more apartment and mixed uses. This development will be the first in and will foster what will become horizontal mixed-use development within the triangle. The Applicant will conform the property to the goals and objectives established in the Plan and the development will not have undesirable effects on the surrounding area.

(3) The proposed development will not have undesirable effects on the surrounding area.

The proposed development will not have undesirable effects on the surrounding area. The "triangle" of South Hamilton Road, Interstate 270, and Tech Center Drive is undeveloped except

for a one medical office. To the north and east, across Interstate 270, are Gahanna properties zoned and used commercially. To the south, across Tech Center Drive, is a Columbus golf course. To the west, across South Hamilton Road, are undeveloped residential Columbus properties.

The proposed development will be an asset to the surrounding area. It will provide needed apartments and will spur commercial development within the triangle. These are specifically stated goals of the area as detailed by the Plan.

(4) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

The proposed development will keep with the existing land use character and physical development potential of the area. The proposed use is the perfect use of the property, the plan and architecture are thoughtful to the surrounding area, and there will be no undue burden on public infrastructure.

APPLICANT:

CP Crescent LLC

250 Civic Center Drive, Suite 500

Columbus, Ohio 43215

PROPERTY OWNER:

CP Crescent LLC

250 Civic Center Drive, Suite 500

Columbus, Ohio 43215

ATTORNEY:

Aaron L. Underhill Underhill & Hodge LLC

8000 Walton Parkway, Suite 260 New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

Walnut Creek Mob LLC

P.O. Box 887

New Albany, Ohio 43054

Crescent at Central Park LLC

132 Preston Road Columbus, OH 43209

Columbus Regional Airport Authority (City of Columbus) 4600 International Gateway Columbus, OH 43219

City of Gahanna 200 North Hamilton Gahanna, Ohio 43230



DISPOSITION – April 19, 2023

April 10, 2023

Crescent AT Central Park LLC 132 Preston Rd Columbus, OH 43209-1653

RE: Project 0 Hamilton Rd Conditional Use

Dear Crescent AT Central Park LLC:

The following comments were generated from the review of the submitted plans and documents for the referenced project.

Transportation & Mobility Engineer (614) 342-4050

1. See comments on the Final Development Plan. Noted.

If you have general comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025. If your questions are specific to a certain department's comments, please reach out to that department using the contact information provided with their comments above.

Sincerely,

Kelly Wicker Planning and Zoning Coordinator



STAFF REPORT

Request Summary

The applicant is requesting approval of Final Development Plan, Design Review, Conditional Use, Variance, and Rezoning applications for the construction of an apartment complex at parcel #025-013767, located on the northern side of Tech Center Drive, just east of Hamilton Road. It is part of the Crescent at Central Park area. The site is mostly zoned L-MFRD — Multifamily Residential with a Limited Overlay, while the southern portion of the site is zoned SCPD — Select Commercial Planned District. The rezoning application is to rezone this southern portion, so the entire site is L-MFRD.

In 2020, Rezoning, Conditional Use, and Variance applications were approved for a multi-family project at this site. At the time, the project consisted of 312 units, or 17.43 du/acre. The approved Conditional Uses were for increased density, building height, residential buildings on lot, and accessory buildings.

In 2021, Final Development Plan and Design Review applications for the project were approved by Planning Commission. At that point, the project's scope had been reduced due to City Council's input and contained 240 units, or 16.5du/acre. Simultaneously, additional Variances for signage and screening requirements were approved. The current application contains many of the same Conditional Uses and Variances. Since the project's scope and boundaries have changed, most of these need to be reapproved by Planning Commission.

The current proposal contains 294 apartment units on 16.67 acres, which is approximately 17.6 du/acre, and requires approval of a Conditional Use in this zoning district (see Conditional Use section). The site will contain 23 residential buildings of varying sizes, two separate garages, and one clubhouse and community pool. The buildings on-site utilize vinyl siding and trim, brick veneer, and cast stone veneer as materials. The various exterior colors are shown in the color elevations below.

The total number of parking spaces provided on-site is 550 (~1.9 per unit), which is just below the 588 required spaces. 408 of these spaces are uncovered and 142 are garage spaces. A Variance to this parking requirement has been requested. The proposal meets the requirements for 15% of common, open, usable space. All lighting requirements are met as well.

Per landscaping requirements in Chapter 914 and interior landscaping requirements in Chapter 1163, 271 total trees of at least 3 caliper inches are required to be planted. The applicant is proposing 317 trees, therefore exceeding requirements.

The properties directly to the east and west of the site are zoned Commercial, therefore Code requires a 15 ft buffer with one tree per 40 ft of linear boundary and a six-foot-high continuous screen. This requirement is met along the west property line, but a Variance has been requested to the east property line (see Variance section). The northern property line abuts I-270 and has more intensive requirements with a 20 ft required buffer, one tree per 30 ft of linear boundary, and a continuous six-foot-high screen. A Variance to this requirement was granted in 2021 and is still valid since the northern property line remains unchanged.



Final Development Plan

Planning Commission shall approve an FDP application if the following four conditions are met:

- The proposed development meets the applicable development standards of this Zoning Ordinance.
- The proposed development is in accord with appropriate plans for the area.
- The proposed development would not have undesirable effects on the surrounding area.
- The proposed development would be in keeping with the existing land use character and physical development potential of the area.

Design Review

General review criteria for Design Review applications include the following:

- Are stylistically compatible with other new, renovated, and existing structures in the applicable
 Design Review District in order to maintain design continuity and provide protection of existing
 design environment.
- Contribute to the improvement and upgrading of the architectural and design character of the Design Review District.
- Contribute to the continuing economic and community vitality of the Design Review District
- Maintain, protect, and enhance the physical surroundings of the Design Review District.

Since the site is zoned L-MFRD, it is a part of Design Review District 2 (DRD-2). Here are relevant Design Review standards for DRD-2:

- Adequate parking shall be provided with access to recreational and open space facilities.
- Colors shall be of a palette that fosters harmonious relationship with other uses and structures.
 - Natural, historic, earth tones or similar colors
- Building materials should be of a nature that will enhance the development and existing land values. Brick, slate, wood, cement, stucco, or other materials should provide diversity, but, at the same time, should be consistent with the surrounding area.
 - Decorative stone and bricks are preferred, but decorative wood or vinyl siding may be used if approved by Planning Commission.

Conditional Use

Five Conditional Uses have been requested as part of this application, all of which are related to multi-family uses and are necessary to develop the site at the requested density. The MFRD Chapter of Code regulates density, number of buildings, and accessory buildings through Conditional Uses.

The following Conditional Uses have been requested:

- 1. 1149.02(a)(1) Buildings containing more than eight dwelling units
- 2. 1149.02(a)(2) Two or more permitted residential buildings on the same lot
- 3. 1149.02(a)(3) Additional density of up to 18 du/acre
- 4. 1149.02(c) Accessory buildings and uses in association with permitted dwelling buildings
- 5. 1149.03(g) Buildings more than two full stories above grade



Requests for a conditional use shall be approved if the following four conditions are met:

- 1. The proposed use is a conditional use of the zoning district and the applicable development standards established in this zoning ordinance are met.
- 2. The proposed development is in accord with the appropriate plans for the area.
- 3. The proposed development will not have undesirable effects on the surrounding area.
- 4. The proposed development will be in keeping with the existing land use character and physical development potential of the area.

Variances

The following variances have been requested:

- 1. 1149.03(b)(1) Lot Width
 - a. The minimum required lot width is equal to 75 ft plus 10 additional ft per dwelling unit. There are 294 units proposed, meaning Code requires the lot to be 3,015 ft wide, which is over ½ of a mile.
 - b. Staff does not object to this variance request. The required lot width is nearly impossible to meet, and this Code requirement makes it more difficult to develop multi-family projects. A Variance to this Chapter was previously approved for the site in 2020. A variance to this same section was also approved for the Morse Road apartment proposal in 2022.
- 2. 1149.03(e) Rear Yard
 - a. Code requires a rear yard of at least 25 feet.
 - b. Staff does not object to this variance request. The request is to reduce the required setback from 25 ft to 20 ft. The variance is minor in nature and there is a heavily wooded area adjacent to the rear yard that will remain undeveloped and provide screening. A Variance to this Chapter was previously approved for the site in 2020.
- 3. 1149.03(I)(3) Relationship of Main Buildings to Each Other
 - a. No end of a main building shall be closer than 15 ft to the boundary of an MFRD district.
 - b. Staff does not object to this variance request. The request is to reduce this requirement from 15 ft to 10 ft. The layout and density of the site makes it difficult to meet this requirement and the variance request is minor in nature.
- 4. 1149.03(I)(5) Relationship of Main Buildings to Each Other
 - a. No parking shall be closer than 25 feet to the front or rear of a main building.
 - b. Staff does not object to this variance request. The request is to reduce the minimum distance from 25 ft to 5 ft. This Variance is necessary to increase the amount of parking. A Variance to this Chapter was previously approved for the site in 2020.
- 5. 1163.02(a) Minimum Number of Parking Spaces Required
 - a. Two parking spaces per dwelling unit required.
 - b. Staff does not object to this variance request. The total required parking for the site is 588 spaces and 550 are proposed. The variance is minor in nature.
- 6. 1167.20(b)(2) Property Perimeter Requirements



- a. For any residential zone adjacent to a commercial zone, Code requires a 15 ft buffer, one tree per 40 ft of linear boundary, and a continuous 6-ft-high screen along the property line.
- b. Staff does not object to this variance request. This exact variance was approved for this project in 2021 but is null and must be requested again since the project boundaries have changed.

Planning Commission shall not grant a variance unless it finds that all the following conditions apply:

- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Rezoning

The proposed rezoning is from SCPD to L-MFRD. The northern part of the site was already rezoned to L-MFRD in 2020, but the project boundaries have changed, requiring another Rezoning application for the southern portion of the site. Please note that Planning Commission shall make a recommendation to City Council for this application.

Planning Commission shall consider the following elements, among other criteria, when deciding the proposed change:

- 1. Consistency with the goals, policies, and comprehensive land use plan of the City of Gahanna, including any corridor plans, or subarea plans.
 - a. The proposed rezoning to MFRD is consistent with the recommendations of the Land Use Plan. The proposed density of 17.6 du/acre is also consistent with the Land Use Plan.
- 2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
- 3. Evidence the applicant cannot receive a reasonable return in investment through developing the property with one of the uses permitted under the current zoning.
- 4. Availability of sites elsewhere in the City that are already zoned for the proposed use.
 - a. Staff is not aware of other sites that are zoned for multi-family and available for development. The Land Use Plan has identified a need for more diverse, higher density housing options.
- 5. The compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density,



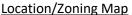
nature of use, traffic impacts, aesthetics, infrastructure, and potential influence in the value of existing abutting lands or approved developments.

- 6. The capacity of City infrastructure and services to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare" of its citizens.
- 7. The apparent demand for the type of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

Staff Comments

Staff recommends approval of the Final Development Plan, Variance, Conditional Use, and Rezoning as submitted. These four applications meet all applicable Code requirements and above criteria with the requested Variances. The requested Conditional Uses are necessary for higher density residential and have been recently applied to other multi-family developments. Additionally, the Land Use Plan identifies a need for more diverse housing options in the City as the region continues to grow. All of the requested Variances are either minor in nature, necessary to meet other Code requirements, and/or have been previously approved for this site.

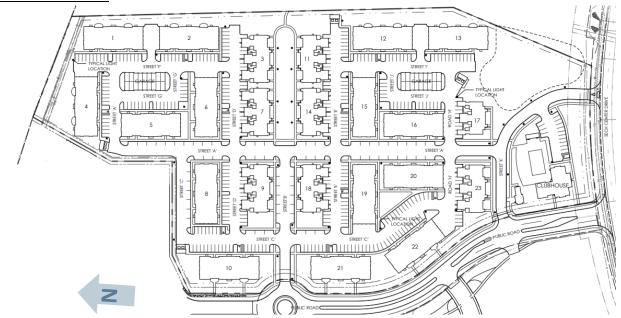
Staff has no objection to the Design Review, although it is under the purview of Planning Commission to request modifications to the design and materials of the proposed structures. Vinyl is not a permitted material unless explicitly approved by the Commission.



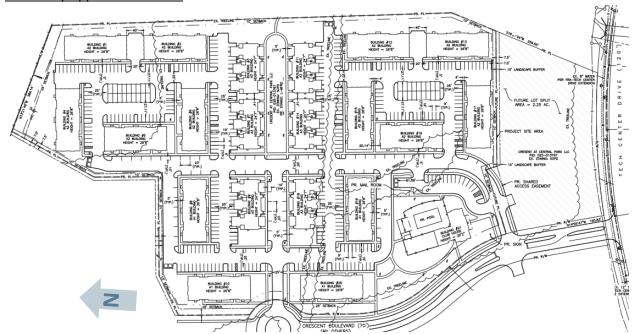




Submitted Site Plan



Previously Approved Site Plan





Submitted Elevations









Previously Approved Elevations

Note: These are only the buildings where the primary colors have changed since the 2021 application. There were no three-story buildings in the previous submittal.



Respectfully Submitted By: Maddie Capka Planner