



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

CONDITIONAL USE APPLICATION

Project/Property Address or Location: Hamilton Road		Project Name/Business Name: Crescent at Central Park	
Parcel ID No.(s): 025-013767	Zoning Designation: Current: SPCD, Proposed: LMFRD	Total Acreage: +/- 17.90	
Proposed Use: Development of site with multi-family residential development. Conditional use variance is requested to increase permitted dwelling units per building and maximum density.			
STAFF USE ONLY – Conditional Use: <i>1149.02(a)(1) - Dwelling Buildings 1149.02(a)(3) - Dwelling Buildings</i> <i>1149.02(a)(2) - Dwelling Buildings 1149.02(c) - Accessory Uses</i>			
APPLICANT Name-do <u>not</u> use a business name: Larry Canini		Applicant Address: 132 Preston Road, Columbus, Ohio 43209	
Applicant E-mail: larry@caniniassociates.com		Applicant Phone No.: 614.296.3872	
BUSINESS Name (if applicable): Crescent at Central Park LLC			
ADDITIONAL CONTACTS Please List Primary Contact for Correspondence (please list all applicable contacts)			
Name(s): David Hodge, Attorney for Applicant		Contact Information (phone no./email): Underhill and Hodge 8000 Walton Parkway, Suite 260 New Albany, Ohio 43054 614.335.9320 david@uhlfirm.com	
PROPERTY OWNER Name: (if different from Applicant) Crescent at Central Park LLC		Property Owner Contact Information (phone no./email): larry@caniniassociates.com, 614.296.3872	

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED (see page 2)

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/Primary Contact Signature: David Hodge Date: 5-29-20

INTERNAL USE

Zoning File No. CV-0117-2020

RECEIVED: KAW
 DATE: 6-9-2020

PAID: 200.00
 DATE: 6-9-2020



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.

PROPERTY OWNER

IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION

As the property owner/authorized owner's representative of the subject property listed on this application, hereby authorize the applicant/representative to act in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all terms and agreements made by the applicant/representative.

Crescent at Central Park, LLC, Andre M. Buckles, Manager

By: Andre M. Buckles (property owner name printed) 3-9-2020 (date)
(property owner signature)

Subscribed and sworn to before me on this 9 day of March, 20 20.

State of ARIZONA County of Maricopa

Notary Public Signature: Duncan Miller



Applicant/Property Owner/Representative

AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/owner of the subject property listed on this application, I hereby agree that the project will be completed as approved with any conditions and terms of the approval, 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 post notice (if applicable) on the subject property as described.

APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information on this application is complete and accurate to the best of my knowledge.

Loreto V. Canini

(applicant/representative/property owner name printed)

(applicant/representative/property owner signature) (date)

David Hodge

(applicant/representative/property owner name printed)

(applicant/representative/property owner signature) (date)

Subscribed and sworn to before me on this _____ day of _____, 20____.

State of _____ County of _____

Notary Public Signature: _____

Stamp of Seal

ZONING DESCRIPTION
17.9 +/- 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, being part of a 61.962 acre tract conveyed to Crescent at Central Park, LLC in Instrument Number 201711280167556, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING 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 the remainder of said 61.962 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 the remainder of said 61.962 acre tract and the westerly line of said Reserve "A", the following two (2) courses:

South 05°51'35" East, 943.66 feet to an angle point in aforesaid line;

South 18°21'04" West, 112.00 feet to a point;

Thence across said 61.962 acre tract, the following eleven (11) courses:

South 85°29'25" West, 362.01 feet to a point;

North 32°00'14" West, 26.09 feet to a point;

South 63°17'29" West, 123.46 feet to a point;

Along a curve to the left having a radius of 521.28 feet, a delta angle of 22°56'08", an arc length of 208.67 feet, and a chord bearing and distance of North 37°49'27" West, 207.28 feet to a point;

North 49°03'10" West, 107.68 feet to a point;

Along a curve to the right having a radius of 265.00 feet, a delta angle of 44°32'36", an arc length of 206.02 feet, and a chord bearing and distance of North 26°46'53" West, 200.87 feet to a point;

North 04°30'35" West, 27.45 feet to a point;

Along a curve to the right having a radius of 50.00 feet, a delta angle of 44°54'02", an arc length of 39.18 feet, and a chord bearing and distance of North 17°56'26" East, 38.19 feet to a point;

Along a curve to the left having a radius of 70.00 feet, a delta angle of 104°54'02", an arc length of 128.16 feet, and a chord bearing and distance of North 12°03'34" West, 111.00 feet to a point;

North 04°30'35" West, 168.38 feet to a point;

North 85°29'25" East, 185.00 feet to a point;

North 04°30'35" West, 449.74 feet to a point being on the northerly line of said 61.962 acre tract, and the southerly limited access right-of-way of said Interstate 270;

Thence along the northerly line of said 61.962 acre tract and the southerly limited access right-of-way line of said Interstate 270, the following three (3) courses:

North 85°11'53" East, 149.92 feet to an angle point in aforesaid line;

South 76°46'04" East, 202.24 feet to an angle point in aforesaid line;

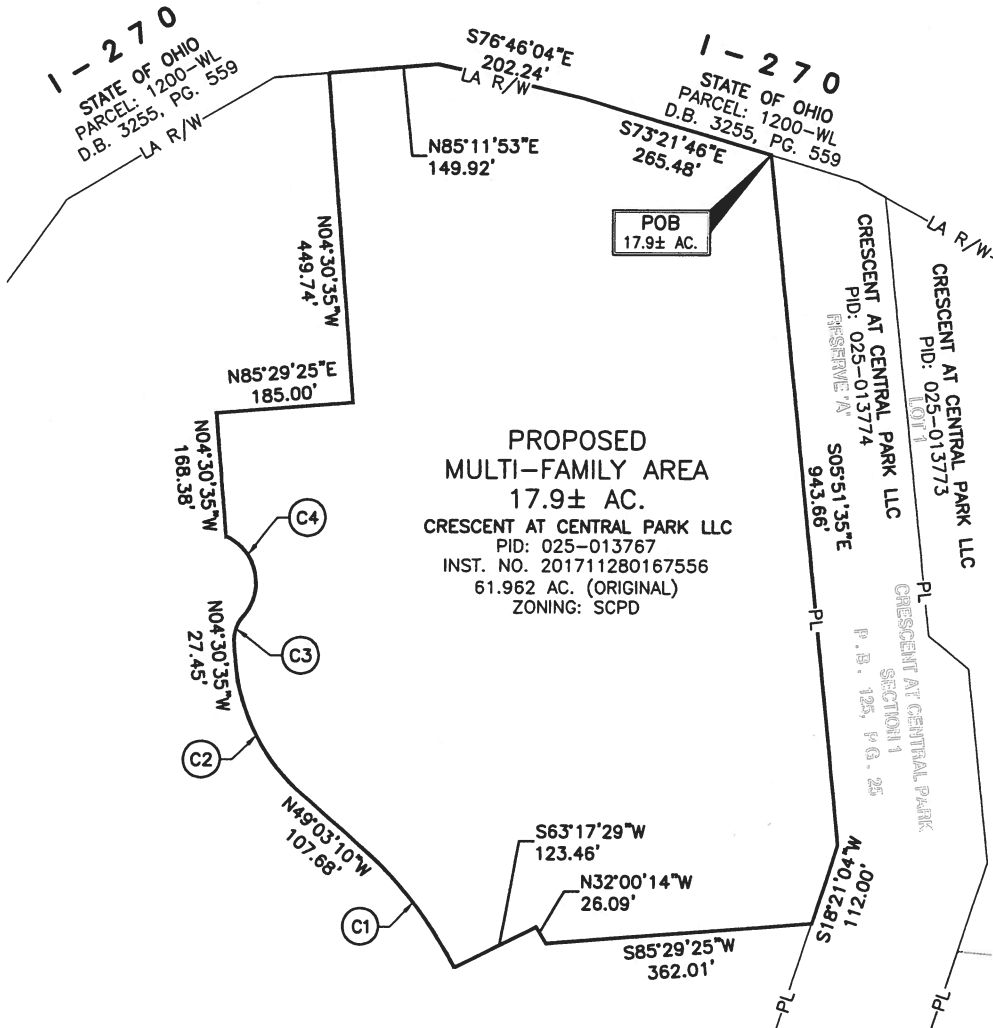
South 73°21'46" East, 265.48 feet to the **POINT OF BEGINNING**, containing 17.9 acres, more or less.

Bearings as described herein are based on are based on the bearings shown on Crescent at Central Park, Section 1 subdivision plat, of record in Plat Book 125, Page 25.

This description is based on records obtained by E.P. Ferris and Associates, Inc. in May, 2020 and is intended to be used for zoning purposes only.

17.9 ACRE ZONING BOUNDARY

STATE OF OHIO, COUNTY OF FRANKLIN,
CITY OF GAHANNA, QUARTER TOWNSHIP 3,
TOWNSHIP 1, RANGE 16, UNITED STATES
MILITARY LANDS



CURVE TABLE

NO.	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	208.67'	521.28'	22°56'08"	207.28'	N37°49'27"W
C2	206.02'	265.00'	44°32'36"	200.87'	N26°46'53"W
C3	39.18'	50.00'	44°54'02"	38.19'	N17°56'26"E
C4	128.16'	70.00'	104°54'02"	111.00'	N12°03'34"W

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARINGS SHOWN ON CRESCENT AT CENTRAL PARK, SECTION 1 SUBDIVISION PLAT, OF RECORD IN PLAT BOOK 125, PAGE 25.

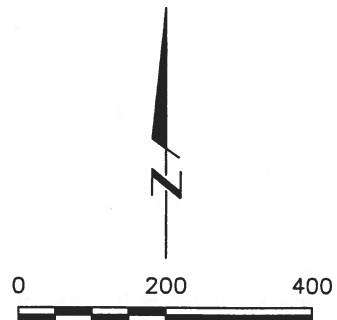
E. P. FERRIS
AND ASSOCIATES
INC.

Consulting Civil Engineers and Surveyors

880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

DRWN BY DAS CHK BY MJA DATE 05-29-20

958.011



APPLICANT:

Crescent at Central Park LLC
132 Preston Road
Columbus, OH 43209

PROPERTY OWNER:

Crescent at Central Park LLC
132 Preston Road
Columbus, OH 43209

ATTORNEY:

Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

Walnut Creek Mob LLC
65 Hidden Ravine Drive, Suite 100
Powell, OH 43065

Andre Buckles
132 Preston Road
Columbus, OH 43209

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

MMAC HT II Gahanna OH LLC
495 E. Rincon Street, #208
Corona, CA 92879

Preston Development of Columbus
LLC
2807 Delmar Drive
Columbus, OH 43209

KVS Real Estate Holdings LLC
24020 W. Riverwalk Ct., #114
Plainfield, IL 60544

Douglas Wrightsel
Weston Investments LLC
3220 Riverside Drive, #C-1
Columbus, OH 43221

RCS-COP II LLC
c/o RCS
371 Centennial Plaza, Suite 200
Louisville, CO 80027

City of Gahanna
200 South Hamilton Road
Columbus, OH 43230

National Retail Properties LP
8111 Smiths Mill Road
New Albany, OH 43054

501 Gahanna LLC
2950 E. Broad Street
Columbus, OH 43209

LFT Development LLC
or current occupant
560 Office Center Place
Gahanna, OH 43230

Hickory's Properties LLC
or current occupant
550 Office Center Place
Columbus, OH 43230

Kemba Financial Credit Union, Inc.
P.O. Box 307370
Columbus, OH 43230

DeMatteo Properties, Inc.
or current occupant
520 Morrison Road
Gahanna, OH 43230

Star Group Ltd.
251 Crossing Creek Way
Columbus, OH 43230

CONDITIONAL USE STATEMENT

ADDRESS: Hamilton Road
PARCEL: 025-013767
SIZE: +/- 17.90 acres
CURRENT: SCPD
PROPOSED: L-MFRD
OWNER: Crescent at Central Park, LLC
APPLICANT: Crescent at Central Park, LLC c/o Larry Canini
ATTORNEY: David Hodge, Underhill & Hodge, LLC
DATE: September 4, 2020

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 currently zoned in the Select Commercial Planned District (SCPD) classification. The Applicant proposes rezoning the property from SCPD to Limited Multi-Family Residential District (L-MFRD). The Applicant requests conditional uses pursuant to Gahanna Code of Ordinances Section 1149.02(a)(1) to permit the development of a multifamily residential development with buildings containing up to 16 dwelling units, 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, and 1149.02(c) to permit accessory buildings in association with permitted dwellings. The Applicant proposes a total of 312 units on 17.90 acres for a density of 17.43 dwelling units per acre.

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. Rooftops drive office and retail, without the former there is no market for the latter.

III. Conditional Use Criteria

The Applicant respectfully submits that the proposed development complies with appropriate development standards under the requested zoning category and specific to these requested conditional uses. Gahanna Zoning Code Section 1169.04 provides the criteria for consideration of conditional use requests, each condition is hereafter stated in italics and individually addressed.

(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 is a conditional use of the MFRD district, and appropriate applicable development standards are either met or warranted variances are incorporated to address unique specifics of the property, use, and surrounding circumstances. The density and height requested are appropriate in this location and given the thoughtful planning and building placement on the property.

(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 be in keeping 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.

Respectfully submitted,



David Hodge

CONDITIONAL USE STATEMENT

ADDRESS: Hamilton Road
PARCEL: 025-013767
SIZE: +/- 17.90 acres
CURRENT: SCPD
PROPOSED: L-MFRD
OWNER: Crescent at Central Park, LLC
APPLICANT: Crescent at Central Park, LLC c/o Larry Canini
ATTORNEY: David Hodge, Underhill & Hodge, LLC
DATE: ~~May 29~~September 4, 2020

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Respectfully submitted,



David Hodge

LEGEND

- (A) 16-UNIT GARDEN APARTMENT
- (B) CLUBHOUSE
- (C) AMENITY AREA
- (D) DETACHED GARAGES
- (E) RETENTION POND
- (F) GREENWAY CONNECTION
- (G) PARK AMENITY
- (H) PRESERVED TREES
- (I) COMMUNITY ID FEATURE

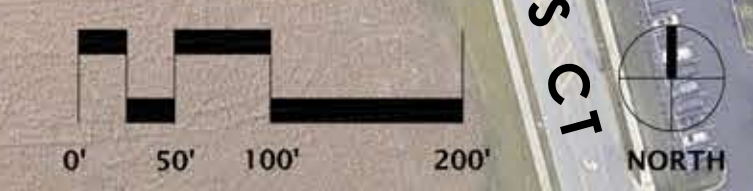
HAMILTON ROAD

SWANSON AVE



SITE DATA

GROSS AREA:	+/-17.7 AC.
TOTAL UNITS:	312 DU
1BR UNITS:	144 DU
2BR UNITS:	168 DU
TOTAL PARKING:	610 SPACES
SURFACE:	486 SPACES
GARAGE ATTACHED:	60 SPACES
GARAGE DETACHED:	64 SPACES
*Parking shall not be closer than 8 feet to the front or rear of a main building.	
LOT COVERAGE:	
MAXIMUM ALLOWED:	35%
PROPOSED:	24.3%
LOT WIDTH:	777 FEET
*The minimum lot width shall be 75 feet plus 2.25 feet for each dwelling unit.	
OPEN SPACE:	
REQUIRED:	15%
PROVIDED:	22.8%





Building A Front Elevation
1/8" = 1'-0"



Building A Rear Elevation
1/8" = 1'-0"



Building A Side Elev 1
1/8" = 1'-0"

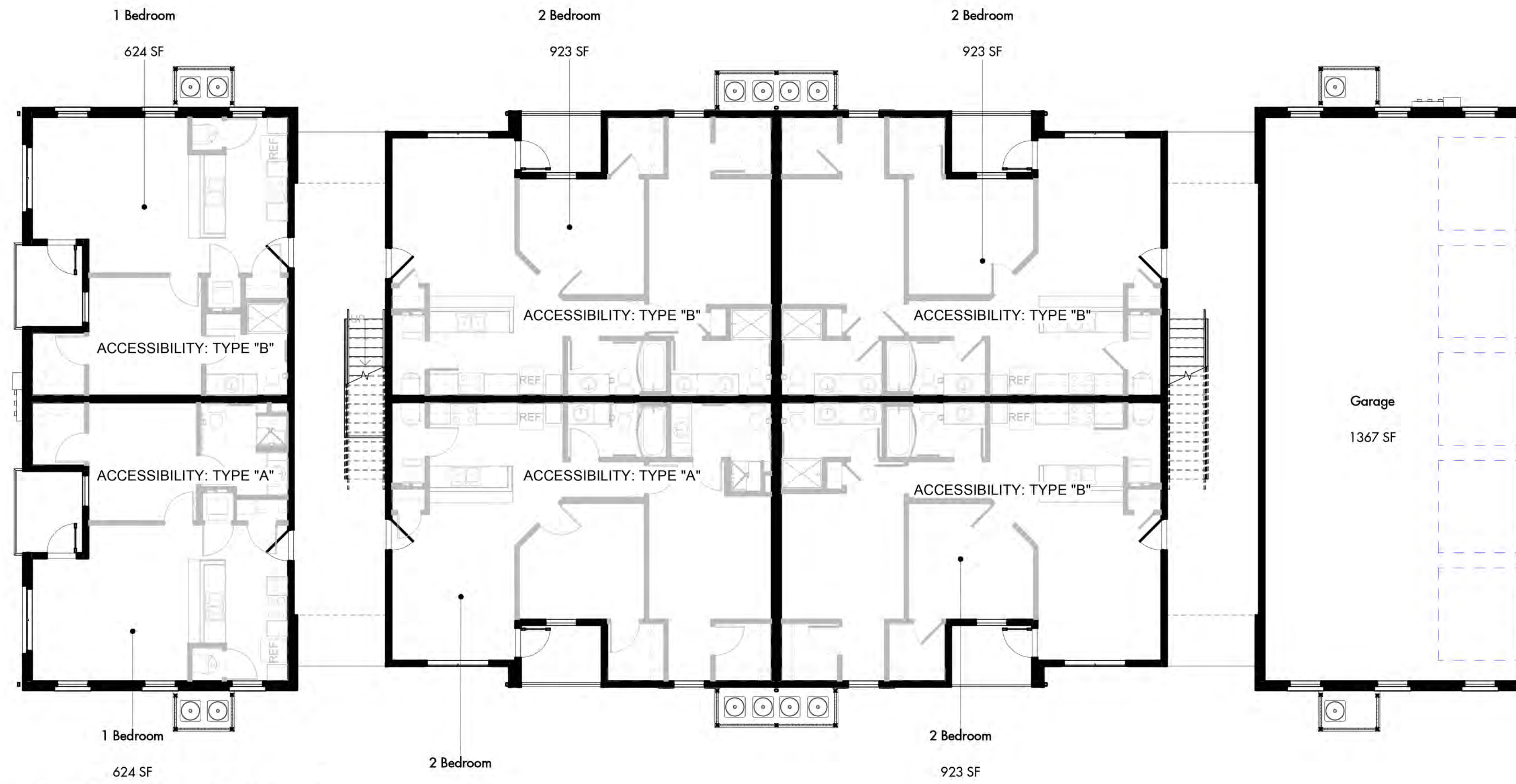
Building A Side Elev 2
1/8" = 1'-0"

Crescent Park

Gahanna, Ohio
2020/07/14

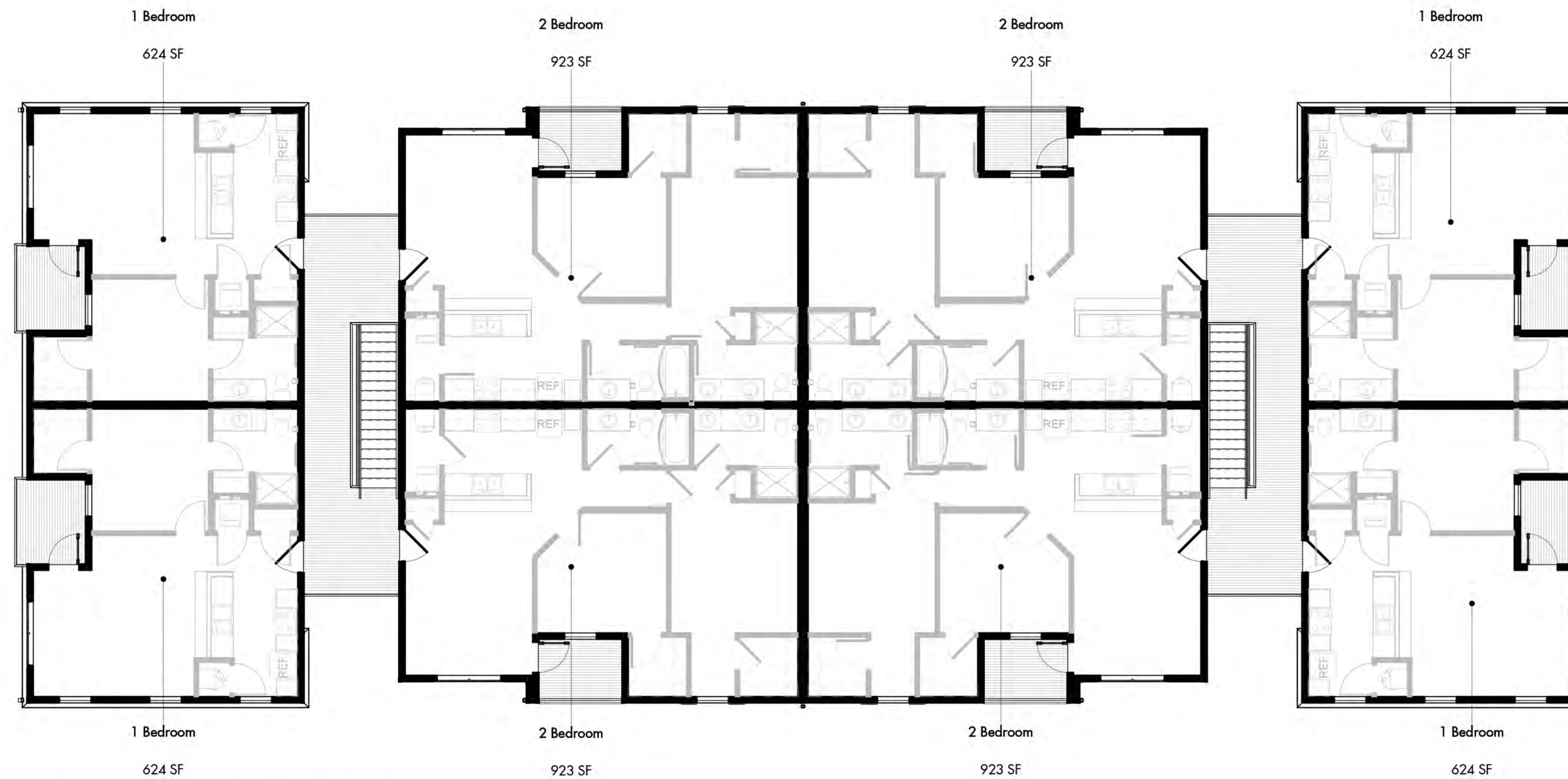
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First Floor Plan - Building A

1/8" = 1'-0"



Second Floor Plan - Building A

1/8" = 1'-0"

Crescent Park

Gahanna, Ohio
2020/07/14





- WHITE VINYL TRIM
- VINYL SIDING - 4" EXPOSURE - HARBOR GRAY BY PLY GEM
- MASTIC OVATION
- BRICK ROWLOCK WATERTABLE
- SOLDIER COURSE BRICK LINTEL
- WHITE VINYL WINDOW W/ SIMULATED DIVIDED LITES
- BRICK VENEER - RUNNING BOND - OLDAHM BY GENERAL SHALE

VINYL SHUTTER - DARK SPRUCE BY PLY GEM

Building B Front Elevation

1/8" = 1'-0"



Building B Rear Elevation

1/8" = 1'-0"



Building B Side Elev 1

1/8" = 1'-0"



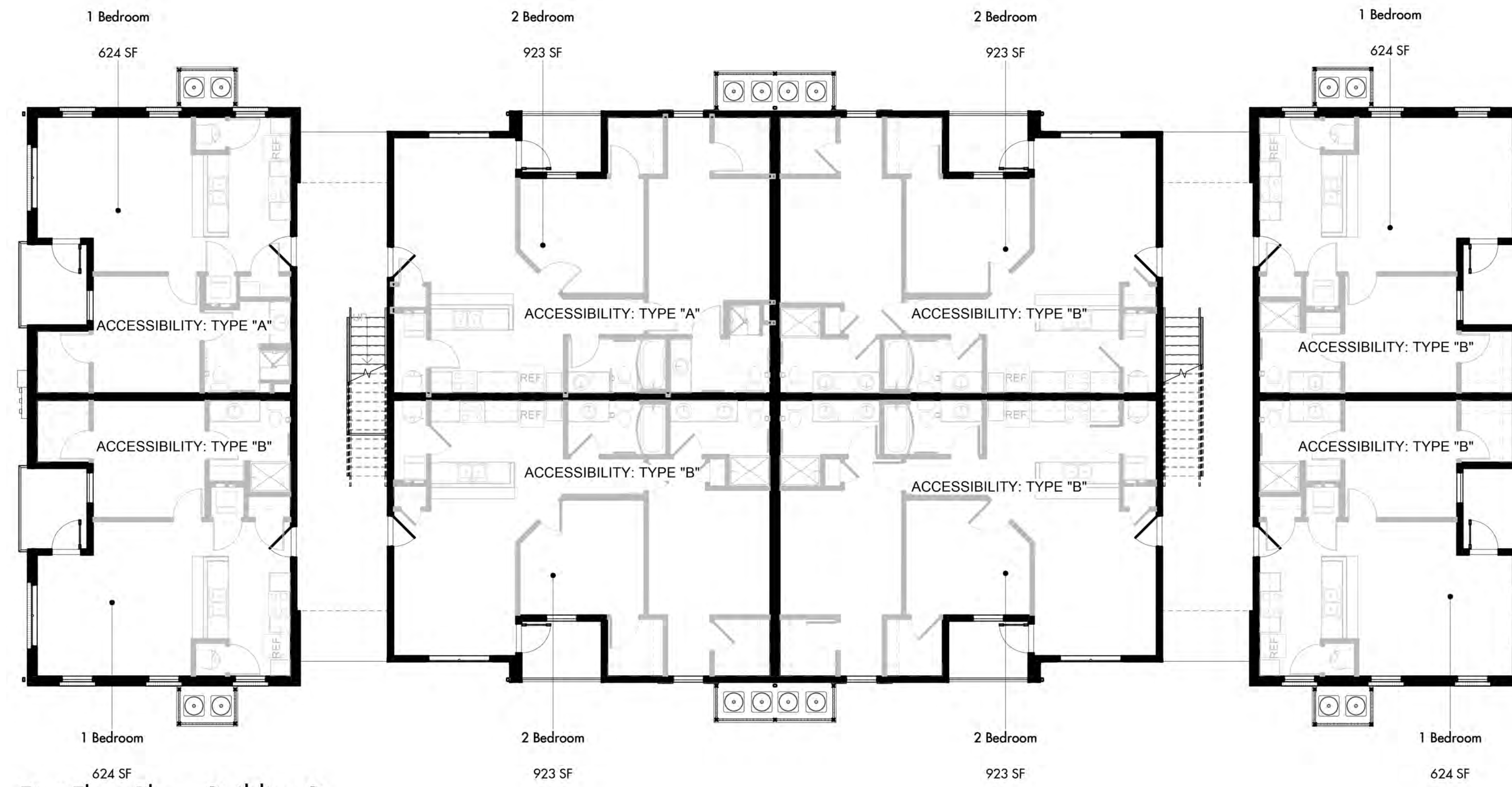
Building B Side Elev 2

1/8" = 1'-0"

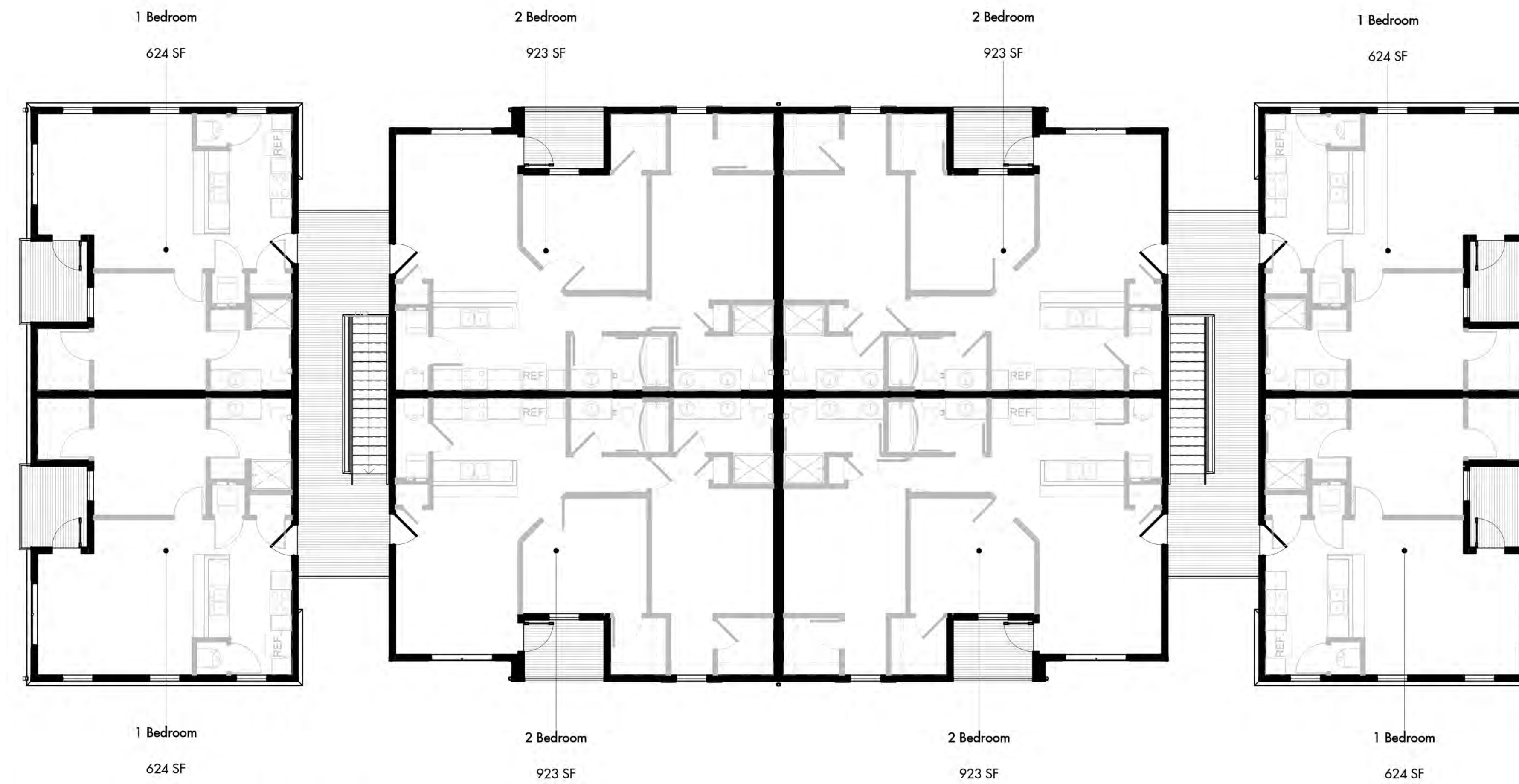
Crescent Park

Gahanna, Ohio
2020/07/14





First Floor Plan - Building B
1/8" = 1'-0"



Second Floor Plan - Building B
1/8" = 1'-0"

Crescent Park

Gahanna, Ohio
2020/07/14

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Crescent Park

Gahanna, Ohio
2020/07/14

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CASTO



SULLIVAN BRUCK
ARCHITECTS



June 19, 2020

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

RE: Project Crescent at Central Park Conditional Use Comment Letter
Parcel: 025013767

Dear Crescent AT Central Park LLC:

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

Parks

1. No Comment Per Julie Prederi.

Building

2. The project will be required to comply with all building codes.

Engineering

3. No comments at this time.

Community Development

4. Informational Comment - No objections to either conditional use. The proposed density is consistent with the recommendations of the land use plan and the mixed use FLUM.

Fire District

5. No Comment Received.

If you have any comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025.

Sincerely,

Kelly Wicker
Administrative Assistant



PLANNING STAFF REPORT

Summary

A rezoning from Select Commercial Planned District (SCPD) to Limited Multiple Family Residential (L-MFRD) has been requested in order to develop the site with multifamily. The property is 17.5 acres but is only a portion of the property owned by the Buckles family and known and marketed as the Crescent at Central Park. Other portions of the property, approximately 46 acres, are being marketed for office and commercial uses. If approved, the rezoning would allow up to 312 apartments or a density of 17.43 acres per acre.

An overlay text has been provided that provides for uses, conceptual site layout, and building elevations. These elements are further refined through the final development plan (FDP) and design review (DR) process. However, if there are concerns with the proposed building elevations, materials, color, layout, these elements can be discussed and modified as part of the rezoning.

Companion applications, variance and conditional use, have also been filed. These applications are necessary at this time to permit the requested density and to generally permit the site layout.

Land Use Plan

The Comprehensive Land Use Plan designates the property as mixed use. Other portions of the property owned but not subject to this development proposal are Parkland and Professional Office. Density is recommended between 10-30 units per acre and building height at a maximum of 70 feet. Multifamily is a permitted use. Mixed use does not require a vertical mix of uses, meaning buildings may have a single use.

The property is also located with the South Gateway Focus Area. A development principle within this focus area is that the mixed use properties shall be limited to 20% of the development area. 43% of the mixed use portion of the site is proposed for residential.

The Land Use Plan makes recommendations. It does not mandate a specific use or intensity. The applicant has provided that additional land area for residential is necessary in order to keep building heights to no more than two stories. This is being done to mitigate aircraft noise.

Airport Feedback

The property is located just east of the John Glenn Columbus International Airport. The airport has identified this property as being within the 65 decibel noise contour. The airport recommends that no new noise sensitive land uses be allowed. In this context, residential is a noise sensitive land use. As with the land use plan, this is a recommendation and not a requirement.

If desired, Planning Commission could consider adding sound mitigation elements related to construction to the overlay text.

Rezoning

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.

The proposed rezoning to MFRD is consistent with the recommendations of the Land Use Plan of Mixed Use. The proposed density of 17.43 dwelling units is consistent with the land use plan. However, the acreage devoted to residential is over twice as large as the plan recommends.

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.

Staff is not aware of many, if any, properties that are zoned MFRD and available for development. The Land Use Plan identified that 55.6% of all city properties are used for residential purposes and of those properties approximately 10% of those properties are multifamily. The land use plan also identified that housing trends in the region are shifting from traditional large lot single family to smaller lots and multifamily.

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.

Most inquiries that planning staff receives for development opportunities are for multifamily. These inquiries typically don't result in a development application as the City has few opportunities for development. It is staff's opinion that demand is high for multifamily and the availability of land is low.

Conditional Use

Several conditional uses are required to permit the application as presented. All of the conditional uses are related to multifamily uses. The MFRD code is written differently than most of the zoning code in that density, number of buildings, building height, accessory buildings, and number of units per building are all regulated by conditional use.

- Chapter 1149.02(a)(1) – Buildings containing more than eight dwelling units
- Chapter 1149.02(a)(2) – Two or more residential buildings on the same lot
- Chapter 1149.02(a)(3) – Additional density averaging six units per acre up to an average density of 18 units per acre
- Chapter 1149.02(c) – Accessory buildings and uses

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.

Variance

The applicant has requested the following variances in order to permit the development. It should be noted that the variance to Chapter 1109.08 requires City Council approval. Therefore, Planning Commission would provide a recommendation on that variance request.

- Chapter 1109.08 – Public areas
 - The code requires that multifamily projects donate land for recreation as part of the rezoning process. This requirement is in addition to requirements to pay a \$500 park fee and set aside land for open space. The applicant proposes to donate 34 acres of land to the City in lieu of the onsite dedication requirement. T
 - *Staff and the applicant have had numerous conversations regarding this unique provision. Staff prefers the offsite dedication of 34 acres to onsite recreation.*
- Chapter 1149.03(e) – Rear yard setback
 - MFRD requires a minimum rear yard setback of not less than 25'. The applicant proposes 10'.
 - Staff does not object to this variance. The rear of the property, as defined by the zoning code, would be the east property line. The east property line abuts a preserve that is a separate parcel but is owned and maintained by the applicant. This gives the appearance of a rear yard much greater than 25'.
- Chapter 1149.03(b)(1) – Lot width
 - MFRD requires lot width based on the number of units. 3,185' of lot width is required and 777' of lot width is provided.
 - *Staff does not object to this variance as the correlation between multifamily density and frontage is highly unusual to be addressed in a zoning code. Lot width is typically associated with single family development in order to ensure properties are large enough to support a residential unit while providing appropriate setbacks. Multifamily developments typically don't have a specific lot frontage requirement. It should be*

noted that other development parameters such as setbacks and open space are required in order to ensure compatibility.

- Chapter 1149.03(1)(5) – Parking location
 - Parking shall not be closer than 25’ to the front or rear of a main building. 8’ is proposed.

Planning Commission shall not grant a variance unless it finds that all of 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.

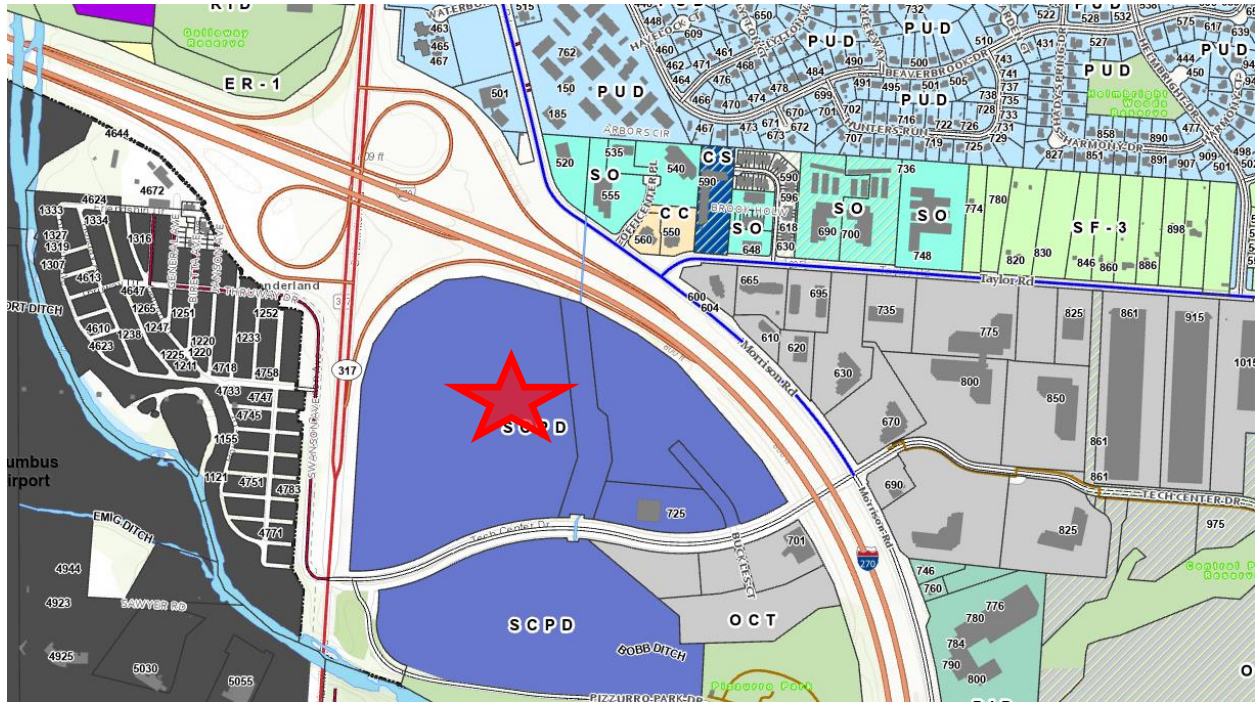
Recommendation

Staff is generally in favor of residential, however, staff believes that the number of units and/or the acreage devoted to residential is inconsistent with the recommendations of the land use plan.

This particular property received more discussion than any other property in the City as it related to land use. The core question was to permit residential or not. Eventually it was decided that residential is integral to promoting a healthy job center but that the land area devoted to residential should be restricted to no more than 20%. This was determined to be the appropriate balance between residential and non-residential uses in the largest undeveloped property within the City.

Staff does not have objections to the conditional use or variance requests.

Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
City Planner/Zoning Administrator