

STATEMENT OF HARDSHIP – June 12, 2024

Property Address: 1479 North High Street, Columbus, Ohio 43201

Applicant: Marker Acquisitions LLC c/o Harbor Bay

The subject properties are located along North High Street south of W. 9th Ave. The subject properties are currently zoned in the C-4 zoning district and are located within the University District Zoning Overlay – Regional Commercial Subarea. The applicant is proposing to develop the property to construct a multi-family residential development with accessory uses.

To the north, east and south are C-4 zoning districts developed with a mix of commercial and residential units and to the west are existing residential units zoned in the AR-4 zoning district. The University District Area Plan recommends Neighborhood Mixed-Use Development for the site, with Higher Intensity Residential to the west behind North High Street.

The applicant is requesting a council use variance from Sections 3356.03 to permit multifamily residential uses, including both residential uses and accessory uses, on the ground floor in a C-4 commercial zoning district.

In addition to the use variance, the applicant is also requesting a variance from Section 3325.323 which provides a 72-foot height limitation to allow the maximum height of of 157'6" feet.

The applicant is also requesting a variance from Section 3325.381 to reduce the required off-street parking to 0 parking spaces. The proposed parking counts under the variance are as follows:

(183 total dwelling units)

Residential Parking (.5 per bedroom required per Section 3325.381)

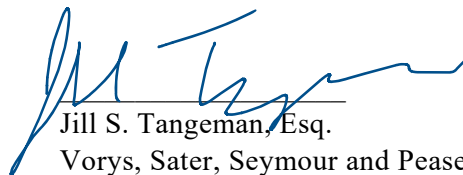
.5 x 450 bedrooms = 225 required parking spaces

Required: 225 parking spaces

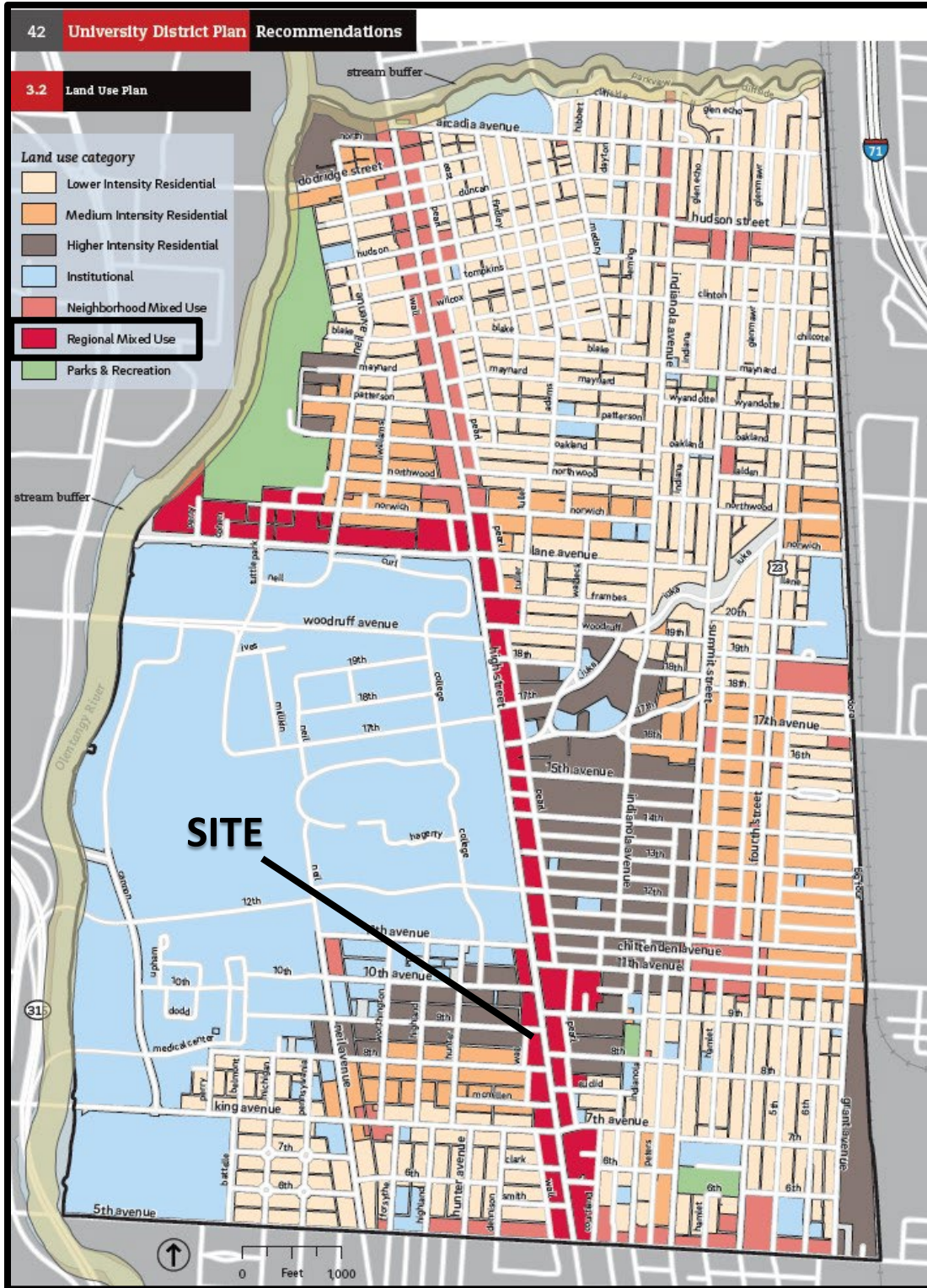
Provided: 0 parking spaces

The applicant has worked closely over the last several months with the University Area Commission to design a development that both provides needed housing to the University District as well as serves as a transition from the more intense commercial uses along North High Street. The variances to allow for the construction of residential-only buildings, as well as the increased height and decreased parking variances will give the applicant the opportunity to meet the design requirements requested by the University Area Commission and still keep with the recommendations of the University District Area Plan.

The grant of the above variances will not be will not impair an adequate supply of light and air to the adjacent property; unreasonably increase the congestion of public streets; increase the danger of fires; endanger the public safety; or unreasonably diminish or impair established property values within the surrounding area. The proposed development is consistent in all respects with development patterns in the area.



Jill S. Tangeman, Esq.
Vorys, Sater, Seymour and Pease LLP



CV24-026
1479 North High St.
Approximately 0.59 acres



CV24-026
1479 North High St.
Approximately 0.59 acres

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number CV24-026
Address 1479 North High St.
Group Name Harbor Bay
Meeting Date 4-17-24

Specify Case Type: BZA Variance / Special Permit
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation Approval
(Check only one) Disapproval

LIST BASIS FOR RECOMMENDATION:

Commission seemed to favor a higher high street structure to save the housing stock to the west of the site which is also owned by the Applicant. Parking was still a concern for some commissioners.

Vote 7-yes 2-No 2-Abstain
Signature of Authorized Representative Seth B Golding
Recommending Group Title University Area Comm. Zoning Chair
Daytime Phone Number 614 375-0872

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

UNIVERSITY IMPACT DISTRICT REVIEW BOARD

111 North Front Street, Third Floor
Columbus, Ohio 43215
(614) 645-8062

DEPARTMENT OF
DEVELOPMENT

	RECOMMENDATION
UIDRB case no.	UID-23-03-010a&b
Zoning/ Variance case no.	CV24-026
Property address	1479 N. High St. (AKA 1479-1497 N. High St.)
UIDRB Hearing date	April 25, 2024
Applicant	Marker Acquisition LLC & Harbor Bay
Issue date	April 29, 2024

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (614-645-4522 / 111 North Front Street, First Floor) and following all other applicable codes and ordinances of the City of Columbus.

The University Impact District Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Department of Development. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3325.115.

Variance or Zoning Change Request

- | | |
|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Graphics |
| <input checked="" type="checkbox"/> Parking Variance | <input type="checkbox"/> Special permit |
| <input checked="" type="checkbox"/> Change of Use | <input type="checkbox"/> Setbacks |
| <input type="checkbox"/> Lot Split | <input checked="" type="checkbox"/> Other |

TYPE(S) OF ACTION(S) REQUESTED:

Variances to:

- USE: VARIANCE REQUEST FROM PROVISIONS OF SECTIONS 3356.03, C-4 PERMITTED USES; AND 3356.05(C), C-4 DISTRICT DEVELOPMENT LIMITATIONS TO PERMIT DWELLING UNITS IN THE C-4 COMMERCIAL DISTRICT AND DWELLING UNITS NOT LOCATED ABOVE USES CONTAINED IN THE C-1, C-2, AND C-3 COMMERCIAL DISTRICTS AND THOSE SPECIFIED IN THE C-4 COMMERCIAL DISTRICT.
- HEIGHT: VARIANCE REQUEST FROM PROVISIONS OF SECTION 3325.323 TO PERMIT BUILDING HEIGHT OF 157'-6" FEET.
- PARKING: VARIANCE REQUEST FROM PROVISIONS OF 3312.49(C), REQUIRED PARKING, TO PERMIT TO PARKING SPACES.

RECOMMENDATION:

<input checked="" type="checkbox"/> SUPPORT REQUESTED VARIANCES OR ZONING CHANGE	<input type="checkbox"/> DO NOT SUPPORT REQUESTED VARIANCE OR ZONING CHANGE	<input type="checkbox"/> NO ACTION TAKEN
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THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



Stephanie N. Kensler, University Impact District Review Board, Staff



Council Variance Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-026

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Ji IIS. Tangeman, Esq.
of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, OH 43215

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. Marker Acquisition LLC / Harbor Bay Dan Whalen 440-478-8245 2021 W. 25th Street, Cleveland OH 44113 <input type="checkbox"/> Columbus-based employees	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT *Ji IIS. Tangeman*

Sworn to before me and signed in my presence this 28th day of February, in the year 2024

Jennifer Mehoffie
SIGNATURE OF NOTARY PUBLIC

12/11/2027
My Commission Expires

Notary Seal Here



JENNIFER MEHOFFIE
Notary Public, State of Ohio
My Commission Expires
12-11-2027

This Project Disclosure Statement expires six (6) months after date of notarization.