

**CITY COUNCIL – ZONING COMMITTEE  
STAFF REPORT  
COUNCIL VARIANCE**

**APPLICATION:** CV25-063  
**Location:** 3654 OLENTANGY RIVER RD. (43214), being 3.5± acres located on the east side of Olentangy River Road, 150± feet north of Colonial Parkway (010-126692; No Group).  
**Requested Zoning:** L-AR-3, Limited Apartment Residential District (H-110).  
**Proposed Use:** Commercial vehicular access and multi-unit residential development.  
**Applicant(s):** CAG Riverside Flats Acquisitions LLC., c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.  
**Property Owner(s):** Spectrum Acquisition Columbus LLC.; 4600 South Syracuse Street, FL. 11; Denver, CO 80237.  
**Planner:** Eastman Johnson; 614-645-7979; [roejohnson@columbus.gov](mailto:roejohnson@columbus.gov)

**BACKGROUND:**

- The site is subject to a concurrent rezoning to the L-AR-3, Limited Apartment Residential District (Z24-032) which has been recommended for approval by the Development Commission and City Staff. The requested Council variance will allow commercial vehicular access to the property directly east of the subject site, and a 275-unit apartment building and structured parking garage with reduced development standards. Variances to reduce the parking space size from 9 feet by 18 feet to 8 feet by 16 feet for 72 EV spaces, the required parking from 413 to 325 spaces; the building line along Olentangy River Road from 80 to zero feet; and the rear yard from 25 percent to 3 percent, and to increase lot coverage from 50 to 60 percent are also included in this request. The concurrent rezoning request commits to developing the site in accordance with the submitted site plan and building elevations.
- To the north and south of the site are medical offices and treatment centers in the I-Institutional District. East of the site is a medical research center in the CPD, Commercial Planned Development District. West of the site are single unit dwellings in the SR, Suburban Residential District.
- The site is within the planning boundaries of the *Olentangy West Area Plan* (2011), which recommends “Office” and “Institutional” land uses at this location.
- The site is not within the boundaries of an area commission or civic association.
- The *Columbus Multimodal Thoroughfare Plan* (2019) identifies Olentangy River Road as a Suburban Commuter Corridor, requiring a right-of-way width of 160 feet.
- Staff concur with the applicant’s analysis of the seven practical difficulties in achieving the proposed development at this location.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

The requested Council variance will maintain existing commercial vehicular access to the adjacent office building, and will allow a 275-unit apartment building and structured parking garage with reduced development standards. Staff finds the requested variances to be supportable as the proposed apartment development could benefit surrounding businesses with potential future employees and customers. Additionally, Staff the proposal includes bike parking, and is located along a walkable, high-intensity corridor proposed for a LinkUS route.

## Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

### STATEMENT OF HARDSHIP

#### **Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance 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, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

**The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:**

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes  No

The proposed development could not be completed without the variances. However, the site could be developed under the existing zoning for an elderly housing development.

2. Whether the variance is substantial.

Yes  No

see attached sheet.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes  No

The area is a mixture of offices, medical facilities and nursing home. The proposed development for multifamily would not substantially change the essential character of the neighborhood nor would adjoining properties suffer a substantial detriment because the site was already zoned for a multi story senior housing development.

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes  No

The variances would not adversely affect the delivery of governmental services which are already at the site.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes  No

The applicant is under contract to purchase the site and was made aware of the variance issues in a review of its site plan.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes  No

The council variance is the only way to resolve these issues.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes  No

see attached sheet.

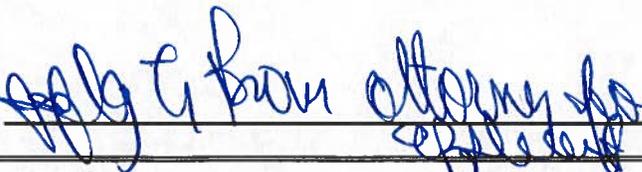
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

**NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):**

Section 3312.49 Required parking ( 413 to 325 spaces), Section 3312.29 Parking space ( 9 x 18 to 8 x 16), Section 3333.18 Building Line (80 to zero), Section 3333.03 Apartment Residential Use (commerical traffic over residentially zoned ground ),3333.15c Basis of Computing Area (lot coverage 50 to 60%) and Section 3333.24 Rear yard from 25% to 3 % ).As outlined above the request for these variances should be approved because the site still provies sufficient parking for the tenant, allows for EV equipment and the site is along the proposed LINKUS route. The building is brought forward to the street for a more pedestrian feel and the lot coverage is a small increase. The site shares a common access drive with an office building. In addition a major employer is within walking/biking distance of the site.Amenities for the tenants are within the building and the rear yard backs up to an office parking lot.These variances will not adversely affect the surrounding property owners.

Signature of Applicant



Date

10/30/25

## Statement of Hardship

## 2. Whether the variance is substantial.

Yes. The parking reduction is only a 12% reduction and the site is on one of the proposed LINKUS Bus lines. The reduction of the EV/EVSE parking is from 9 to 8 feet and from 18 to 16 ft to accommodate the EV equipment. The rear yard requirement is substantial going from 25% to 3% of total lot area. Since the development has only one building, then rear yard applies rather than the normal perimeter yard. The rear yard backs up to a parking lot for an office which has no rear yard requirement.

The building setback variance is substantial from 80 feet to zero which allows the building to be brought forward on the site. The future right of way along Olentangy River Road is on an angle to the location of the building which means the setback is more than zero along many portions of the building.

The existing office building east of this site accesses Olentangy River Road thru a driveway along the site's south property line. Once this site is rezoned to residential, then you would have commercial traffic driving across residentially zoned property.

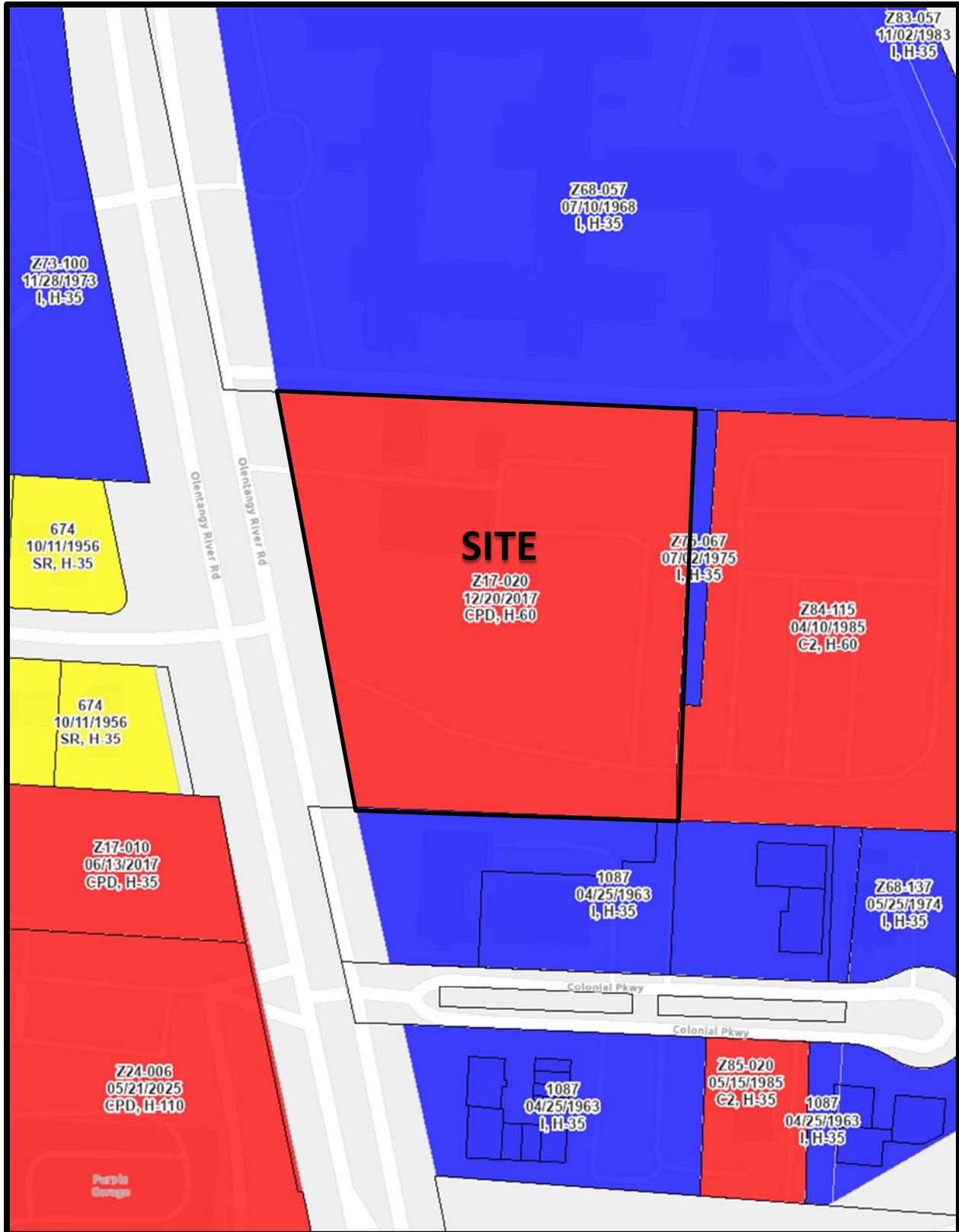
The lot coverage increases from 50 to 60% of the lot area is not substantial. A lot coverage requirement is the result of just having one building on the site. If you were constructing multiple buildings on this, there would be no lot coverage requirement.

## 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes. The proposed residential development is close to major employers such as Riverside Hospital and its related offices along with being part of LINKUS project reducing the need for an automobile and therefore reduce the need for more parking spaces. The reduction in the size of the EV/EVSE parking spaces in the parking garage accommodates the EV equipment. The site is landlocked and the rear yard backs up to a office parking lot. Since there is only one building proposed for the site there is a lot coverage requirement which would not apply if more than one building was on the site. The reduction in the building setback brings the building closer to the street and creates a more pedestrian friendly frontage. The existing office building east of this site accesses Olentangy River Road thru a driveway along the site's south property line. Once this site is rezoned to residential, then you would have commercial traffic driving across residentially zoned property. The spirit and intent of these code sections are being met by allowing the building to move closer to the street, placing the parking to the side of the building in a garage, providing sufficient parking for the site, accommodating the EV equipment for the EV/EVSE parking spaces, lot coverage is not a significant increase and the rear yard serves no purpose with the rear yard backing up to an office parking lot and the amenities for the tenants being included within the building itself.

Variance List  
3654 Olentangy River Road

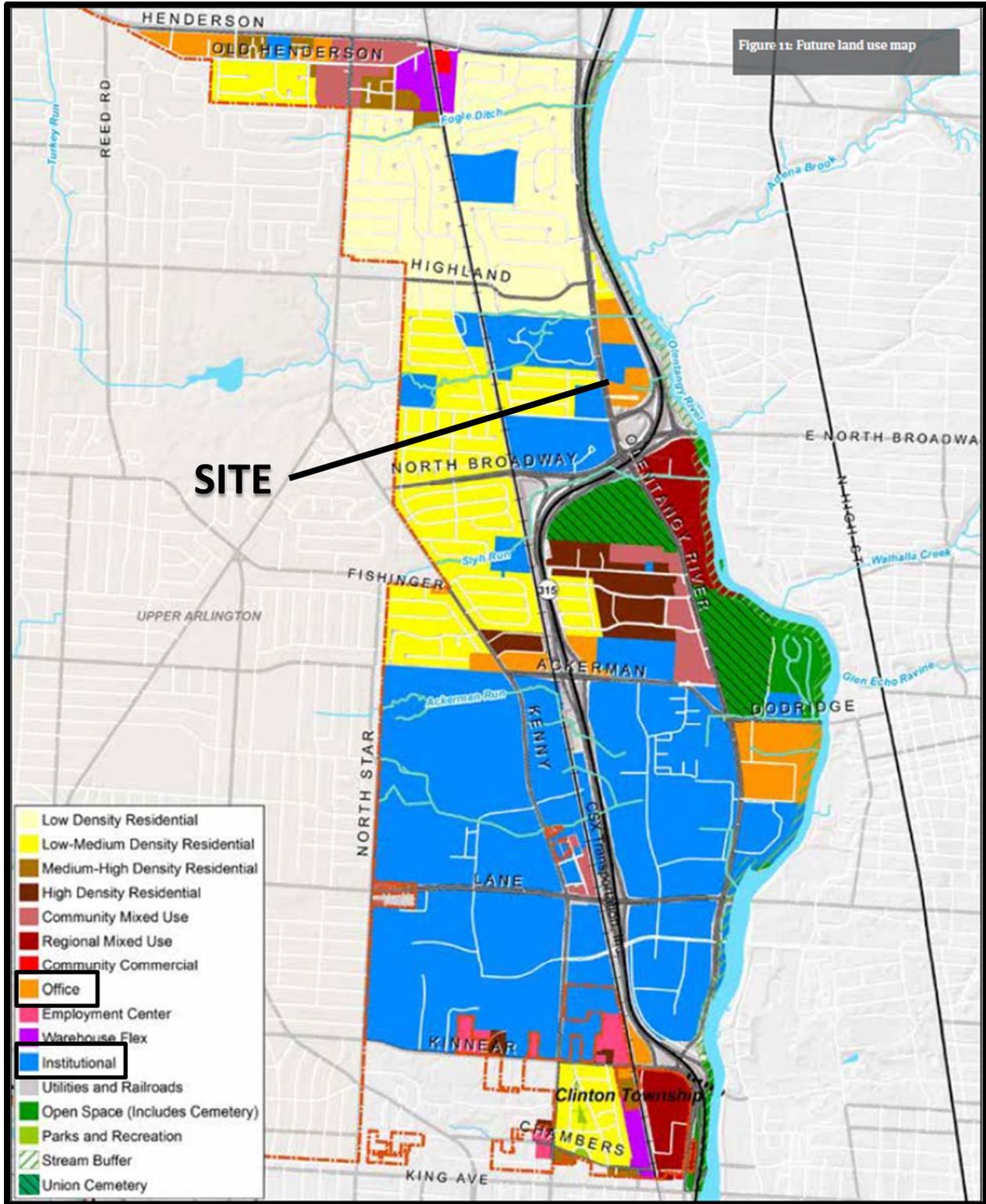
1. Section 3312.49 Required Parking: reduction from 413 to 325 parking spaces.
2. Section 3312.29 Parking Space: to reduce the size of a EV/EVSE parking space from 9 feet by 18 feet to 8 feet by 16 feet to accommodate the EV equipment.
3. Section 3333.18 Building Lines: to reduce the building setback along Olentangy River Road from 80 feet to zero feet.
4. Section 3333.03 Apartment Residential District Use: to permit commercial traffic to east to access its site through the residentially zoned property.
5. Section 3333.15(c) Basis of Computing Area: to increase the lot coverage from 50% of the lot area to 60%.
6. Section 3333.24 Rear Yard: to reduce the required rear yard from 25% of the total lot area to 3%.



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3654 Olentangy River Rd.  
Approximately 3.5 acres



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Approximately 3.5 acres

**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV25-063

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

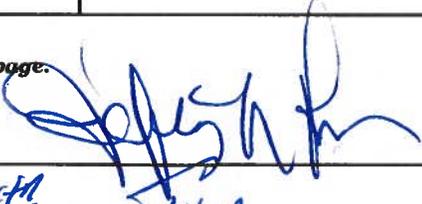
Being first duly cautioned and sworn (NAME) Jeffrey L. Brown  
of (COMPLETE ADDRESS) 37 West Broad Street STE 460 Columbus, OH 43215

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:

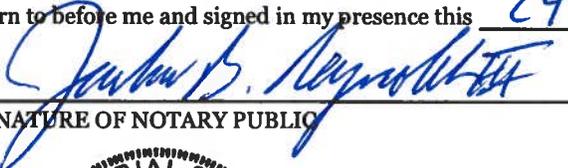
For Example:    Name of Business or individual  
                          Contact name and number  
                          Business or individual's address; City, State, Zip Code  
                          Number of Columbus-based employees

<p>1. CAG Riverside Flats Acquisitions LLC. Jason Hockstok 614-883-1007 150 East Broad Street Columbus, OH 43215 No Columbus based employees.</p>	<p>2. Spectrum Acquisition Columbus LLC Mike Longfellow 303-360-8812 4600 S. Syracuse Street FL. 11 Dnver, CO 80237-2767 No Columbus based employees.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 24<sup>th</sup> day of June, in the year 2025

SIGNATURE OF NOTARY PUBLIC 

My Commission Expires \_\_\_\_\_

Notary Seal Here



Jackson B. Reynolds, III, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.

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