

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

APPLICATION: CV22-104
Location: 2025 S. HIGH ST. (43207), being 27.96± acres located at the intersection of South High Street and Viaduct Drive (010-037423 & eight others; Columbus South Side Area Commission).
Existing Zoning: M, Manufacturing District.
Proposed Use: Multi-unit residential development.
Applicant(s): Lotus Company; c/o David Hodge, Atty.; Underhill & Hodge; 8000 Walton Parkway, Suite 120; New Albany, OH 43054. 1981 South High, LLC; 2050 South High Street; Columbus, OH 43207.
Property Owner(s): Tim Dietrich; 614-645-6665; tedietrich@columbus.gov
Planner:

BACKGROUND:

- The requested Council variance will allow a multi-unit residential development, with no density limitations, in the M, Manufacturing District. A variance to increase building height to sixty feet is included in the request.
- A Council variance is required because the M, Manufacturing District does not allow residential uses.
- North and south of the site are industrial uses in the M and M-1, Manufacturing districts. East of the site is a mixed-use development in the M, Manufacturing District. West of the site is an inactive quarry in the EQ, Excavation and Quarrying District.
- The site is within the planning boundaries of the *South Side Plan* (2014), which recommends “Industrial” land uses at this location. The Plan also includes early adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Columbus South Side Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving multi-unit residential development with increased building height at this location.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

While the proposed multi-unit residential development is inconsistent with the *South Side Plan’s* land use recommendation, Staff support the proposed use because the site is located on a major corridor and is adjacent to Title 34 mixed-use zoning. Staff also supports the use of a Council variance to achieve the proposed development as the applicant will be seeking competitive funding from the Ohio Housing Finance Authority (OHFA). Additionally, the request is consistent with the city’s objective to provide more housing in all neighborhoods.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • 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

2. Whether the variance is substantial.

Yes No

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

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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):

Signature of Applicant

David Hodge

Date

STATEMENT IN SUPPORT OF USE AND AREA VARIANCE REQUESTS

Address: 2025 South High Street

Parcels: 010-037423 and others (total of 10 parcels)

Applicant: Lotus Company

Property Owners: 1981 South High LLC; Broadleigh Properties LLC; 2055 South High LLC; 2101 South High LLC

Attorney: David Hodge

Zoning District: M – Manufacturing

Requested Variances:

- 1. Section 3363.01 – M-Manufacturing districts: Permit uses allowed in AR-3 Apartment Residential District (Section 3333.035) with unlimited density.**
- 2. Section 3309.14 – Height District: Increase maximum building height from 35 feet to 60 feet.**

Date: October 1, 2025

Introduction and Background

The subject site is a nearly 28-acre assemblage along South High Street in the Columbus South Side, an area recognized in the South Side Plan as a high-priority redevelopment corridor. Historically, this site has supported manufacturing and warehouse uses, but these uses have declined, leaving vacant land and aging structures. This underutilization limits economic return and diminishes the corridor's vitality. Meanwhile, housing demand, particularly for affordable units, has reached crisis levels, with the City acknowledging the urgent need for higher-density housing in strategic locations.

In October 2022, a rezoning and a companion variance applications (Z22-079 and CV22-104) sought to transition the site to C-4 for a mixed-use project. That effort stalled before reaching the Development Commission. Now, Lotus Company, a developer with a track record of mixed-use and affordable housing projects, is partnering with the owners to deliver a transformative community anchored by affordable housing. This project is tied to the Ohio Housing Finance Agency's competitive funding process, which requires zoning certainty within a short window. A full rezoning would miss the deadline, but a council variance offers an expedited, targeted solution.

Granting the requested use and height variances will unlock the site's potential, allowing the creation of hundreds of affordable and market-rate units, integrated commercial space, and pedestrian-friendly design consistent with the South Side Plan. Without this action, the property risks remaining underutilized for another funding cycle, postponing desperately needed housing.

Variance Requests

1. Section 3363.01, M-Manufacturing districts. The Applicant requests a variance from this section to permit those uses permitted by Section 3333.03 - AR-3 apartment residential district uses with unlimited density.
2. Section 3309.14 - Height district. The Applicant requests a variance to increase the maximum permitted building height from 35 feet to 60 feet.

Argument in Support of Variance Requests

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

Without the requested variances, the site's development potential is locked into outdated manufacturing uses that are not in demand in the South Side corridor. Vacancy and underutilization have persisted for years because these parcels are too large, irregular, and centrally located to attract new heavy industrial investment. As a result, the property fails to produce a reasonable economic return for the owners and does not contribute meaningfully to the community's vitality.

Approval of the variances allows immediate transition to high-density residential and mixed-use development, unlocking the ability to generate sustainable returns through long-term leases, increased property values, and tax revenue. This shift would also meet urgent public needs by delivering affordable housing, aligning the site's highest and best use with both market demand and public benefit.

- 2. Whether the variance is substantial.*

The use variance is not a radical change but a targeted adjustment consistent with the South Side Plan's vision for the corridor. It enables a residential use type already deemed appropriate for major thoroughfares in this neighborhood plan. The height variance from 35 to 60 feet is proportionate to modern multifamily design standards and remains within the urban scale established along key Columbus corridors.

Both variances are essential for economic feasibility. The added height allows for efficient building stacking, integration of structured parking, and cost distribution across more units—crucial for meeting affordable housing funding requirements. In this context, the variances are substantial only in their positive impact, not in their degree of deviation.

- 3. Whether the essential character of the neighborhood would be altered or adjoining properties would suffer detriment.*

The neighborhood's essential character is already evolving from an industrial district to a mixed-use, residentially supportive corridor. This project accelerates that positive change, enhancing the area with a vibrant streetscape, active ground-floor uses, and improved pedestrian connectivity. Such improvements align directly with the South Side Plan's goals for a more walkable, livable community.

Adjoining properties will benefit from increased safety through “eyes on the street,” improved infrastructure, and greater economic activity. The project will integrate buffers, landscaping, and building design features to ensure compatibility with any remaining industrial neighbors, minimizing potential impacts while maximizing shared benefits.

4. Whether the variance would adversely affect governmental services.

The development will be fully coordinated with relevant city departments to ensure adequate water, sewer, stormwater, and emergency access capacity. Higher-density housing in infill locations can be served more efficiently by existing infrastructure, reducing the per-capita cost of service provision.

Furthermore, modern building systems and sustainable design practices will reduce strain on public utilities. The project will include fire and life safety systems meeting or exceeding code, ensuring public safety is not compromised and governmental service delivery is unaffected.

5. Whether the property was purchased with knowledge of the restrictions.

The property owners acquired the parcels under M-Manufacturing zoning, but the current redevelopment concept emerged later in response to changing market conditions and community priorities. The hardship arises from the mismatch between existing zoning and the City’s adopted planning goals, not from any speculative misjudgment.

The opportunity with Lotus and OHFA funding is time-bound. The need for variance relief is driven by the chance to deliver an affordable housing project now, not by any preexisting intent to circumvent zoning rules.

6. Whether the predicament can be obviated without variances.

A rezoning could theoretically accomplish the same goals, but the process is lengthy and incompatible with OHFA’s funding deadlines. Delay would jeopardize the project entirely, forfeiting both private investment and public benefit.

No other regulatory mechanism provides the necessary flexibility within the timeframe required. The council variance process is the only realistic, lawful, and efficient means to proceed.

7. Whether the spirit and intent of the Code would be observed and substantial justice done.

The Zoning Code and South Side Plan both promote the creation of complete neighborhoods with diverse housing types, walkable design, and integration of services. This project embodies those objectives by redeveloping a large, underutilized site into a mixed-use community with affordable housing as a central component.

Granting the variances will ensure that the property evolves in harmony with the City's vision, delivers long-term community benefit, and rectifies the misalignment between outdated zoning and current needs. Substantial justice is served by enabling this project to proceed.

City Council Use Variance Criteria

The proposed residential use will enhance, not harm, surrounding properties. It replaces vacant and obsolete industrial areas with a vibrant, mixed-use development that aligns with the City's long-term vision for the corridor. This project addresses a specific hardship: the current zoning's prohibition on multifamily residential uses at the density needed for OHFA funding. Without the variance, the site cannot accommodate the housing program envisioned, losing both the funding opportunity and the associated community benefits.

Moreover, the use variance supports the South Side Plan's emphasis on mixed-use corridors and housing choice. By placing hundreds of units in proximity to transit, jobs, and services, it reduces reliance on automobiles, supports local businesses, and fosters a walkable environment. It also promotes social equity by ensuring that affordable units are part of a larger, integrated community, avoiding the concentration of poverty and supporting economic diversity in the South Side.

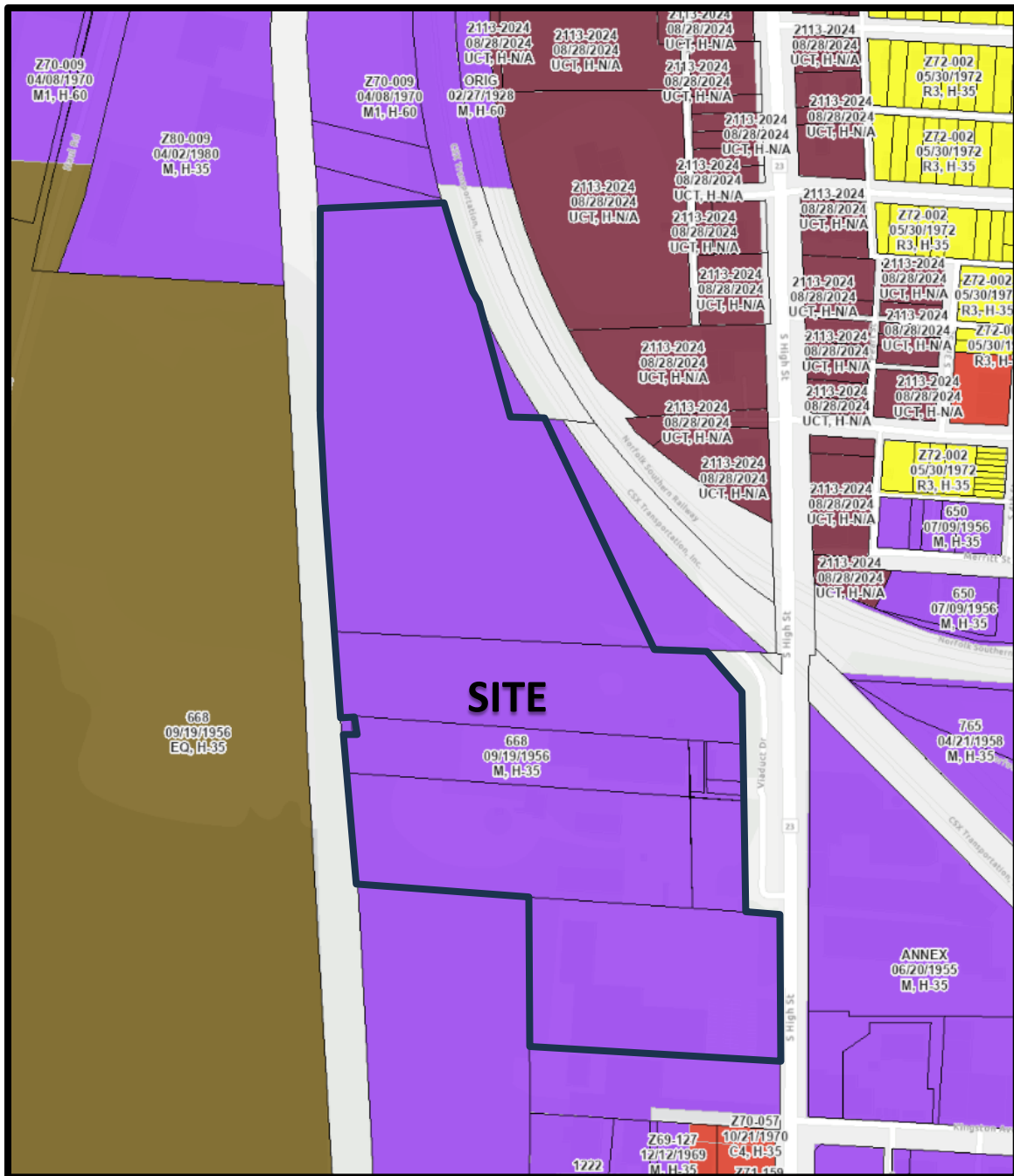
City Council Area Variance Criteria

The height variance is necessary to achieve the density required for affordable housing feasibility while maintaining efficient site design and incorporating structured parking. Sixty feet is consistent with the scale of other recent developments in similar corridors and is in harmony with the South Side Plan's vision for more intense development along major streets.

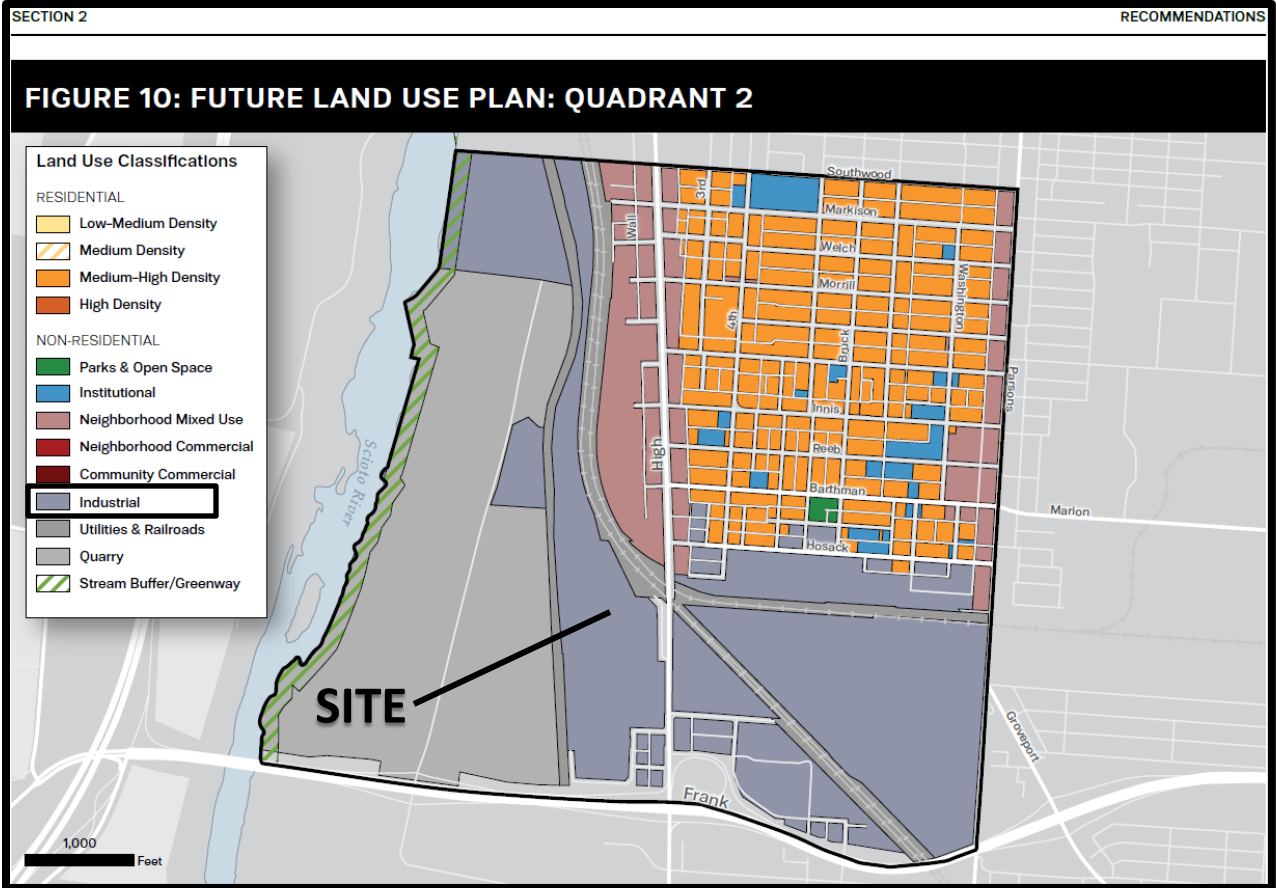
From a design perspective, the increased height allows for better architectural proportions, modern building systems, and flexible ground-floor uses. The project will include substantial landscaping, pedestrian amenities, and high-quality materials, ensuring that the additional height enhances rather than detracts from the area's character.

Conclusion

For the reasons above, the Applicant respectfully requests approval of the requested use and area variances. This approval will allow Lotus Company to proceed with OHFA funding applications and deliver a transformative affordable housing project that meets the goals of the South Side Plan and advances the City of Columbus's housing objectives.



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Approximately 27.96 acres



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Standardized Recommendation Form

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

Case Number	<u>CV22-104</u>
Address	<u>2025 S. High St. (43207)</u>
Group Name	<u>Columbus South Side Area Commission</u>
Meeting Date	<u>September 16, 2025</u>
Specify Case Type	☐ BZA Variance / Special Permit ☒ Council Variance ☐ Rezoning ☐ Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	☒ Approval ☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

Variances approved are in line with previously approved plans for the site.

Vote	<u>10-0-0</u>
Signature of Authorized Representative	<u>Kathryn F. Green</u> Digitally signed by Kathryn F. Green Date: 2025.09.16 20:24:36 -04'00'
Recommending Group Title	<u>CSSAC Zoning Chair</u>
Daytime Phone Number	<u>614-565-1476</u>

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-104

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) Eric Zartman

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 120, New Albany, Ohio 43054

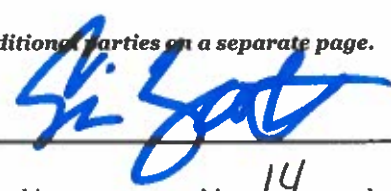
deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

5.
2101 South High LLC
2050 South High Street
Columbus, OH 43207
(Zero Columbus-based employees)

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. Lotus Company 215 South State Street, 13th Floor Salt Lake City, Utah 84111 (Zero Columbus-based employees)	2. 1981 South High LLC 2050 South High Street Columbus, Ohio 43207 (Zero Columbus-based employees)
3. Broadleigh Properties LLC 2050 South High Street Columbus, OH 43207 (Zero Columbus-based employees)	4. 2055 South High LLC 2050 South High Street Columbus, OH 43207 (Zero Columbus-based employees)

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 14 day of August, in the year 2025


SIGNATURE OF NOTARY PUBLIC

1-26-30
My Commission Expires

Notary Seal Here



ELIZABETH CARON
Notary Public, State of Ohio
My Commission Expires
January 26, 2030

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