

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

APPLICATION: **CV24-100**
Location: **2150 INNIS RD. (43224)**, being 9.19± acres located on the north side of Innis Road 1,200± feet east of Cleveland Avenue (010-087436; North Linden Area Commission).
Existing Zoning: L-M, Limited Manufacturing District (H-35).
Proposed Use: Mixed-residential development.
Applicant(s): Nationwide Children’s Hospital, Inc., c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; 411 East Town Street, Second Floor; Columbus, OH 43215.
Property Owner(s): Nationwide Children’s Hospital, Inc., c/o Jordan Henderson; 255 East Main Street, 2nd floor; Columbus, OH 43215.
Planner: Alyssa Saltzman; 614-645-9625; ADSaltzman@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a hardware store in the L-M, Limited Manufacturing district. The applicant requests a Council variance to allow a 173-unit mixed-residential development on the site, consisting of seven apartment buildings, and ten detached single-unit dwellings. Additional variances are included to allow increased building height, reduced parking lot screening, reduced required parking, and reduced building lines.
- West of the site is a multi-unit residential development in the ARLD, Apartment Residential District. To the north are single-unit residential uses in Mifflin Township. To the east are storage facilities in the L-M, Limited Manufacturing District. To the south are commercial uses in Mifflin Township.
- The site is within the planning boundaries of the *North Linden Neighborhood Plan Amendment* (2014), which recommends “Community Commercial” land uses at this location. Although the proposed use is not consistent with the Plan’s recommendation of “Commercial” land uses, staff believe it is an appropriate use, based on the site’s proximity to the Cleveland Avenue Zone In corridor districts and neighboring residential uses.
- The proposed residential development will be subject to a competitive funding process by the Ohio Housing Finance Agency (OHFA), which requires certain land attributes including compliant zoning. The Council variance process is supported to assist in this state funding application process as Rezoning Application #Z24-041, a request for the AR-1, Apartment Residential District, has been filed and is in the formal review process.
- The site is located within the boundaries of the North Linden Area Commission, whose recommendation is for approval.
- Staff acknowledges the applicant’s practical difficulties for the variances requested for this project.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council Variance will allow an affordable mixed-residential development consisting of 173 units that is compatible with the density and development standards of adjacent multi-unit residential developments. Deviation from the *North Linden Neighborhood Plan Amendment's* land use recommendation for "Community Commercial" land uses is supported based on the site's proximity to the Cleveland Avenue Zone In corridor and neighboring residential uses. Staff also notes the proposed development will further the City's objective of creating more housing units.



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

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

Pursuant to City of Columbus policy in support of affordable housing and facilitating development of same, applicant seeks a variance to the L-M district related to an applicaiton to the Ohio Housing Finance Agency to permit the proposed development as a permitted use of the site.

2. Whether the variance is substantial.

Yes No

The L-M district doesn't permit housing and housing wasn't a consideration for the site with the 1985 L-M rezoning.

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 proposed residential development abuts an apartment complex to the west and single-family housing to the north. There are large areas of residential zoning in the area.



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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 variance won't adversely affect the delivery of governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.
 Yes No

The property owner was aware the L-M zoning doesn't permit the proposed development. This variance request is related to Ohio Housing Finance Agency requirements, application scoring and timing. Applicant will submit an application for rezoning consistent with City policy.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
 Yes No

Pursuant to City of Columbus policy in support of affordable housing and facilitating same, this variance application is the initial step for zoning compliance with OHFA. When the development is funded, applicant will request rezoning of the property to establish residential zoning.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
 Yes No

The L-M zoning (Z85-080) dates to 1986. The site is very underutilized with the current zoning and development. The proposed development is consistent with residential uses in the area and the planned change of the abutting railroad tracks to the High Line Greenway Multi-Modal trail/bikeway.

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):

The redevelopment of 2150 Innis Rd is an expansion of Nationwide Children's Hospital's commitment to the creation of high-quality, affordable housing for low-to-moderate income households. This project, targeted to families, will consist of up to 148 rental units available to households earning no more than 80% of Area Median Income (AMI), and up to 25 affordable homeownership opportunities (condominiums) available to households earning no more than 120% of AMI. See page 3 for proposed Zoning Code variances.

Signature of Applicant Nationwide Children's Hospital Inc. by Donald B Perry, Agent Date 8/9/2024
Signature of Attorney Donald Plank Date 8/9/24

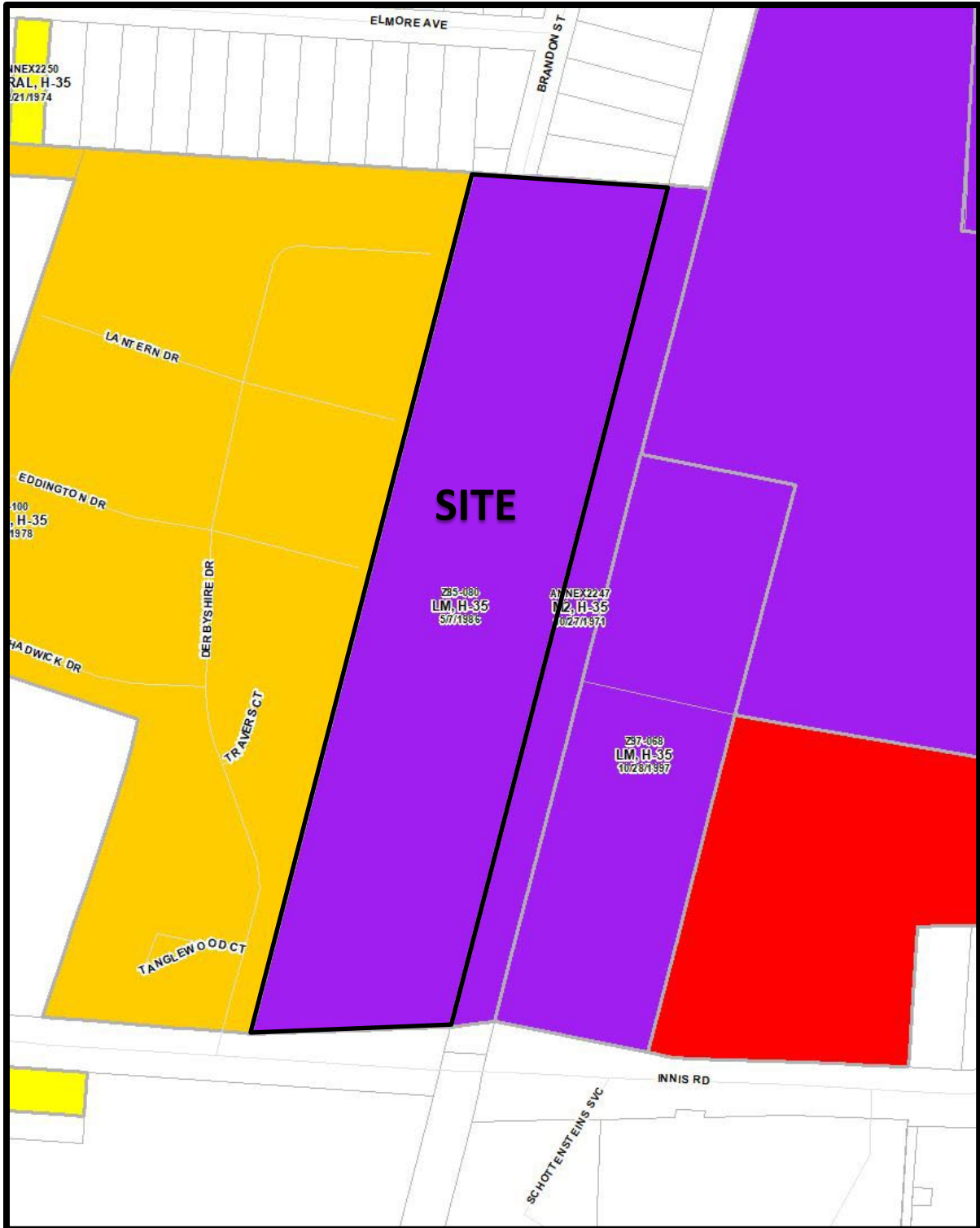
CV24-100

2150 Innis Road, Columbus, OH 43224

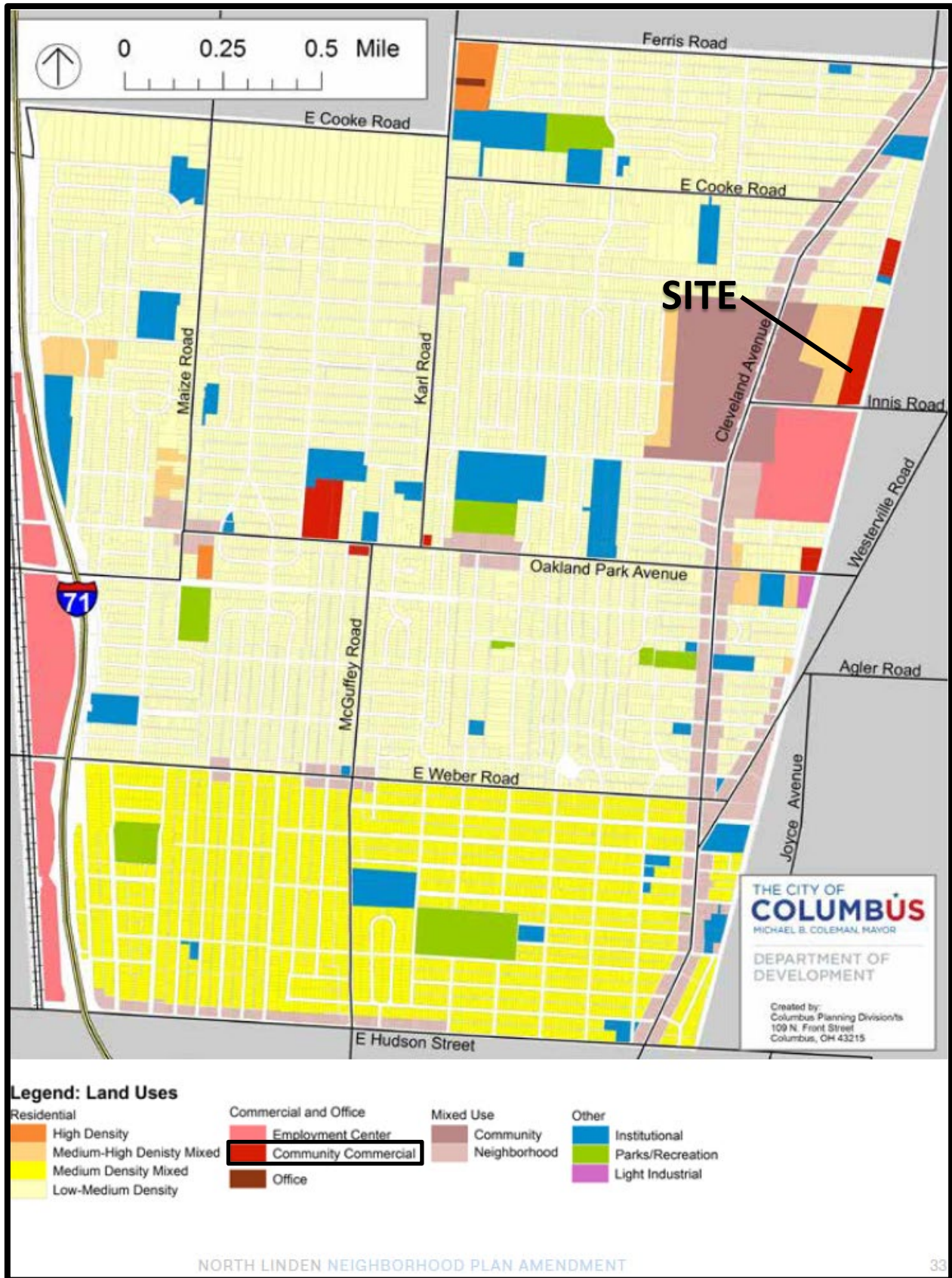
Exhibit B (page 3)

Variances (10/15/2024):

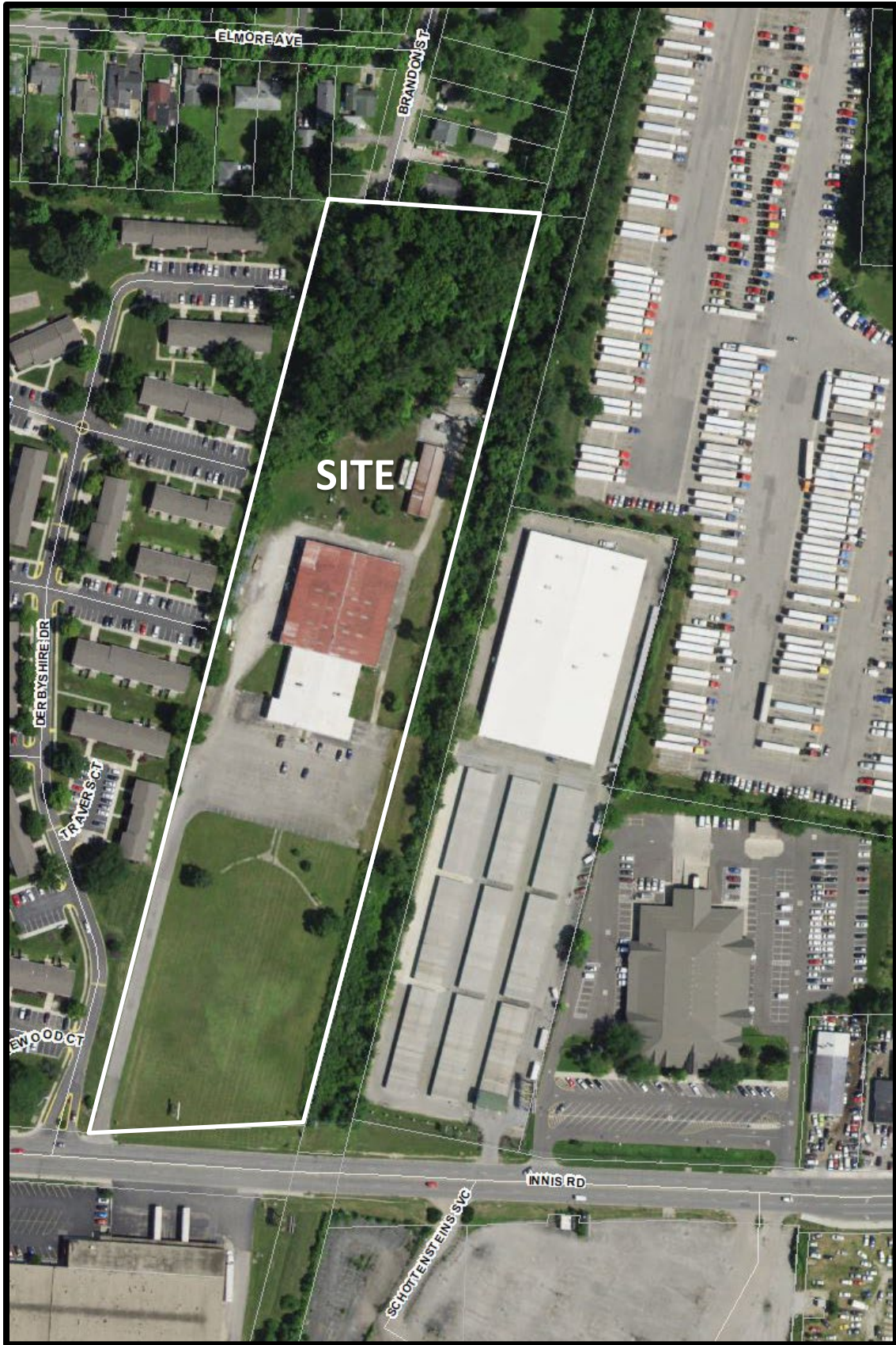
- 1). Section 3363.01, M, Manufacturing Districts, to permit a 173 dwelling unit residential development, while the M, Manufacturing District doesn't permit residential uses other than a dwelling unit for a security person.
- 2). Section 3370.05, Permitted Uses, to permit a 173 dwelling unit residential development in the L-M, Limited Manufacturing District (Z85-080, Ord. 811-86, passed April 7, 1986, while the Limitation Text permits all C-4 and M-2 uses.
- 3). Section 3309.14, Height Districts, to increase permitted height from 35' to 50' for a four (4) story building and 42' for three (3) story buildings, as noted on the Site Plan, in the H-35 Height District.
- 4). Section 3312.21(D)(1)(b), Landscaping and Screening, to permit, but not require, pedestrian and/or vehicular breaks in the west parking lot screening to provide pedestrian and/or vehicular connection(s) between subject site and multi-family development to the west, subject to approval of the Public Service Department, Division of Traffic Management, in conjunction with the Final Site Compliance Plan (FSCP).
- 5). Section 3312.49, Required Parking, to reduce required car parking from 260 spaces for 173 dwelling units to 225 spaces.
- 6). Section 3363.24, Building Lines in an M, Manufacturing District, to reduce the Innis Road building setback line from 50' to 2', net of right of way conveyance of 50' from centerline (Columbus Multimodal Thoroughfare Plan) of Innis Road.



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Approximately 9.19 acres



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

Case Number _____

Address _____

Group Name _____

Meeting Date _____

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:

Vote _____

Signature of Authorized Representative Benjamin L. Keith _____

Recommending Group Title _____

Daytime Phone Number _____

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.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24- 100

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.

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215
deposes and states that ~~they are~~ ^{he is} 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. Nationwide Children's Hospital, Inc.; 255 East Main Street, 2nd Floor, Columbus, OH 43215 Number of Columbus-based employees: <u>8,135</u> Contact: Jordan Henderson, (614) 772-6253</p>	<p>2. _____</p>
<p>3. _____</p>	<p>4. _____</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 12th day of August, in the year 2024

MaryAlice Wolf
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires _____



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires:
October 24, 2028

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