



Legislation Details (With Text)

File #: 0644-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/4/2020 **In control:** Zoning Committee

On agenda: 3/16/2020 **Final action:** 3/19/2020

Title: To grant a Variance from the provisions of Sections 3333.025, AR-2 apartment residential district use; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 2643 N. HIGH ST. (43202), to permit C-4 Commercial District uses and associated parking with a parking space reduction in the AR-2, Apartment Residential, and C-4, Commercial districts (Council Variance #CV20-013).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0644-2020_Attachments, 2. ORD0644-2020_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|-----------------------|--------|
| 3/19/2020 | 1 | ACTING CITY CLERK | Attest | |
| 3/18/2020 | 1 | MAYOR | Signed | |
| 3/16/2020 | 1 | COUNCIL PRESIDENT | Signed | |
| 3/16/2020 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 3/16/2020 | 1 | Zoning Committee | Approved | Pass |

Council Variance Application: CV20-013

APPLICANT: SRA Investments, LLC; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Commercial uses.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

UNIVERSITY IMPACT DISTRICT REVIEW BOARD: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The property is split zoned with the eastern half of the parcel developed with a commercial building in the C-4, Commercial District, and the western half of the parcel containing a parking lot and a small portion of the commercial building in the AR-2, Apartment Residential District. The requested Council variance will permit the portion of the building in the AR-2 district to be used for C-4 district permitted uses and will conform the existing parking lot use. This request includes a parking reduction variance from 39 required spaces to 21 provided spaces. The proposal is consistent with the *University District Plan's* (2015) land use recommendation of neighborhood mixed-use. Staff finds the proposal will not introduce incompatible uses to the area. Additionally, the site is within the boundaries of the NC, Neighborhood Commercial subarea of the University District Zoning Overlay. The additional parking reduction is supportable due to the proximity of public transit and availability of on-street parking.

To grant a Variance from the provisions of Sections 3333.025, AR-2 apartment residential district use; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **2643 N. HIGH ST. (43202)**, to permit C-4 Commercial District uses and associated parking with a parking space reduction in the AR-2, Apartment Residential, and C-4, Commercial districts (Council Variance #CV20-013).

WHEREAS, by application #CV20-013, the owner of the property at **2643 N. HIGH ST. (43202)**, is requesting a Variance to permit C-4 Commercial District uses and associated parking with a parking space reduction in the AR-2, Apartment Residential, and C-4, Commercial districts; and

WHEREAS, Section 3333.025, AR-2, apartment residential district use, prohibits commercial uses and associated parking; while the applicant proposes to use the portion of a commercial building that is predominantly within the adjacent C-4, Commercial District for C-4, commercial uses while maintaining the existing associated parking lot in accordance with the submitted site plan; and

WHEREAS, Section 3312.49(C), Minimum number of parking spaces required, requires 1 parking space per 75 square feet of eating and drinking establishment space, 1 parking space per 250 square feet of retail space, 1 parking space per 1,000 square feet of technical school space, 1 parking space per 30 square feet of assembly space, and 2 parking spaces per dwelling unit, however, per Section 3325.281 of the Neighborhood Commercial (NC) Subarea Regulations of the University District Zoning Overlay, parking requirements for all non-residential uses are reduced by 50% and dwelling units are required 0.5 parking space per bedroom, resulting in 39 required parking spaces, while the applicant will provide 21 parking spaces as shown on the submitted site plan; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the University Impact District Review Board recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal is consistent with the *University District Plan's* land use recommendation, will not introduce incompatible uses to the area, and notes that proximity to public transit and availability of on-street parking offset the reduced on-site parking; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2643 N. HIGH ST. (43202)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance is hereby granted from the provisions of Sections 3333.025, AR-2 apartment residential district use; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **2643 N. HIGH ST. (43202)**, insofar as said sections prohibit C-4 Commercial District uses and associated parking in the AR-2, Apartment Residential District; and a parking space reduction from 39 required spaces to 21 provided spaces; said property being more particularly described as follows:

2643 N. HIGH ST. (43202), being 0.44± acres located at the northwest corner of North High Street and West Ramlow Alley, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Outlot 8 of S. & G. W. Beer's North Columbus Subdivision of record in Plat Book 1, Page 54 (duplicate plat - original destroyed by fire), also being part of that tract of land described as Tract Two as conveyed to SRA Investments, LLC of record in Instrument No. 200312190399308 and more particularly described as follows:

Beginning at the southeasterly corner of said Outlot 8, also being the southeasterly corner of said Tract Two and being the right-of-way intersection of the westerly right-of-way line of N. High Street (66') and the northerly right-of-way line of a 20' Alley (now W. Ramlow Alley) as dedicated upon said record plat;

Thence S 78° 45' 16" W, along the southerly line of said Outlot 8 and Tract Two and along the northerly right-of-way line of said 20' Alley, 234.5 feet+/- to the southeasterly corner of that 0.113 acre tract of land as conveyed to Dodridge Investments LLC of record in Instrument No. 200509160192756;

Thence N 11° 39' 37" W, along the easterly line of said 0.113 acre tract and across said Outlot 8, 82.5 feet+/- to a point;

Thence N 78° 45' 16" E, across said Tract Two and said Outlot 8, 234.5 feet+/- to a point in the easterly line of said Tract Two and said Outlot 8, also being in the westerly right-of-way line of said N. High Street (66');

Thence S 11° 39' 37" E, with said common line, 82.5 feet+/- to the Point of Beginning. Containing 0.444+/- acre and being all of P.I.D. 010-040672.

Parcel Nos. 010-040672

Property Address: 2643 N. High St., Columbus, OH 43202.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for C-4, Commercial District uses and associated parking as shown on the submitted site plan, or those uses permitted in the AR-2, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plan drawing titled, "**ZONING SITE PLAN**," signed by David Hodge, Attorney for the Applicant, dated February 29, 2020. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.