



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1827-2024, **Version:** 1

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**Council Variance Application: CV24-026**

**APPLICANT:** Marker Acquisition, LLC; c/o Jill Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

**PROPOSED USE:** Multi-unit residential development.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**UNIVERSITY IMPACT DISTRICT REVIEW BOARD RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of four parcels developed with commercial uses in the C-4, Commercial District. The site is within the RC, Regional Commercial Subarea of the University District Zoning Overlay (UDZO). The requested Council variance will allow redevelopment of the site with an apartment building containing 183 units (450 total bedrooms). A Council variance is necessary to allow residential and accessory residential uses on the ground floor of a building in the C-4 district. The request also includes a variance to reduce the required parking from 225 spaces to zero provided spaces, and to increase the maximum building height from 72 feet to 157.5 feet. The *University District Plan (2015)* recommends this area for "Regional Mixed Use," which supports mixed-use corridors with high density residential development. The Plan also states that the design of the new buildings should be compatible with nearby contributing buildings and the surrounding streetscapes. The proposal is consistent with the Plan's land use recommendations, and will continue the redevelopment pattern for this section of North High Street. Staff notes that this site is in the first phase of Zone-In Columbus, and will provide more residential units consistent with citywide objectives regarding increased housing. Additionally, the final building design and site plan, which are not included with this variance request, are subject to a Certificate of Approval from the University Impact District Review Board.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3325.323, Building Height Standards; and 3325.381, Parking and Circulation, of the Columbus City Codes; for the property located at **1479 N. HIGH ST. (43201)**, to allow an apartment building with reduced development standards in the C-4, Commercial District (Council Variance #CV24-026).

**WHEREAS**, by application #CV24-026, the owner of property at **1479 N. HIGH ST. (43201)**, is requesting a Council variance to allow an apartment building with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 permitted uses, allows multi-unit residential and accessory residential uses above certain commercial uses, but does not allow ground floor residential uses, while the applicant proposes an apartment building with residential and accessory residential uses on the ground floor; and

**WHEREAS**, Section 3325.323, Building Height Standards, allows a maximum building height of 72 feet within the Regional Commercial (RC) Subarea, while the applicant proposes an increased building height of 157.5 feet; and

**WHEREAS**, Section 3325.381, Parking and Circulation, requires 0.5 parking spaces per bedroom be provided on site, or 225 spaces for 450 bedrooms, while applicant proposes zero spaces; 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 will allow a multi-unit residential development that is consistent with the *University District Plan's* land use recommendations, and continues the redevelopment pattern for this segment of North High Street. Staff also notes that this site is in the first phase of Zone-In Columbus, and will provide more residential units consistent with citywide objectives regarding increased housing; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; 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 **1479 N. HIGH ST. (43201)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3356.03, C-4 permitted uses; 3325.323, Building Height Standards; and 3325.381 Parking and Circulation, is hereby granted for the property located at **1479 N. HIGH ST. (43201)**, insofar as said sections prohibit residential and accessory residential uses on the ground floor in the C-4, Commercial District; with an increased maximum building height from 72 to 157.5 feet; and a parking space reduction from 225 to zero spaces; said property being more particularly described as follows:

**1479 N. HIGH ST. (43201)**, being 0.58± acres located at the southwest corner of North High Street and West 9<sup>th</sup> Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Lots 44 (PID:010-062668) and 45 (PID:010-011934) of a plat entitled "Fishers North High St. Addition" of record in Plat Book 2, Page 194, 1/2 interest as conveyed to Mollica Family, LLC, of record in Instrument Number 201212210197577 and 1/2 interest as conveyed to Ryan Family High Street LLC, of record in Instrument Number 202201120008310 and all of Lots 46 (PID:010-034533) and 47 (PID:010-012829) of said "Fishers North High St. Addition", as conveyed to Mollica Family, LLC, of record in Instrument Number 201212210197577 and Instrument Number 201312230208996, all document references are to the records of the Recorder's Office of Franklin County, Ohio, and being more particularly described as follows:

BEGINNING FOR REFERENCE at the centerline intersection of West 9th Avenue (60 foot right of way) and North High Street (66 foot right of way);

Thence South 8°25'23" East, with said centerline of North High Street, a distance of 23.72 feet to a point;

Thence South 81°34'37" West, through the right of way of said North High Street, a distance of 33.00 feet to the northeasterly corner of said Lot 44 and being the southwesterly right of way intersection of said North High Street and said West 9th Avenue and being the POINT OF BEGINNING;

Thence South 8°25'23" East, with the westerly right of way line of said North High Street, a distance of 163.62 feet to the

southeasterly corner of said Lot 47;

Thence North 86°49'15" West, with the southerly line of said Lot 47, a distance of 173.85 feet to the southwesterly corner of said Lot 47, also being in the easterly right of way line of North Wall Street (20 foot right of way);

Thence North 3°17'06" East, with said easterly right of way line, a distance of 160.95 to the northwesterly corner of said Lot 44 and being a point in the southern right of way line of said West 9th Avenue;

Thence South 86°32'42" East, with the northerly line of said Lot 44 and said southerly right of way line, a distance of 140.65 feet to the POINT OF BEGINNING and containing 0.5797 ± acres of land, more or less;

This description is not intended for transfer and does not meet Franklin County Transfer and Conveyance Standards.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with an apartment building containing up to 183 units and up to 450 total bedrooms, or those uses in underlying zoning district.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed development.

**SECTION 4.** That this ordinance is further conditioned on the applicant implementing infrastructure improvements, as determined by the Department of Public Service, to appropriately accommodate loading and unloading operations for the site, as well as to accommodate additional pedestrian traffic associated with the development.

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