



## Legislation Details (With Text)

**File #:** 1062-2015      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 4/13/2015      **In control:** Zoning Committee

**On agenda:** 5/18/2015      **Final action:** 5/20/2015

**Title:** To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses; 3309.14, Height district, 3312.49(C), Minimum number of parking spaces required; 3321.05(B)(1),(2), Vision clearance; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at 780 PARK STREET (43215), to permit a multi-unit residential and office development with reduced development standards in the C-4, Commercial District (CV14-056).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1062-2015Attachments, 2. ORD1062-2015AttachmentsAmended, 3. Notice Of Public Hearing - Council Mtg20150504

Date	Ver.	Action By	Action	Result
5/20/2015	2	CITY CLERK	Attest	
5/19/2015	2	MAYOR	Signed	
5/18/2015	2	COUNCIL PRESIDENT	Signed	
5/18/2015	1	Zoning Committee	Taken from the Table	Pass
5/18/2015	1	Zoning Committee	Amended as submitted to the Clerk	Pass
5/18/2015	1	Zoning Committee	Approved as Amended	Pass
5/4/2015	1	Zoning Committee	Tabled to Certain Date	Pass
4/27/2015	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV14-056**

**APPLICANT:** The Wood Companies; c/o John P. Kennedy and Michael T. Shannon, Attys.; 500 South Front Street, Suite 1200; Columbus, OH 43215.

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

**VICTORIAN VILLAGE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested Council variance will allow the construction of mixed-use development with 10,000 square feet of general office space and 105 apartment units in the C-4, Commercial District. The request includes variances for increased building height ranging from 52 to 88 feet, a reduction of fifty (50) required parking spaces, and reduced vision clearance and building setback. The site is located in the vicinity of several sites that received Council variances to allow similar multi-story predominantly residential projects. This proposal will permit a multi-unit residential and office development that is consistent with the development standards and historic character of the surrounding neighborhood.

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses; 3309.14, Height district, 3312.49(C), Minimum number of parking spaces required; 3321.05(B)(1),(2), Vision clearance; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at **780 PARK STREET (43215)**, to permit a multi-unit residential and office development with reduced development standards in the C-4, Commercial District (CV14-056).

**WHEREAS**, by application # CV14-056, the owner of property at **780 PARK STREET (43215)**, is requesting a Variance to permit a multi-unit residential and office development with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Sections 3356.03, C-4 permitted uses, permits dwelling units only above certain commercial uses, while the applicant proposes ground floor residential uses as part of a mixed-use development with 10,000 square feet of general office space and 105 apartment units; and

**WHEREAS**, Sections 3309.14, Height districts, requires a maximum building height of thirty-five (35) feet at the setback for this property, while the applicant proposes a multi-story building with varying heights not to exceed eighty-eight (88) feet as reflected on the attached elevation drawings; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 spaces per apartment unit, and 1 parking space per 450 square feet of general office space, a total requirement of 180 spaces for 105 apartment units and a 10,000 square-foot general office, while the applicant proposes ~~130~~ **140** parking spaces; and

**WHEREAS**, Section 3321.05(B)(1),(2), Vision clearance, requires clear vision triangles of ten (10) feet at the intersections of streets and alleys, and requires a clear vision triangle of thirty (30) feet on each residential lot adjacent to a street intersection, while the applicant proposes encroachment into the clear vision triangles as shown on the site plan; and

**WHEREAS**, Section 3356.11, C-4 district setback lines, requires buildings to have a setback of twenty-five (25) feet from the street right-of-way, while the applicant proposes building setback lines of zero (0) feet along Park Street and West Hubbard Avenue; and

**WHEREAS**, The Victorian Village Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the site is located in the vicinity of several sites that received Council variances to allow similar multi-story predominantly residential projects in commercial districts. This proposal will permit a multi-unit residential and office development that is consistent with the development standards and historic character of the surrounding neighborhood; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 roads, 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 **780 PARK STREET (43215)**, in using said property as desired and; 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; 3309.14, Height District; 3312.49(C), Minimum number of parking spaces required; 3321.05(B)(1),(2), Vision clearance; and 3356.11, C-4 district setback lines, of the Columbus City Codes, is hereby granted for the property located at **780 PARK STREET (43215)**, insofar as said sections prohibit ground floor residential uses, with an increased building height of up to eighty-eight (88) feet; a parking space reduction from 180 spaces to ~~130~~ **140** spaces; encroachment of the building into the clear vision triangles at the southwest corner of West Hubbard Avenue and Wall Street, at the northeast corner of Park and Lundy Streets, and at the southwest corner of Park Street and West Hubbard Avenue; and reduced building setback lines from twenty-five (25) feet to zero (0) feet along Park Street and West Hubbard Avenue; said property being more particularly described as follows:

**780 PARK STREET (43215)**, being 1.05± acres located at the southeast corner of Park Street and West Hubbard Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus: Being all of lots 24, 25 & 26 of M. Helen Hutchinson's addition as recorded in Plat Book 3, Page 414 and conveyed by deed to High & Hubbard, LLC as recorded in Instrument 200412060277386, records of the Franklin County Recorder, Franklin County, Ohio.

Also being all of lots 27, 28 & 29 of M. Helen Hutchinson's addition as recorded in Plat Book 3, Page 414 and conveyed by deed to Hubbard Park Place, LLC as recorded in Instrument 201112230168589, records of the Franklin County Recorder, Franklin County, Ohio.

Containing Franklin County Parcel Numbers 010-009149, 010-047864, 010-047865, and 010-034719.  
The information above is based on record information only and not an actual field survey.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for ground floor residential uses as part of a mixed-use development with 10,000 square feet of general office space and 105 apartment units, or those uses in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**THE WOOD COMPANIES HUBBARD PARK PLACE SITE COMPLIANCE PLAN**," and the elevation drawings titled "**HUBBARD PARK PLACE - SHEETS 2-5**," all dated March 19, 2015, and signed by Michael T. Shannon, Attorney for the Applicant. The plans 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 adjustments to the plan shall be subject to review and approval 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 on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

**SECTION 5.** That this ordinance is further conditioned on the applicant combining tax parcels 010-009149, 010-047864, 010-047865, and 010-034719 into one parcel prior to site compliance review.

**SECTION 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.