



## Legislation Details (With Text)

**File #:** 0482-2019      **Version:** 1

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

**File created:** 2/4/2019      **In control:** Zoning Committee

**On agenda:** 4/15/2019      **Final action:** 4/17/2019

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.21(A)(D), Landscaping and screening; 3312.49(C), Minimum numbers of parking spaces required; 3332.21(D), Building lines; 3332.25, Maximum side yards required; and 3332.29, Height district, of the Columbus City Codes; for the property located at 932 EAST GAY STREET (43203), to permit a 25-unit apartment building with reduced development standards in the R-2F, Residential District, (Council Variance #CV18-075).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0482-2019\_Attachments, 2. ORD0482-2019\_Labels

Date	Ver.	Action By	Action	Result
4/17/2019	1	CITY CLERK	Attest	
4/16/2019	1	ACTING MAYOR	Signed	
4/15/2019	1	COUNCIL PRESIDENT	Signed	
4/15/2019	1	Zoning Committee	Approved	Pass
4/8/2019	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV18-075**

**APPLICANT:** Urban Land Company, LTD.; c/o Andrew Gardner, Agent; 3500 Snouffer Road, Suite 225; Columbus, OH 43235.

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

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of four parcels, three undeveloped and one developed with a single-unit dwelling, all zoned in the R-2F, Residential District. The requested Council variance will permit the development of a 25-unit apartment building. In addition to the use variance, variances to parking lot landscaping and screening, number of required parking spaces (from 38 to 26 provided), building setback, maximum side yard, and building height are included in this request. The site is within the boundaries of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location, but recommends that new housing be consistent with the housing types and densities in the surrounding area, and compatible in terms of massing, scale, and building height. The building elevations reviewed by the Planning Division and the massing are consistent with the Plan recommendations, and the density of the proposal is generally consistent with nearby densities to the north and east.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.21(A)(D), Landscaping and screening; 3312.49(C), Minimum numbers of parking spaces required; 3332.21(D), Building lines; 3332.25, Maximum

side yards required; and 3332.29, Height district, of the Columbus City Codes; for the property located at **932 EAST GAY STREET (43203)**, to permit a 25-unit apartment building with reduced development standards in the R-2F, Residential District, (Council Variance #CV18-075).

**WHEREAS**, by application #CV18-075, the owner of the property at **932 EAST GAY STREET (43203)**, is requesting a Variance to permit a 25-unit apartment building with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district, permits one single-unit or one two-unit dwelling on a lot, while the applicant proposes a 25-unit apartment building; and

**WHEREAS**, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing ten or more parking spaces to provide one shade tree per ten spaces within landscaped islands, while the applicant proposes a parking lot containing 25 spaces with no landscape islands due to circulation constraints on site, and will instead provide the 3 required shade trees in the parking lot perimeter as shown on the site plan; and

**WHEREAS**, Section 3312.21(D), Landscaping and screening, requires screening of parking lots within 80 feet of residential zoning districts to be four feet in width, while the applicant proposes to reduce the width of the screening area along the north property lines to zero feet with the required screening provided partially in the right-of-way of Almond Alley, as shown on the site plan; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, resulting in a total parking requirement of 38 parking spaces for 25 units, while the applicant proposes 26 parking spaces; and

**WHEREAS**, Section 3332.21(D), Building lines, requires buildings to have a minimum setback of 10 feet along East Gay Street, while the applicant proposes a reduced building setback line of 7.5 feet; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, provided that not more than 16 feet be provided, while the applicant proposes a maximum side yard 15.04 feet; and

**WHEREAS**, Section 3332.29, Height district, requires that no building or structure shall exceed a height of 35 feet, while the applicant proposes a three-story building not to exceed a height of 41.5 feet; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the proposed apartment building is consistent with the housing types and densities in the surrounding area, and is compatible in terms of massing, scale, and building height with recent and existing development in the area; 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 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 owner of the property located at **932 EAST GAY STREET (43203)**, 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 3332.037, R-2F, residential district; 3312.21(A)(D), Landscaping and screening; 3312.49(C), Minimum numbers of parking spaces required; 3332.21(D), Building lines; 3332.25, Maximum side yards required; and 3332.29, Height district, of the Columbus City Codes; for the property located at **932 EAST GAY STREET (43203)**, insofar as said sections prohibit a 25-unit apartment building in the R-2F, Residential District; with reduced parking lot tree islands from 3 to 0, with the required number of trees being planted in the perimeter of the parking lot; reduced parking lot screening area from 4 feet wide to zero feet along the north property line; a reduction in the required number of parking spaces from 38 to 26; a reduced building line from 10 to 7.5 feet along East Gay Street; a reduced maximum side yard from 16 to 15.04 feet; and increased building height from 35 to 41.5 feet; said property being more particularly described as follows:

**932 EAST GAY STREET (43203)**, being 0.41± acres located at the northwest corner of East Gay Street and North Eighteenth Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, and the State of Ohio and being more particularly described as follows:

Being Lot Numbers 1, 2, 3, 4, and 5 of Shaffer, Blair and Coe's Subdivision, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 23, Recorder's Office, Franklin County Ohio.

Also including right-of-way of the approximate 10-foot wide unnamed alley (to be vacated) that borders Lot Numbers 1-6.

Includes Parcel Numbers:

010-052096 (Lot 1)  
010-0047843 (Lot 2)  
010-055564 (Lot 3)  
010-050496 (Lots 4 & 5)

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a 25-unit apartment building or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**GAY STREET APARTMENTS CONCEPT PLAN**," dated March 29, 2019, and drawn and signed by Andrew Gardner, Agent for the Applicant. 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 adjustments to the plan shall be subject to review and approval by the Director of the Department 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 a Certificate of Occupancy for the proposed use.

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