



## Legislation Text

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**File #:** 2626-2015, **Version:** 2

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### **Council Variance Application: CV15-053**

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

**PROPOSED USE:** Mixed-use development.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. Two vacant structures, previously commercial in use, are currently located on the parcel. The requested Council variance will allow the construction of mixed-use development with 14,200± square feet of general office space, retail, and restaurant space, and 33 apartment units in the C-4, Commercial District. The request includes variances for ground floor residential accessory uses, increased building height of seventy-five (75) feet, a reduction to thirty-eight (38) required parking spaces, no public bicycle parking, and a setback of ten (10) feet on North High Street. The site is located in the vicinity of several sites that received Council variances to allow similar multi-story predominantly residential projects in the C-4, Commercial District. This proposal will permit a multi-story mixed-use development that is consistent with the development pattern 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(B) (C), Minimum numbers of parking spaces required; and 3356.11(C), C-4 district setback lines, of the Columbus City Codes; for the property located at **930 NORTH HIGH STREET (43201)**, to permit a mixed-use development with reduced development standards in the C-4, Commercial District **and to declare an emergency** (CV15-053).

**WHEREAS**, by application # CV15-053, the owner of property at **930 NORTH HIGH STREET (43201)**, is requesting a Variance to permit a mixed-use development with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Sections 3356.03, C-4 permitted uses, permits residential uses only above certain commercial uses, while the applicant proposes ground floor accessory residential uses as part of a mixed-use development with 14,200± square feet of commercial space, and 33 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 a height not to exceed seventy-five (75) feet as reflected on the attached elevation drawings; and

**WHEREAS**, Section 3312.49(B), Minimum numbers of parking spaces required, requires two (2) bicycle spaces and an additional one (1) space per twenty (20) vehicle parking spaces, with a total of eight (8) bicycle spaces required, while the applicant proposes zero (0) public bicycle spaces, but is providing ten (10) spaces for the residents within the building; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 spaces per apartment unit, 1 space per 450 square feet of general office space, 1 space per 250 square feet of retail/mercantile space, and 1 parking

space for every 75 square feet of restaurant space, a total requirement of 105 spaces for 33 apartment units and a 14,200± square feet of general office space, retail, and restaurant space, while the applicant proposes 38 parking spaces; 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 a ten (10) foot building setback line along both North High Street; and

**WHEREAS**, The Italian Village 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 the C-4, Commercial District. This proposal will permit a mixed-use 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 **930 NORTH HIGH STREET (43201)**, in using said property as desired and; and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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(B)(C), Minimum numbers of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes, is hereby granted for the property located at **930 NORTH HIGH STREET (43201)**, insofar as said sections prohibit ground floor residential accessory uses, with an increased building height of up to seventy-five (75) feet, a bicycle parking space reduction from eight (8) spaces to zero (0) spaces, a parking space reduction from 105 spaces to 38 spaces, and ten (10) foot building setback line along North High Street; said property being more particularly described as follows:

**930 NORTH HIGH STREET (43201)**, being 0.35± acres on the east side of North High Street, 140± feet north of East First Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lot Numbers Six (6), Seven (7) and Eight (8) of S.M. Hubbard's Subdivision of Lots Numbers 1 and 2 of J.A. Miror's Amended Plat of Lots Numbers 3 and 4 of Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the said lots 6, 7 and 8 are numbered and delineated upon the recorded amended plat of said subdivision, of record in Plat Book No. 5, page 46, Recorder's Office, Franklin County, Ohio.

Except fifteen (15) feet off the west end of said lots theretofore deeded to the City of Columbus for the purpose of widening High Street.

Franklin County Parcel Number: 010-023010.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a mixed-use development with ground floor accessory residential uses, 14,200± square feet of commercial space, and 33 apartment units 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 plans titled, "**SITE COMPLIANCE PLAN,**" "**EXTERIOR ELEVATIONS - WEST,**" "**EXTERIOR ELEVATIONS - NORTH,**" "**EXTERIOR ELEVATIONS - EAST,**" and "**EXTERIOR ELEVATIONS - SOUTH & PENTHOUSE,**" all dated October 7, 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 shall take effect and be in force from and after the earliest period allowed by law.~~  
**That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**