



Legislation Text

File #: 0043-2021, **Version:** 1

Council Variance Application: CV20-079

APPLICANT: Brian Higgins; 1349 Dennison Avenue; Columbus, OH 43201.

PROPOSED USE: Mixed-use development.

COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #0042-2021; Z20-069) to the C-4, Commercial District. The applicant proposes a mixed-use development containing two ground floor apartment units and 783 square feet of commercial retail space with 10 apartment units above. A Council variance is necessary because the C-4 district does not permit dwelling units on the first floor. Additional variances are requested for reduced parking space size for two required spaces, reduced vision clearance at the garage entrance from Stanley Avenue, and a parking space reduction from 20 required to 11 provided space. The variances are supportable due to the urban nature of the development which is compatible with the historic development pattern of Parsons Avenue. Additionally, the site is located in a pedestrian-friendly area that has access to public transportation.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.29, Parking space; 3312.49(C), Minimum numbers of parking spaces required; and 3321.05(A)(1), Vision clearance, of the Columbus City Codes; for the property located at **921 PARSONS AVE. (43206)**, to permit ground floor residential uses and reduced development standards for a mixed-use development in the C-4, Commercial District (Council Variance #CV20-079).

WHEREAS, by application #CV20-079, the owner of property at **921 PARSONS AVE. (43206)**, is requesting a Council variance to permit ground floor residential uses and 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 1,236± square feet of ground floor residential uses (two apartment units) as part of a mixed-use development with 789± square feet of commercial space, and 10 apartment units above; and

WHEREAS, Section 3312.29, Parking space, requires the width of all parking spaces to be nine feet wide, while the applicant proposes to reduce the width to eight feet for parking space numbers 5 and 6, as shown on the submitted site plan;

WHEREAS, Section 3312.49(C), Minimum number of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 18 spaces for 12 dwelling units, with two additional spaces for 783 square feet of commercial space, for a total of 20 parking spaces, while the applicant proposes to provide a total of 11 spaces; and

WHEREAS, Section 3321.05(A)(1), Vision clearance, requires clear vision triangles of 10 feet at the intersection of a parking lot entrance and the street right-of-way, while the applicant proposes 5 foot clear vision triangles for the garage access to Stanley Avenue as shown on the submitted site plan; and

WHEREAS, the Columbus Southside Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the requested variances allow a mixed-used development that is consistent with the historic development pattern of Parsons Avenue and is located in a pedestrian-friendly area that has access to public transportation; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a 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 owners of the property located at **921 PARSONS AVE. (43206)**, 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; 3312.29, Parking space; 3312.49(C), Minimum numbers of parking spaces required; and 3321.05(A)(1), Vision clearance, of the Columbus City Codes, is hereby granted for the property located at **921 PARSONS AVE. (43206)**, insofar as said sections prohibit ground floor residential uses in the C-4, Commercial District; with a reduction in the width of parking space numbers 5 and 6, as shown on the submitted site plan, from 9 feet to 8 feet; a reduction in the minimum number of parking spaces required from 20 spaces to 11 spaces; and a reduced clear vision triangle at the intersection of the parking lot entrance and Stanley Avenue from 10 feet to 5 feet, said property being more particularly described as follows:

921 PARSONS AVE. (43206), being 0.17± acres located at the southeast corner of Parsons Avenue and Stanley Avenue, and being more particularly described as follows:

Being Lots Number One (1) and Two (2) in KAMPMAN AND BUEHL'S SUBDIVISION as the same is numbered and delineated upon the recorded plat thereof, of record in Play Book 4, Page 26, Recorder's Office, Franklin County, Ohio.

Parcel Nos. 010-011376 & 010-055972

Known Address: 921 & 923 Parsons Avenue, Columbus, OH 43206

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two ground floor dwellings, or 1,236 square feet of ground floor residential use, and 783 square feet of commercial space, or those uses permitted 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, "**SITE PLAN**," signed and drawn by Maria Anderson, architect for the applicant, dated January 4, 2021. 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 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.