



Legislation Text

File #: 1594-2022, **Version:** 1

Council Variance Application: CV21-115

APPLICANT: 520 Columbus, LLC; c/o Michael Shannon, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Mixed-use development.

BREWERY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with an eating and drinking establishment in the C-4, Commercial District subject to the South High Street/South Front Street Urban Commercial Overlay. The site received approval for an 85-space parking reduction from the Board of Zoning Adjustment in 2014. The Applicant is requesting a Council variance to permit a mixed-use development containing up to 7,650 square feet of retail uses and 67 apartment units. Variances for increased building height, required bicycle parking location and a parking space reduction from 117 required to 68 provided spaces are included in the request. The site is within the planning boundaries of the *Brewery District Plan* (1995), which does not contain a specific land use recommendation for this location, however, the final design of the proposed building will need a Certificate of Appropriateness from the Brewery District Commission. The Applicant completed a parking study and received support for the parking variance from the Department of Public Service. Staff finds the proposed mixed-use building and requested variances to be consistent with development pattern of South High Street and similar infill projects in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3309.14, Height districts; and 3312.49 (A)(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **520 S. HIGH ST. (43215)**, to permit a mixed-use development with reduced development standards in the C-4, Commercial District (Council Variance #CV21-115).

WHEREAS, by application #CV21-115, the owner of the property at **520 S. HIGH ST. (43215)**, 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 residential uses and amenities; and

WHEREAS, Section 3309.14, Height districts, requires a maximum building height of 60 feet at the setback for this property, while the applicant proposes a multi-story building not to exceed a height of 79 feet; and

WHEREAS, Section 3312.49(A), Minimum numbers of parking spaces required, requires bicycle parking spaces be located in a highly visible area on the property for the uses to be served, while the applicant proposes to provide the required bicycle parking spaces within a designated area in a private parking garage that cannot be directly seen from the public right-of-way; and

WHEREAS, Section 3312.49(C), Minimum number of parking spaces required, requires 1.5 parking spaces per dwelling-unit, or 101 spaces for a 67-unit apartment building, and 1 parking space per 500 square feet of retail uses, or 16 spaces

for 7,650 square feet of retail uses with a 50 percent reduction per the parking requirement reductions in Section 3372.609, for a total of 117 parking spaces, while the applicant proposes to provide 68 parking spaces on the subject site; and

WHEREAS, the Brewery Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal is consistent with the development pattern of South High Street and similar projects in historic urban neighborhoods. Additionally, the new building's final design is subject to approval by the Brewery District Commission; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **520 S. HIGH ST. (43215)**, 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 3356.03, C-4 permitted uses; 3309.14, Height districts; and 3312.49(A)(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **520 S. HIGH ST. (43215)**, insofar as said sections prohibit ground floor residential uses and amenities in the C-4, Commercial District; with an increase in building height from 60 feet to 79 feet; required bicycle parking spaces located in a private parking garage instead of a highly visible area; and a parking space reduction from 117 required spaces to 68 provided spaces; said property being more particularly described as follows:

520 S. HIGH ST. (43215), being 0.4± acres located at the southeast corner of South High Street and East Blenkner Street, and being more particularly described as follows:

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

Being ninety-one and 50/100 (91.50) feet off of the North side of Block Number Eighteen (18) of John McGown's Addition to the City of Columbus, Ohio called South Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Deed Book "G", Page 70, Recorder's Office, Franklin County, Ohio and more specifically described as follows:

Being situated in the State of Ohio, County of Franklin, City of Columbus and being 91.50 feet (by deed) off the North side of Block 18 of John McGowan's Addition to the City of Columbus, Ohio (Called South Columbus) shown of record in Deed Book "G", Page 70, (Original Deed Book "G", page 70, burned and not re-recorded), and being parcel #3 conveyed to Byers Realty Inc. shown of record in Deed Book 1078, Page 75, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point at the intersection of the Easterly line of South High Street (100 feet wide), with the Southerly line of East Blenkner Street (33 feet wide), said point being at the Northwesterly corner of said Block 18 (Northwesterly corner of said Byers Realty Inc. Tract);

Thence North 81° 33' East, along the Southerly line of said East Blenkner Street, and along the Northerly line of said Block 18 (Northerly line of said Byers Realty Inc. Tract), a distance of 187.90 feet to a cross in concrete at the intersection of the Southerly line of said East Blenkner Street, with the Westerly line of south Pearl Street (33 feet wide), said point being at the Northeasterly corner of said Block 18 (Northeasterly corner of said Byers Realty Inc. Tract);

Thence South 8° 30' East, along the westerly line of said South Pearl Street, and along the Easterly line of said Block 18 (East line of said Byers Realty Inc. Tract), A distance of 91.77 feet to a cross in concrete at the Northeasterly corner of a tract conveyed to the Village Legal Center shown of record in Deed Book 3242, Page 589, and the Southeasterly corner of said Byers Realty Inc., Tract;

Thence South 81° 34' 30" West, across said Block 18, and along the Northerly line of the Village Legal Center Tract and along the Southerly line of said Byers Realty Inc. Tract, a distance of 187.90 feet to an iron pin on the Easterly line of said South High Street, and on the Westerly line of said Block 18, and at the Northwesterly corner of the Village Legal Center Tract, and the Southwesterly corner of said Byers Realty Inc., Tract;

Thence North 8° 30' West, along the easterly line of said South High Street, and along the Westerly line of said Block 18 (Westerly line of said Byers Realty Inc. Tract), a distance of 61.69 feet to the place of beginning, containing 17,236 square feet, 0.3957 acres.

Parcel Nos. 010-022064

Property Address: 520 S. High St., Columbus, Ohio 43215.

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 up to 7,650 of retail space and up to 67 apartment units, or those uses in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plans drawing titled, "**PRELIMINARY SITE COMPLIANCE PLAN FOR COPIOUS TITLE SHEET 1 AND SHEET 4**," signed by Michael T. Shannon, Attorney for the Applicant, dated May 25, 2022. 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 adjustment to the plans 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 upon 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.