

## STAFF REPORT

## BOARD OF ZONING ADJUSTMENT CITY OF COLUMBUS, OHIO NOVEMBER 15, 2011

10. **Application No.:** 11310-00498  
**Location:** 1398-1400 NORTH HIGH STREET (43215), located at the northeast corner of North High Street and East 7th Avenue.  
**Area Comm./Civic:** University Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
3309.14, Height districts.  
To increase the allowable height for a building from 35 feet to 75 feet.  
3372.605(D), Building design standards.  
To reduce the amount of glass between the height of two feet and ten feet from 60% to 30%.  
3372.605(E), Building design standards.  
To allow open air windows on the upper story windows.  
3356.05(E), C-4 district development limitations.  
To allow adjoining uses to not occupy the entire length of at least one property frontage.
- Proposal:** To construct 86 apartments atop parking and ground-floor retail space to be anchored by a pharmacy.
- Applicant(s):** Kohr Royer Griffith  
1480 Dublin Road  
Columbus, Ohio 43215
- Property Owner(s):** Annlee Investment Company LLC  
1480 Dublin Road  
Columbus, Ohio 43215
- Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov

### RELEVANT DATA

- The site is located within the University Urban Commercial Overlay. Surrounding uses include a Wash & Tan and a Dollar Tree. To the east is the 7th Avenue Community Baptist Church along with multi-family residential. To the south is the recently remodeled Kroger Store. To the north and west are commercial developments.
- The applicant requests 4 variances total- two to the UCO; to increase the allowable height for a building from 35 feet to 75 feet., to reduce the amount of glass between the height of two feet and ten feet from 60% to 30%, to allow open air windows on the upper story windows and to allow adjoining uses to not occupy the entire length of at least one property frontage.
- The applicant proposes the construction of a 5 story multi-use structure with commercial space and parking on the first floor, parking on the second floor and residential on the upper levels.

- 3309.14, Height districts- There are hereby established the following height districts and their designating symbols shall be: 35-foot height district H-35. In a 35-foot height district, designated as H-35, no building or structure shall be erected to a height in excess of 35 feet. 3372.605(D), Building design standards- For each primary building frontage, at least 60 percent of the area between the height of two feet and ten feet above the nearest sidewalk or shared-use path grade shall be clear/non-tinted window glass permitting a view of the building's interior to a minimum depth of four feet. For a secondary building frontage, the pattern of window glass shall continue from the primary frontage a minimum distance of ten feet. 3372.605(E), Building design standards- For any new installation or replacement of upper story windows, the new/replacement windows shall be clear/non-tinted glass. 3356.05(E), 2. Required adjoining uses specified in subsection (E)(1) of this section must occupy the entire length of at least one property frontage as defined in C.C. 3303 except that driveways and pedestrian entrances to the parking lot or garage are permitted provided that said driveways and pedestrian entrances occupy no more than 20 percent of the length of that frontage.
- The subject site is located within the boundry of the University Neighborhoods Revitalization Plan (1996) and the University/High Street Development & Design Guidelines (2002).
- The Division of Planning & Operations has reviewed this case and has no issues with the variances requested.
- The University Area Commission has voted to recommend disapproval of this request.

### **CITY DEPARTMENTS' RECOMMENDATION: APPROVAL**

#### **SUMMARY OF POSITION AND OUTSTANDING ISSUES, IF ANY:**

Staff can recommend approval of the height variance being requested because the five stories of mixed use retail and residential will not be out of character for the area. The project will be similar the previously approved Gateway Center project to the north as well as The Dakota and The Jackson to the south. The variance to increase the height is based on market economics and physical-site size limitations. The variance to allow open air windows is for the second story parking level. While the building code does allow for parking levels to be enclosed, it would be cost beneficial to allow the windows to remain as open air- forgoing installing expensive ventilation systems.

**THE DEVELOPMENT PROPOSED IN THIS APPLICATION IS SUBJECT TO COMPLIANCE WITH ALL OTHER CITY CODES.**

**PROPOSED HEARING TIME:** 6:00 p.m. agenda

**STAFF REPRESENTATIVE:** Jamie Freise, 645-6350  
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