

HUNTER AVENUE



HIGHLAND AVENUE



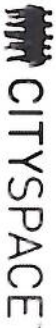
KING AVENUE



SITE ELEVATIONS  
**CITYSPACE KING AVENUE**

DECEMBER 10, 2014

SHEET #  
**07**



CV14-009 Final Received 6/27/14  
2 of 2

Michael Dine 6/27/14

## STATEMENT OF HARDSHIP

**PROPERTY ADDRESS:** 160 King Avenue, Columbus, Ohio 43201

**APPLICANT:** JDS Companies/City Space, c/o  
Michael T. Shannon, Esq.  
CRABBE, BROWN & JAMES, LLP  
500 S. Front Street, Suite, 1200  
Columbus, Ohio 43215  
mshannon@cbjlawyers.com

**DATE OF TEXT:** June 19, 2014

**APPLICATION #:** CV14-009

This Statement is filed in support of applicant's request for variances from the Zoning Code which are necessary and appropriate for a proposed student housing development in the University Area, with very close proximity to the OSU Main Campus.

### **Site Background:**

The Site consists of eleven parcels among two subareas. The two subareas are zoned AR-4 (north) and R-4 (south), respectively. The site currently exists as a church and parking lot. The church is dated and its existing conditions render its restoration and modernization economically infeasible.

The Site lies within the University Planning Overlay and the University Area Commission. Applicant shall obtain recommendations from the University Area Commission and the University Area Review Board.

### **Proposal-Overview:**

The Applicant herein, proposes a unique student/graduate housing opportunity for the University Area, to be located between King, Highland, and Hunter Avenues. The development shall mostly include two-story townhouses stacked over one-story flat apartments, but shall also include three-story town houses. Subarea A and Subarea B shall be developed together with the same product as if there were no subareas.

The development shall include a total of 48 dwelling units (150 beds) on the Site's total 64,500 sq. ft. Subarea A shall include 12 dwelling units on 19,263 sq. ft. Subarea B shall include 36 dwelling units on 45,237 sq. ft.

This development shall be urban in design and shall create a diverse and architecturally prevalent student housing development by reducing the redundancy of boilerplate building facades, as might be found in a traditional apartment buildings.

The development shall include a surface parking lot and provide a total of 104 parking spaces. Subarea A shall provide 44 parking spaces and Subarea B shall provide 60 parking spaces. The parking lot shall have two-way access from Highland Avenue and a one-way exit to an alley off of Hunter Avenue. Both access points are provided by Subarea B.

**Project Benefits vs. Existing Conditions:**

As outlined herein, this proposal is unique to the University Area in terms of privately-developed student housing. Continued growth of Ohio State University dictates a need for increasingly dense student housing. The traditional single-family and low-density properties today simply do not fit the future plans for the area. This project will serve to accommodate the ever increasing student body and its need for safe and convenient off campus housing. For these reasons, Applicant asks that the following factors be weighed in consideration of the requested variances:

- 1) The Ohio State University has the second largest university campus in the United States, and is a Top 20 public university. US News and World Reports has, in the past, ranked OSU among the top "Up and Coming" colleges, which list includes the top colleges in the nation "that are making improvements in academics, faculty, students, campus life, diversity, and facilities. These schools are worth watching because they are making promising and innovative changes."
- 2) A top-ranked university in Ohio's capital city with continued growth necessitates dense student housing.
- 3) Much of the existing student housing in the area consists of single and two-family homes, many of which have been further split to accommodate as many renters as possible. The proposed units here will provide modern, safe, and private sleeping quarters for each and every student, as well as invaluable proximity to the OSU Main Campus. Off-street parking and endless amenities will make this a choice location for prospective students, and help continue to make OSU a top University.
- 4) Parents of the students will take ease in knowing their children and belongings are more safe at this location than they might be elsewhere.

**Variances Requested:**

Applicant requests the following variances:

**Subarea A (AR-4):**

1. 3372.565, Building Lines, which section requires a minimum setback of 25 feet from the street right of way. Applicant requests a variance to permit a minimum setback of 14.75 feet.
2. 3333.255, Perimeter Yard, which section requires a minimum perimeter yard of 25 feet. Applicant requests a variance to permit a minimum perimeter yard of 5 feet along the north property line and 4 feet on the east property line.

**Subarea B (R-4):**

3. 3332.039, R-4 Permitted Uses, which section allows a maximum of four dwelling units in one building. Applicant requests a variance to permit two 11 unit apartment buildings, one 5 unit apartment building, and one 6 unit apartment building.
4. 3372.544, Maximum Floor Area, which section does not permit an F.A.R. in excess of 0.40. Applicant requests a variance to permit an F.A.R. of 0.90. It should be noted that the F.A.R. of Subarea A is 0.68 and the F.A.R. for the total development is 0.86.
5. 3372.542, Maximum Lot Coverage, which section does not permit building coverage more than 25% of the lot area. Applicant requests a variance to permit lot coverage of 31%.
6. 3372.543, Building Lines, which section requires a minimum setback of 25 feet from the street right of way. Applicant requests a variance to permit a minimum setback of 10 feet.
7. 3333.285, Perimeter Yard, which section requires a 25 foot perimeter yard for multiple dwelling developments. Applicant requests a variance to permit an apartment complex with a 4 foot perimeter yard along the north property line.
8. 3321.05(B)(2), Vision Clearance, which section requires a 30 foot clear vision triangle maintained adjacent to street intersections. Applicant requests a variance to permit minimum clear vision triangles of 21.5 feet at the intersections of King Avenue with Highland and Hunter Avenues.
9. 3312.21(A), Landscaping and Screening, which section requires the interior of any parking lot containing 10 or more parking spaces to provide 1 deciduous tree per 10 spaces, or 11 trees total for 104 parking spaces. Applicant request a variance to permit 6 trees within the parking lot interior, and additional trees and landscaping on the exterior boundaries of the parking lot as shown on the Site Plan.

**Appropriateness:**

The proposed student/graduate housing in such close proximity to the OSU Main Campus is a unique opportunity for the neighborhood, the University, and certainly the students. Student housing options are increasingly limited in proportion to the number of OSU students. In the years to come, dense urban student housing will be a necessity, not an exception.

The University Planning Overlay is an exceptional tool that helps guide and improve development in the University area. There are several variances necessary for this development, but that is because the current Code simply does not contemplate dense, urban development. When the nature and intent of the Code is weighted against the

uniqueness and multiple benefits of this proposed development, it is clear that this opportunity should not be lost on the necessary variances.

This development will not be injurious to neighboring properties, nor will it be contrary to public interest or the intent of this Code. The University Planning Overlay was designed because the area is unique, and as growth continues in the area, so too will unique projects that may deviate from the status quo.

A hardship exists in that the proposed development cannot completely conform to the underlying residential zoning districts established by the City's Zoning code. The development will appreciate and enhance the existing neighborhood, and therefore will not adversely affect the surrounding property or surrounding neighborhood, but rather will alleviate a hardship or difficulty which warrants a variance from zoning code.

The requested variance will not impair an adequate supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair establish property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

For the reasons stated above, Applicant respectfully requests approval of the requested Council Variances.

Respectfully Submitted,



Michael T. Shannon, Esq.  
Attorney for Applicant



CV14-009  
160 King Avenue  
Approximately 1.49 acres

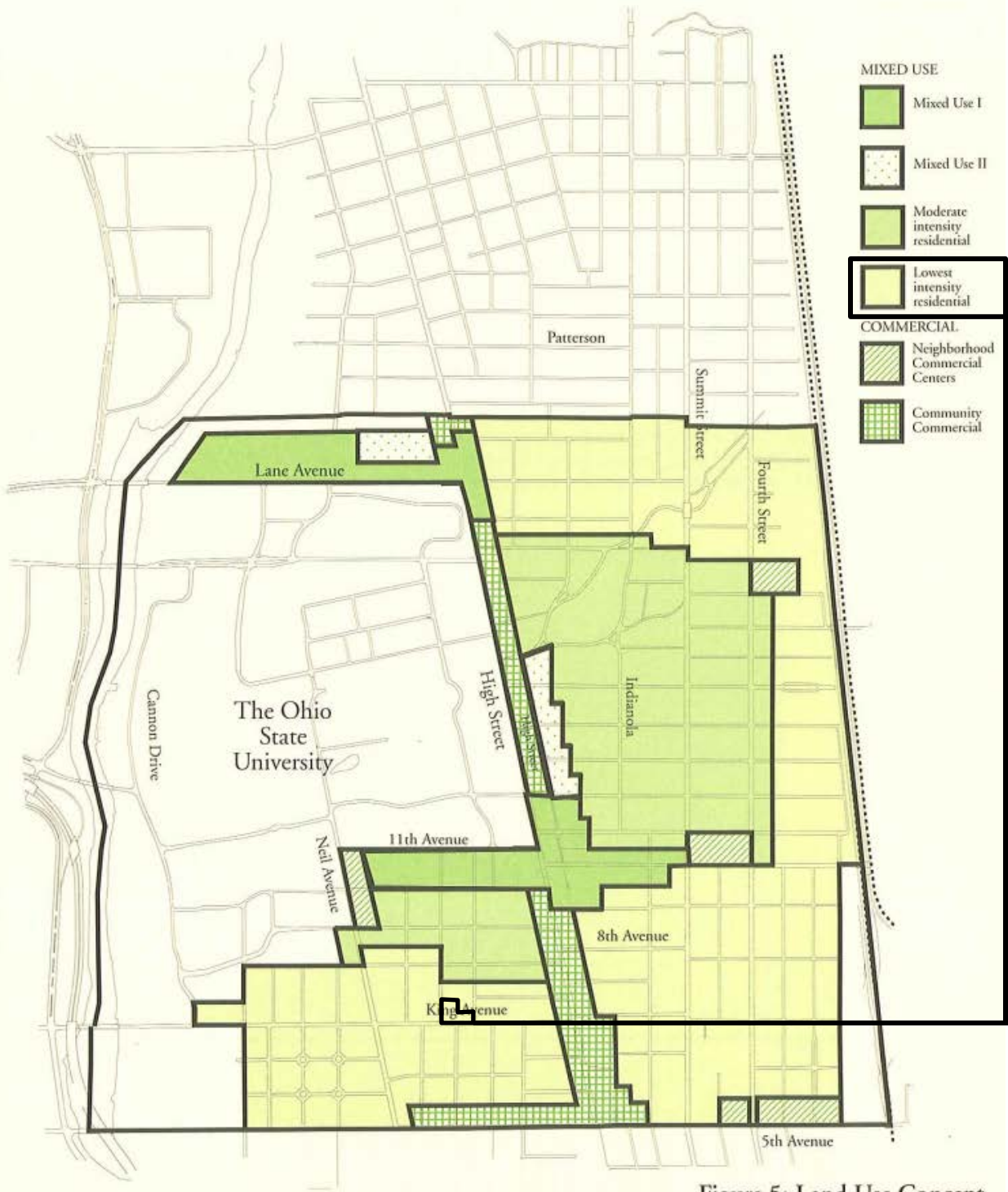
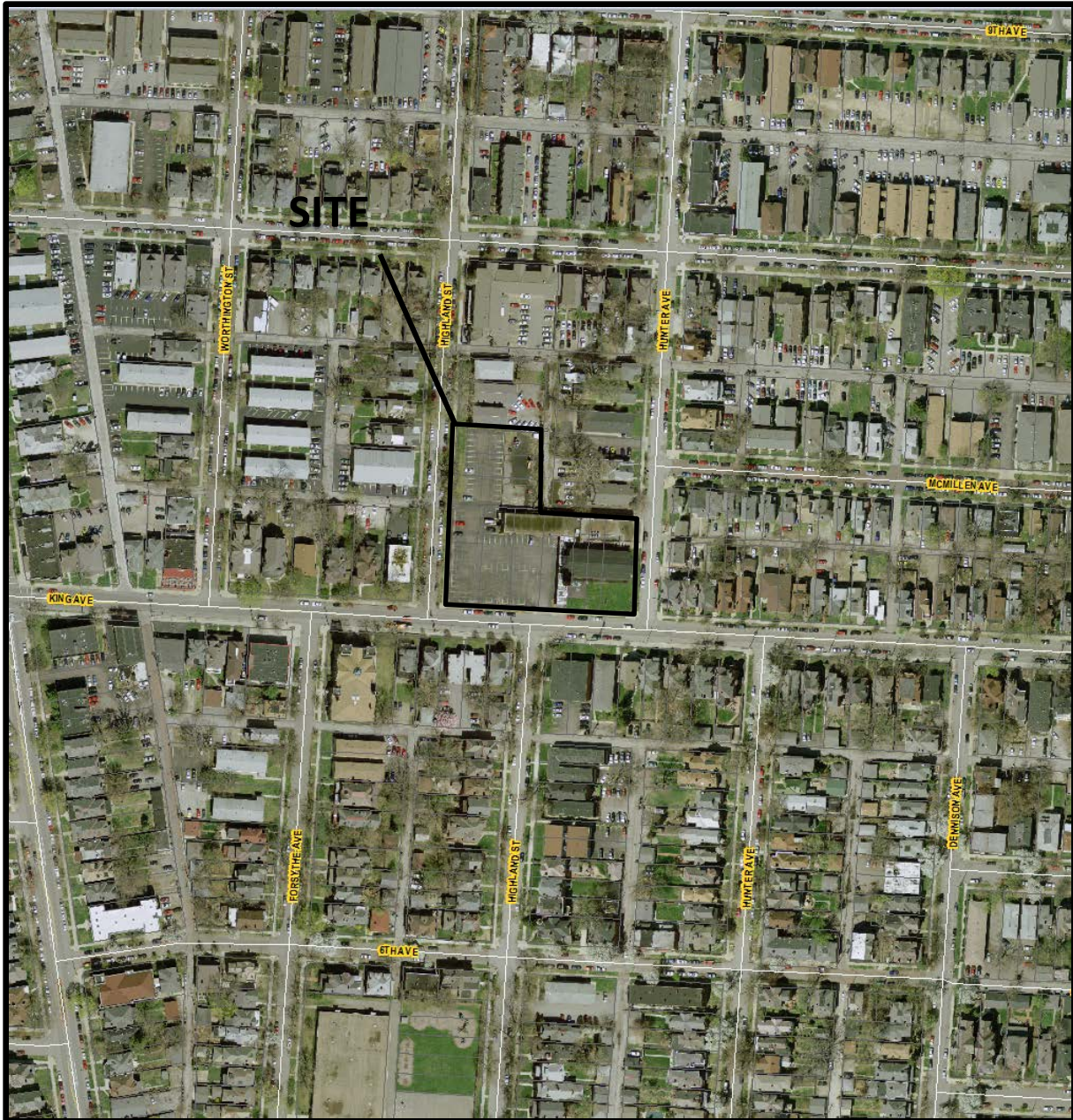


Figure 5: Land Use Concept

CV14-009  
160 King Avenue  
Approximately 1.49 acres



CV14-009  
160 King Avenue  
Approximately 1.49 acres



City of Columbus  
Mayor Michael B. Coleman

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**University Area Commission**

Northwood High Building  
2231 North High Street  
Columbus, Ohio 43201  
(614) 441-8174  
[www.universityareacommission.org](http://www.universityareacommission.org)

*Serving the University Community for over 30 Years*

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David Hegley  
2<sup>nd</sup> Vice President  
Sharon Young  
Corr. Secretary  
Terra Goodnight  
Recording Secretary  
Seth Golding\*  
Treasurer

April 22, 2014  
TO: Shannon Pine  
757 Carolyn Ave.  
Columbus, OH 43224  
Ph: 614-645-2208  
[spine@columbus.gov](mailto:spine@columbus.gov)

RE: 160 King Avenue  
Council Variance: CV14-009/14315-00000-00137

Jim Bach  
Craig Bouska\*  
Lucas Dixon  
Ethan Hansen\*  
Joyce Hughes\*  
Jennifer Mankin  
Brandyn McElroy  
Colin Odden\*  
Charles Robol  
Gena Shelton  
Richard Talbot\*  
Tom Wildman\*

Dear Ms. Pine:

This letter is to inform you that on April 16, 2014 the University Area Commission (UAC) voted to disapprove the request for council variance, including multiple variances, for the property at 160 King Avenue, located on the site of the current Church of the Nazarene, 142 King Avenue.

As you know, the UAC Zoning Committee met several times last year with the developer and neighbors, and has much appreciation for the time and willingness of the developer and architect to discuss the project in its very early conceptual stages. During those meetings the Zoning Committee expressed its concerns regarding the high density proposed for the mostly residential site. The developer and architect made revisions to the plan regarding the zoning requirements and to meet design standards per the University Area Review Board (UARB). We are aware that the UARB has recommended approval of the requested variances in order to help advance the project.

That being said, it is the University Area Commission that represents the interests of their neighborhoods to the appropriate government agencies, and the neighbors have expressed serious concerns about the proposed project's negative impact on their neighborhood, particularly in terms of higher density and increased traffic. The proposed project has many fine qualities, and multi-unit housing could be appropriate for this site. But in the end, the Commission shared the concerns of the neighborhood and felt strongly that the project as *currently designed* would not be a contributing development to an already dense neighborhood.

The Commission vote regarding the above requested council variance was: **For – 1; Against – 16; Abstentions – 0.**

There is much more to say on this project, and the UAC would welcome the opportunity for further conversation in the hopes that a design could be achieved that would benefit all interested parties. Please let us know how we might proceed from this point.

Respectfully Submitted,  
*Susan LM Keeny*

Susan Keeny  
UAC Zoning Committee Chair  
C: 937-479-0201

\*Denotes Zoning  
Committee member

# University Area Review Board

50 West Gay Street, Fourth Floor  
 Columbus, Ohio 43215-9031  
 (614) 645-6096 (614) 645-1483 fax

## RECOMENDATION

property address	142 - 176 King Avenue
hearing date	December 19, 2013
applicant	Bhakti Bania, Bharat Baste (BBCO Architects)
issue date	June 17, 2014

*This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.*

The University Area Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Development Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3372.580.



### Variance or Zoning Change Request



Rezoning  
 Parking Variance  
 Change of Use  
 Lot Split



Special permit  
 Setbacks  
 Other

### TYPE(S) OF ACTION(S) REQUESTED:

Motion:

To support the Zoning Variances necessary to promote the current design proposal based on drawings dated 12/19/2013 from BBCO Design.

The Board voted 4-1 in favor of the motion.

### RECOMMENDATION:



SUPPORT REQUESTED VARIANCE  
 OR ZONING CHANGE



DO NOT SUPPORT REQUESTED  
 VARIANCE OR ZONING CHANGE



NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

Daniel Ferdelman  
 University Area Review Board, Staff

**COUNCIL VARIANCE APPLICATION**

City of Columbus, Ohio • Department of Building & Zoning Services  
 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

**PROJECT DISCLOSURE STATEMENT**

Parties having a 5% or more interest in the project that is the subject of this application. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV14-009

STATE OF OHIO  
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Eric Zartman

Of [COMPLETE ADDRESS] 500 South Front Street, Columbus, Ohio 43215  
 deposes and states that [he/she] is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY  
 FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having  
 a 5% or more interest in the project which is the subject of this application in the following formats

Name of business or individual  
 Business or individual's address  
 Address of corporate headquarters  
 City, State, Zip  
 Number of Columbus based employees  
 Contact name and number

1. JDS Companies/City Space 447 East Main Street, Suite 200 Columbus, Ohio 43215 Dan Schmidt	2.
3. 614-827-1000, Ext. 101	4.

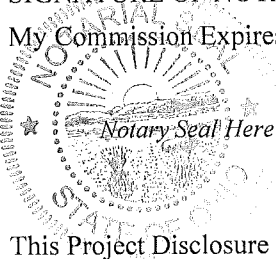
☐ Check here if listing additional parties on a separate page.

**SIGNATURE OF AFFIANT**

Subscribed to me in my presence and before me this 4th day of March, in the year 2014

**SIGNATURE OF NOTARY PUBLIC**

My Commission Expires:

Carol A. Stewart

**CAROL A. STEWART**  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES 06/28/2014

This Project Disclosure Statement expires six months after date of notarization.

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
 Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
 Please make all checks payable to the Columbus City Treasurer