

Statement of Hardship

Property Address: 1525 North High Street

Applicant: BellHigh, LLC
Michael T. Shannon, Esq.
CRABBE, BROWN & JAMES, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
mshannon@cbjlawyers.com

Date of Text: September 28, 2015

The Site consists of two parcels which will be combined (010030164, 010063229). The site is located between West 9th Avenue and West 10th Avenue and North High Street (west side of N. High). The site is currently used to operate a fast food restaurant with an adjacent parking lot.

The Site is currently zoned Commercial C-4, Height H-35. The site is subject to the University Area commission, the University/Impact planning overlay, and the University UCO commercial overlay.

The applicant proposes the construction of a mixed-use multi-unit apartment residential development with: residential accessories, retail space, and a restaurant facility. The development will be approximately 7150 square feet of retail, office and/or restaurant space with a maximum 1000 square feet of residential accessories on the first floor. The development will include a mix of studio residential apartments, one bedroom residential apartments and two bedroom residential apartments and with the maximum number of residential units of 95.

The building will be approximately 72 feet in height, exclusive of decorative roof top cornices and roof top mounted mechanical equipment.

The Applicant requests the following variances:

1. 3356.03 Permitted uses in a C4 Commercial District. The Applicant requests a variance to the City of Columbus Zoning Code to allow ground floor residential accessory uses such as: an onsite leasing office, a work out facility, or a computer station/study exclusively for the use of residents in the building.
2. 3309.14, Height District, which Section limits the height of buildings in the H-35 District to 35 feet. Applicant requests a variance to allow a building height of 72 feet, exclusive of decorative cornices and roof top mounted mechanical equipment.

3. 3312.49(C), Minimum Number of Parking Spaces Required to be reduced from 215 to 116 spaces.

4. 3312.49(B) minimum number of bicycle parking spaces requires two (2) bicycle spaces and one additional space per twenty (20) vehicle parking spaces, with a total of fourteen (14) bicycle spaced required. While the applicant proposed zero (0) public bicycle spaces, the applicant is providing fourteen (14) spaces for residents in the building.

A hardship exists in that the C4 Commercial Zoning District does not permit the intended uses for the proposed development. Accordingly, the above use variance is necessary because the Applicant has no other means to develop the site and cannot conform to the underlying commercial zoning district 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. Rather, the development will alleviate a hardship for difficulty which warrants variances from the C-4, Commercial Zoning Code.

Additionally, a practical difficulty exists because the Applicant cannot meet the underlying development standards required by the City's Zoning Code. Accordingly, the above development standard variances are necessary in order for the Applicant to maintain the intended mix use development project.

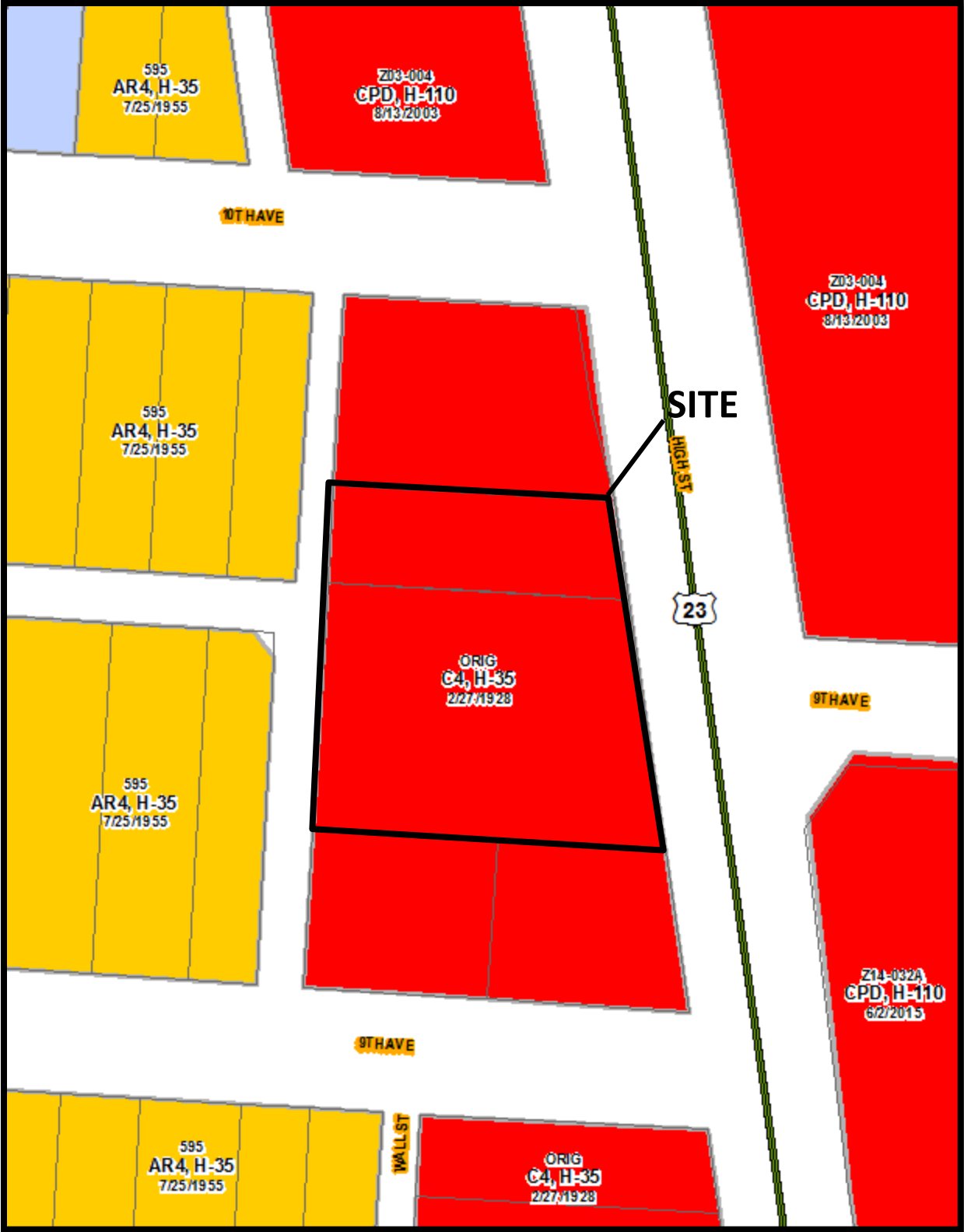
The requested variances will not impair an adequate supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, 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 variances.

Respectfully submitted,



Michael T. Shannon, Esq.
Attorney for Applicant



CV15-054
1525 North High Street
Approximately 0.61 acres



CV15-054
1525 North High Street
Approximately 0.61 acres



City of Columbus
Mayor Michael B. Coleman

University Area Commission

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

Serving the University Community for over 30 Years

Doreen Uhas-Sauer
President
Susan Keeny*
1st Vice President
David Hegley
2nd Vice President
Sharon Young
Corr. Secretary
Jennifer Mankin
Recording Secretary
Seth Golding*
Treasurer

TO: Shannon Pine
757 Carolyn Ave.
Columbus, OH 43224
Ph: 614-645-2208
spine@columbus.gov

October 28, 2015

RE: 1525 N. High Project
Council Variance: CV15-054

Dear Ms. Pine:

Rachel Beeman
Craig Bouska*
Pasquale Grado*
Joyce Hughes*
Rory Krupp*
Colin Odden
Sam Runta
Michael Sharvin
Deb Supelak*
Richard Talbot*
Steve Volkmann
Tom Wildman*

This letter is to inform you that on October 21, 2015 the University Area Commission (UAC) voted to *approve* the request for a Council Variance for the mixed use development proposed for the 1525 N. High Street. Per the revised Council Variance application dated 9/28/2015 and the accompanying revised site plan, the requested variances are as follows:

- a) **Section 3356.03, Permitted uses in a C4 Commercial District:** to permit ground floor accessory residential uses (leasing office, work-out facility, or computer station/study) exclusively for the use of building residents.
- b) **Section Height districts:** to permit a building height of 72 ft. in a district that limits the height of buildings to 35 ft.
- c) **Section 3312.49(C), Min. numbers of parking spaces required:** to reduce required parking for both residential and commercial spaces from 238 to 116 parking spaces.

The applicant met several times with the Zoning Committee and through the process made significant changes to the plan, including a 20 foot building setback above the third floor facing the alley and providing a parking ratio of 1 parking space per bedroom. The applicant also met with the adjacent property owner for input. With these changes, and the cooperative professional nature of the applicant, the Commission was very supportive of this proposed project.

The UAC voted to approve the requested Council Variance as follows:

Council Variance CV15-015: For – 8; Against – 1; Abstentions – 0.

*Denotes Zoning
Committee member

Respectfully Submitted,
Susan LM Keeny
Susan Keeny
UAC Zoning Committee Chair
C: 937-479-0201

University Area Review Board

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

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF
DEVELOPMENT

RECOMENDATION

property address	1525 NORTH HIGH STREET CV15-054
hearing date	November 19, 2015
applicant	David Ruma (Virginia Homes), Skip Weiler (Weiler Real Estate)
issue date	November 24, 2015

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Special permit |
| <input type="checkbox"/> Parking Variance | <input type="checkbox"/> Setbacks |
| <input checked="" type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split | |

TYPE(S) OF ACTION(S) REQUESTED:

In a unanimous 4-0 vote of the University Area Review Board, the Board recommended to:

To support the requested variances to advance the current design proposal.

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

DEPARTMENT OF BUILDING AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.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 # CV15-054

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael T. Shannon
of (COMPLETE ADDRESS) 500 S. Front St., Ste. 1200, Columbus, OH 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 format:

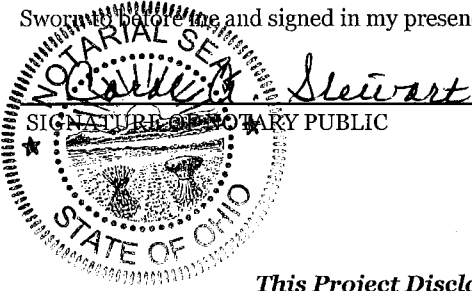
Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. G-Made, Inc. 2738 N. Main St., Ste. A Findlay, Ohio 45840-4035 419.422.3437</p>	<p>2. Bellhigh, LLC 10 N. High St., Ste. 401 Columbus, Ohio 43215 614.221.4286</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT *Michael T. Shannon*
Michael T. Shannon

Sworn to before me and signed in my presence this 28th day of August, in the year 2015



Notary Seal Here

My Commission Expires **CAROL A. STEWART**
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019

This Project Disclosure expires six (6) months after the 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 checks payable to the Columbus City Treasurer