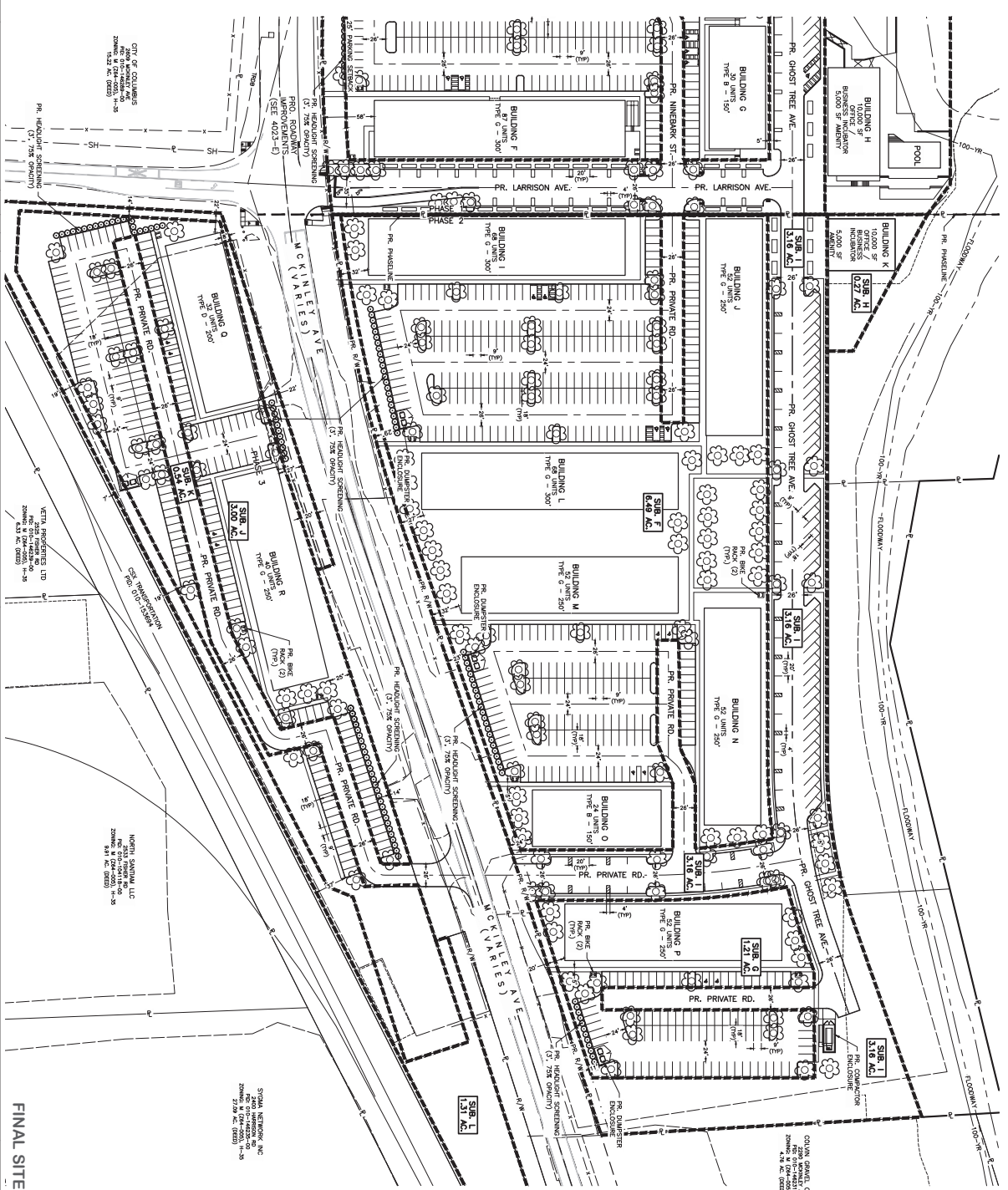






M:\1005036\_McKinley\DWG\Production Drawings\Zoning Plan\1005036\_Zoning\_Site Plan.dwg -SITE PLAN (3) LAST EDITED BYJCUNNINGHAM ON 7/10/24



**E. P. FERRIS & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND ARCHITECTS  
 2130 QUARRY TRAILS DR.  
 COLUMBUS, OHIO 43228  
 (614) 299-2999 (614)  
 299 E. FERRIS BLVD.  
 WWW.EPFERRIS.COM

**COLUMBUS, OHIO**  
**WESTBEND DEVELOPMENT**  
 WESTBEND QOZB, LLC

FINAL SITE PLAN RECEIVED 7.9.24 SHEET 1 OF 3

JOB NO.	1005036
DESIGNED BY	JLC
DRAWN BY	JLC
CHECKED BY	CAB
APPROVED BY	CAB
DATE	7/9/2024

**ZONING SITE PLAN**

SHEET NO.	3
OF	3



- LEGEND**
- 4'-0" — EXISTING RIGHT OF WAY
  - 10'-0" — EXISTING PROPERTY LINE
  - 10'-0" — SUBJECT PROPERTY LINE
  - 100'-0" — 100 YEAR FLOODPLAIN LINE
  - 50'-0" — STREAM CORRIDOR PROTECTION ZONE
  - STREAM BOUNDARY LINE
  - OOO = PROPOSED HEADLIGHT SCREENING
  - = PROPOSED LIGHT FIXTURES (LOT SHADE TREE WITH 4" RADIIUS SIGN CIRCLE)
- NOTE: ALL TREE LOCATIONS HAVE A MINIMUM 145' SLOPES TOOT SOIL AREA

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

**STATEMENT OF HARDSHIP**

Application # CV22-053

**Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and 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.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):**

See Exhibit B

Signature of Applicant

*West Bend QDZ B LLC  
by Dev B. O'Connell, Agent*

Date

*6/26/2024*

Signature of Attorney

*[Handwritten Signature]*

Date

*6/26/2024*

**EXHIBIT B**  
**Statement of Hardship**  
**2474 McKinley Avenue, Columbus, OH 43204**  
**CV22-053**

---

Applicant proposes to develop 50.28 +/- acres on the east and west sides of McKinley Avenue, opposite and north and south of the intersection of Fisher Road and McKinley Avenue. The site is zoned M, Manufacturing and is presently used for vehicle salvage and parts. Rezoning application Z22-038 is pending for AR-1, Apartment Residential and ARLD, Apartment Residential Low Density for Area A (45.07 ac., east side of McKinley Avenue) and Area B (5.21 ac, west side of McKinley Avenue), respectively. Area A is proposed for 832 dwelling units with accessory uses and also 20,000 square feet of office and/or business incubator commercial use(s), as required by the Economic Development Agreement (EDA) with the City of Columbus, with 10,000 SF of office and/or business incubator commercial use(s) located in Phase 1 of Area A and 10,000 SF located in Phase 2 of Area A, as shown on the site plan. Area B, on the west side of McKinley Avenue, is proposed for 72 dwelling units. The site plan titled "Zoning Plan, WestBend Development", dated 07/09/2024, hereafter "Site Plan", is the site development plan.

Applicant proposes to redevelop the auto salvage/parts use as stated. Area A will be developed in two (2) phases over time and internal private roads will be split to be owned by a community authority, necessitating lot splits and separate parcels within Area A and Area B. Applicant has practical difficulty with compliance with applicable code standards due to phasing and lot split requirements. Internal property lines shall be disregarded for all zoning compliance purposes. All internal streets will be private. The requested variances will not be injurious to neighboring property owners and will not be contrary to the public interest or the intent of the Zoning Code. Applicant has a hardship for the residential use because there is no zoning district to which the property could be rezoned without also requiring variances. The standards variances do not affect the delivery of governmental services, are not contrary to the public interest or the intent of the Zoning Code.

Applicant requests the following variances:

- 1). Section 3333.02, AR-12, ARLD, AR-1 Apartment Residential District Use, to permit a total of 20,000 square feet of office and/or business incubator space in Area A with 10,000 square feet in Phase 1 and 10,000 square feet in Phase 2 of Area A, as noted on the Site Plan.
  
- 2). Section 3312.09, Aisle, to reduce the minimum 20' aisle width for 90 degree parking spaces to 0' – 10' related to proposed internal property lines for lot splits to split internal private roads to be owned by a community authority and phase

lines, subject to total required aisle width being provided by easement, as applicable.

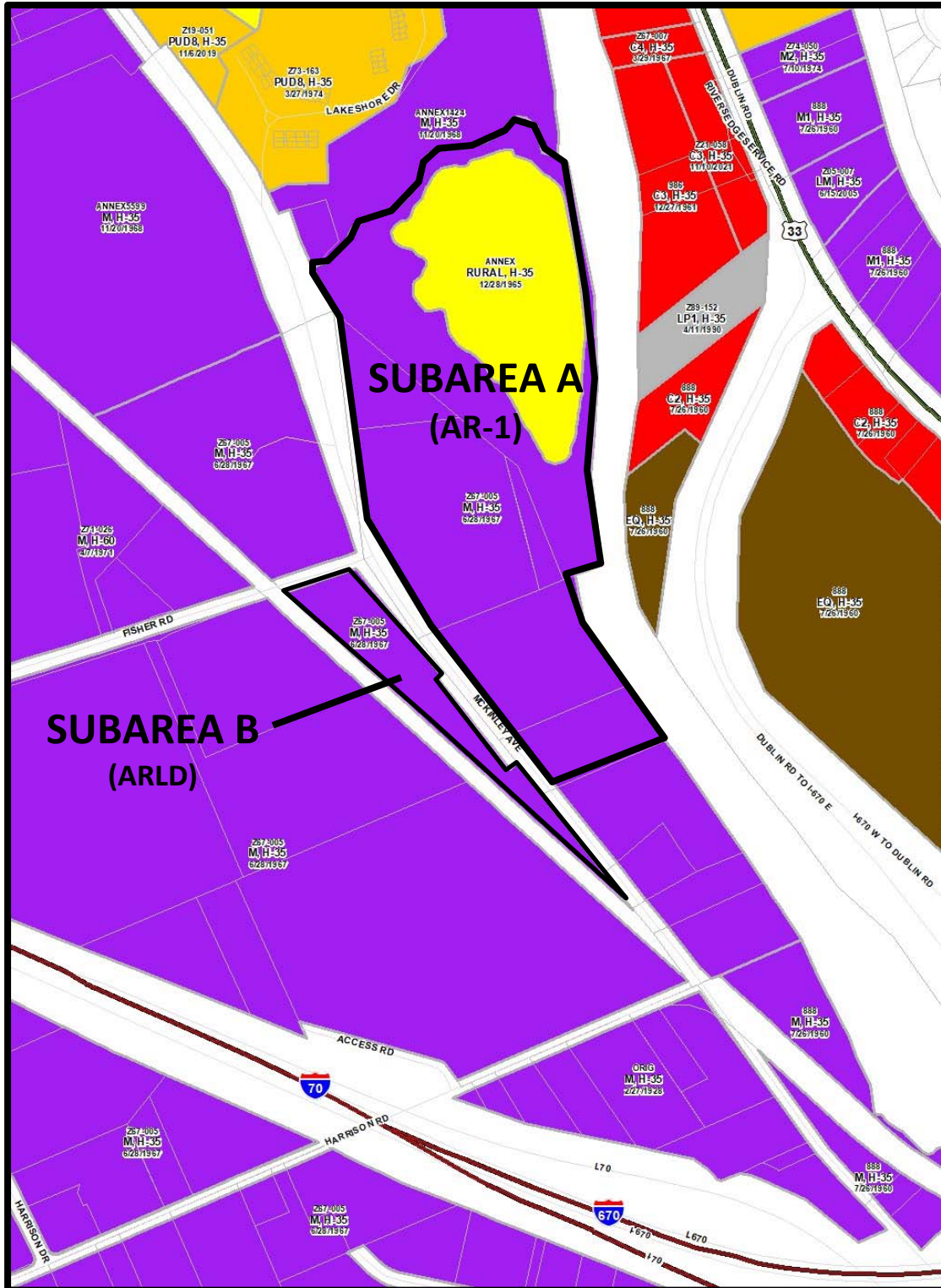
- 3). Section 3312.25, Maneuvering, to permit maneuvering areas to be divided by property lines for lot splits to split internal private roads to be owned by a community authority and phase lines, subject to applicable total code required maneuvering being provided for parking spaces.
- 4). Section 3312.27(2), Parking Setback Line, to reduce the Mckinley Avenue parking setback for Area A from 25' to 11' to 23' and to reduce the Mckinley Avenue and Fisher Road parking setback for Area B from 25' to 14', respectively.
- 5). Section 3312.49, Required Parking, to reduce code required minimum parking on Area A from 1,294 spaces to 1,089 spaces for 832 dwelling units and 20,000 square feet of office and/or business incubator space.
- 6). Section 3333.18, Building Lines, to reduce the Mckinley Avenue building setback from 50' (Columbus Multi-Model Thoroughfare Plan, 100') to 11' – 43' for refuse facilities and buildings in Area A, from 8' – 27' in Area B and to reduce the Fisher Road building setback from 60' (Columbus Multi-Model Thoroughfare Plan, 120') to 22' for Building Q in Area B, net of right of way.
- 7). Section 3333.255, Perimeter Yard, to reduce Perimeter Yard in Area A from 25' to 0' for internal private road lot splits and recreational area lot splits to be owned by a community authority and Phase 1 and Phase 2 property line; and from 25' to 0' for internal private road lot splits and seven feet (west property line) in Area B.

Applicant's Traffic Impact Study (WestBend Development 3rd Revised Traffic Impact Study, approved June 1, 2023 by City of Columbus Public Service Department, Division of Traffic Management) requires the following right of way improvements, which shall be incorporated into a Section of the CV22-053 ordinance:

- 1). At the proposed northern access point to McKinley Avenue, the developer shall construct a 225 feet long northbound right turn lane (inclusive of a 50 feet diverging taper) and a 235 feet long southbound left turn lane (inclusive of a 60 feet diverging taper).
- 2). At the proposed central access point to McKinley Avenue located opposite and aligned with Fisher Road, the developer shall complete the following improvements:
  - a). Modify the existing traffic signal infrastructure at the intersection of McKinley Avenue and Fisher Road, as approved by the Department of Public Service, to accommodate a fourth (east) leg.

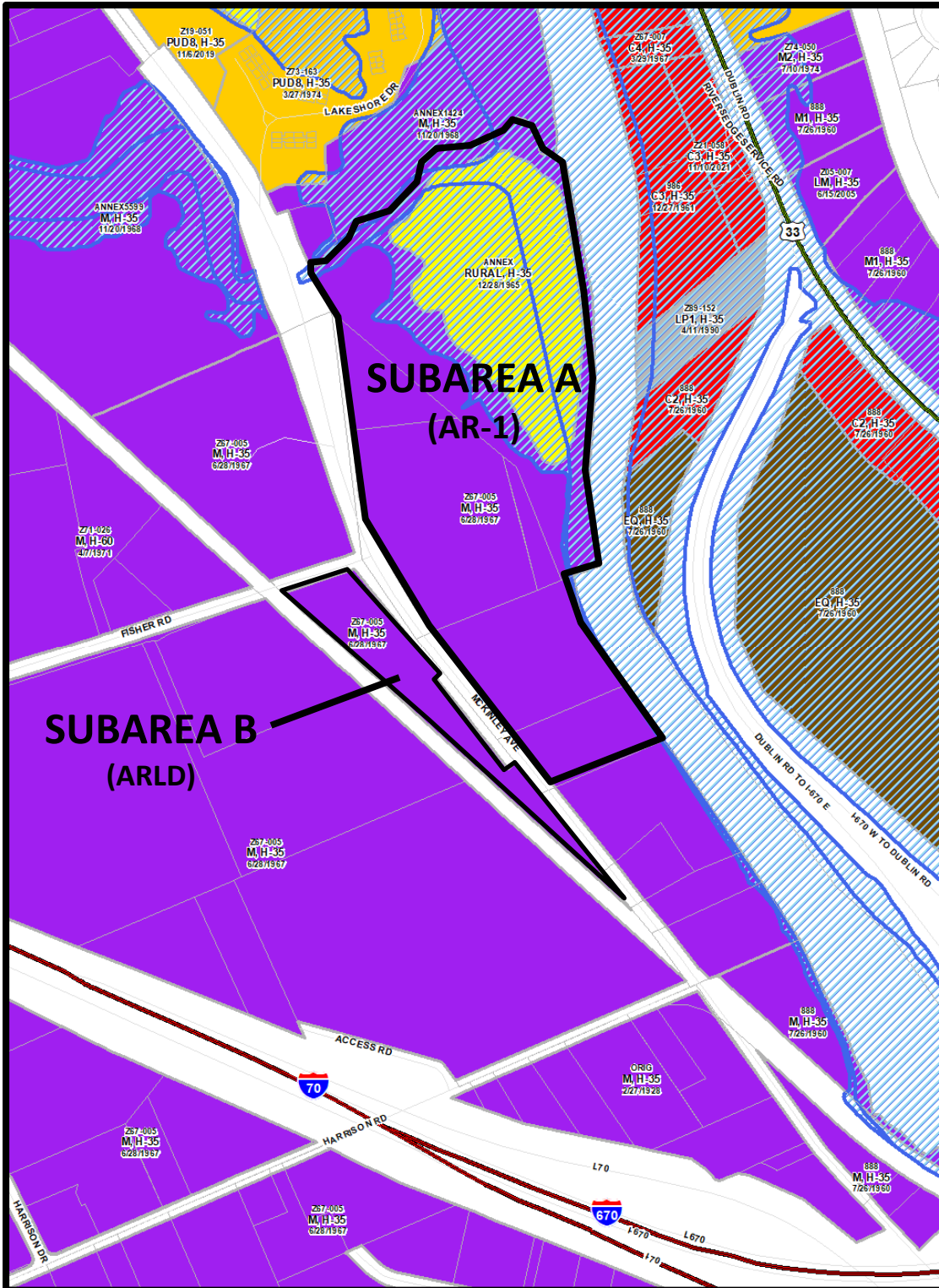
- b). Modify the existing traffic signal infrastructure at the intersection of McKinley Avenue and Fisher Road to change the northbound left turn movement from protected-permissive to protected only operation.
  - c). Construct a 235 feet long southbound left turn lane (inclusive of a 60 feet diverging taper).
  - d). Provide an eastbound receiving lane, a westbound left turn lane, and a shared westbound through-right lane on the proposed east leg.
- 3). At the proposed southern access points to McKinley Avenue, the developer shall construct 235 feet long northbound and southbound left turn lanes (both inclusive of a 60 feet diverging taper) and a 225 feet long northbound right turn lane (inclusive of a 50 feet diverging taper).
- 4). The developer shall contribute to the Franklin County Engineer's Office a fee in lieu of constructing extensions of the southbound and westbound left turn lanes at the intersection of Fisher Road and Hague Avenue. The amount of this fee will be determined based upon review and approval by the Franklin County Engineer's Office of a cost estimate for these turn lane extensions.

07/09/2024

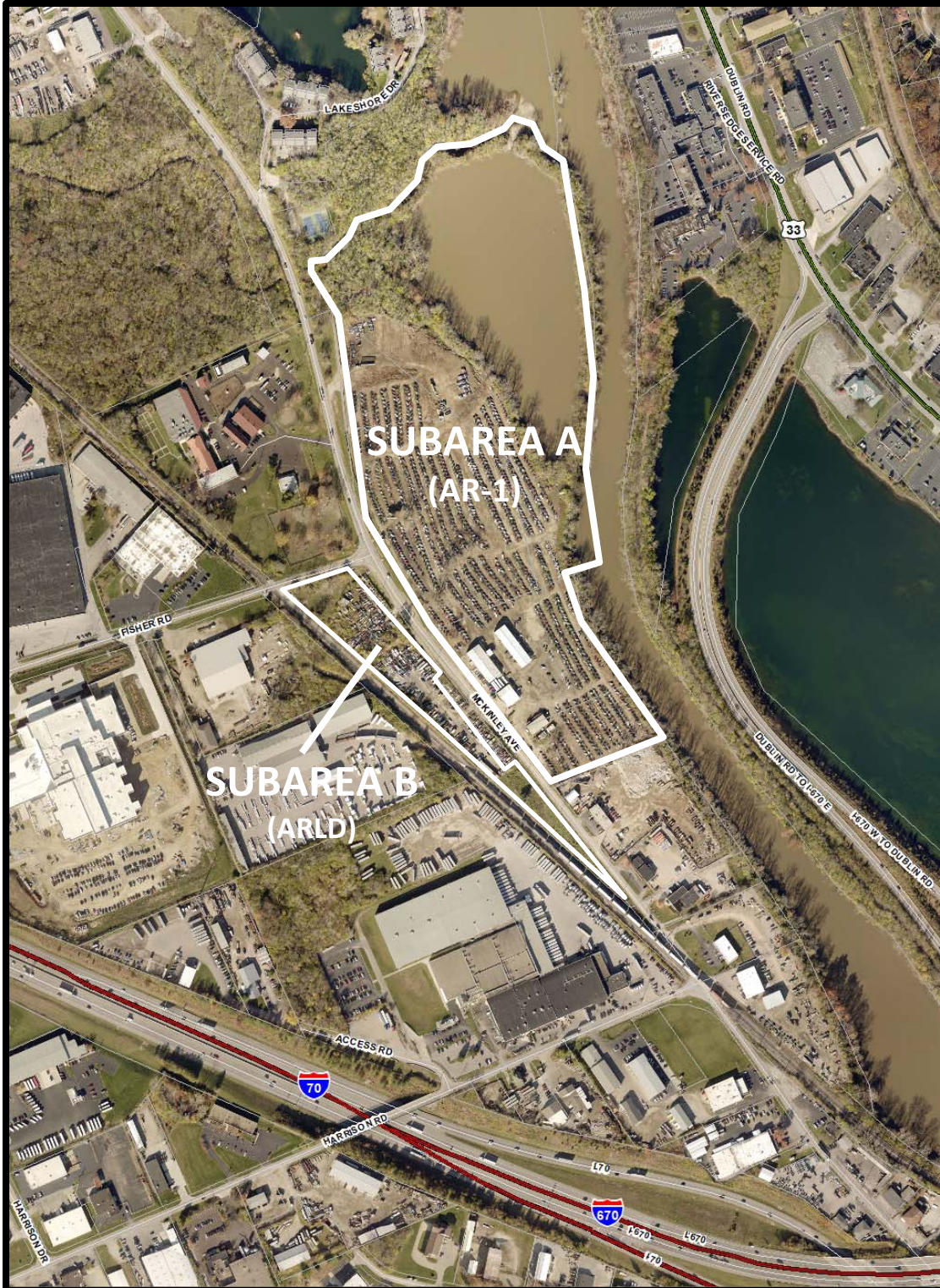


CV22-053  
2474 McKinley Ave.  
Approximately 50.28 acres





CV22-053  
2474 McKinley Ave.  
Approximately 50.28 acres



CV22-053  
2474 McKinley Ave.  
Approximately 50.28 acres

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**  
(PLEASE PRINT)

Case Number Z22-038 and CV22-053

Address 2474 McKinley Avenue

Group Name West Scioto Area Commission

Meeting Date October 20, 2022

Specify Case Type  BZA Variance / Special Permit  
 Council Variance  
 Rezoning  
 Graphics Variance / Plan / Special Permit

Recommendation  Approval  
(Check only one)  Disapproval

**LIST BASIS FOR RECOMMENDATION:**

WSAC met on October 20, 2022 and unanimously approved these applications.

Vote 6-0

Signature of Authorized Representative Kristen E. McKinley Digitally signed by Kristen E. McKinley  
Date: 2022.10.25 11:08:05 -04'00'

Recommending Group Title West Scioto Area Commission

Daytime Phone Number 614-404-9220

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

**Council Variance Application**

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV22-053

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.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Charles Campisano  
of (COMPLETE ADDRESS) 842 North 4th Street, Suite 200, Columbus, OH 43215  
deposes and states that they are 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:

For Example:      Name of Business or individual  
                            Contact name and number  
                            Business or individual's address; City, State, Zip Code  
                            Number of Columbus-based employees

<p>1. Paine-McKinley Avenue, LLC; 2474 McKinley Avenue, Columbus, OH 43204 Number of Columbus-based employees: Zero (0) Contact: Marvin Paine, (614) 374-0463</p>	<p>2. Paine-McKinley Properties II, LLC; 2474 McKinley Avenue, Columbus, OH 43204 Number of Columbus-based employees: Zero (0) Contact: Marvin Paine, (614) 374-0463</p>
<p>3. WestBend QOZB, LLC; 842 N 4th St, Ste 200, Columbus, OH 43215 Number of Columbus-based employees: Zero (0) Contact: Mike Amicon, (614) 286-2143 Charles Campisano, (614) 496-8275</p>	<p>4. _____ -----</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 26<sup>th</sup> day of June, in the year 2024

  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
Notary Seal Here  
My Commission Expires \_\_\_\_\_



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires:  
October 24, 2028

**This Project Disclosure Statement expires six (6) months after date of notarization.**