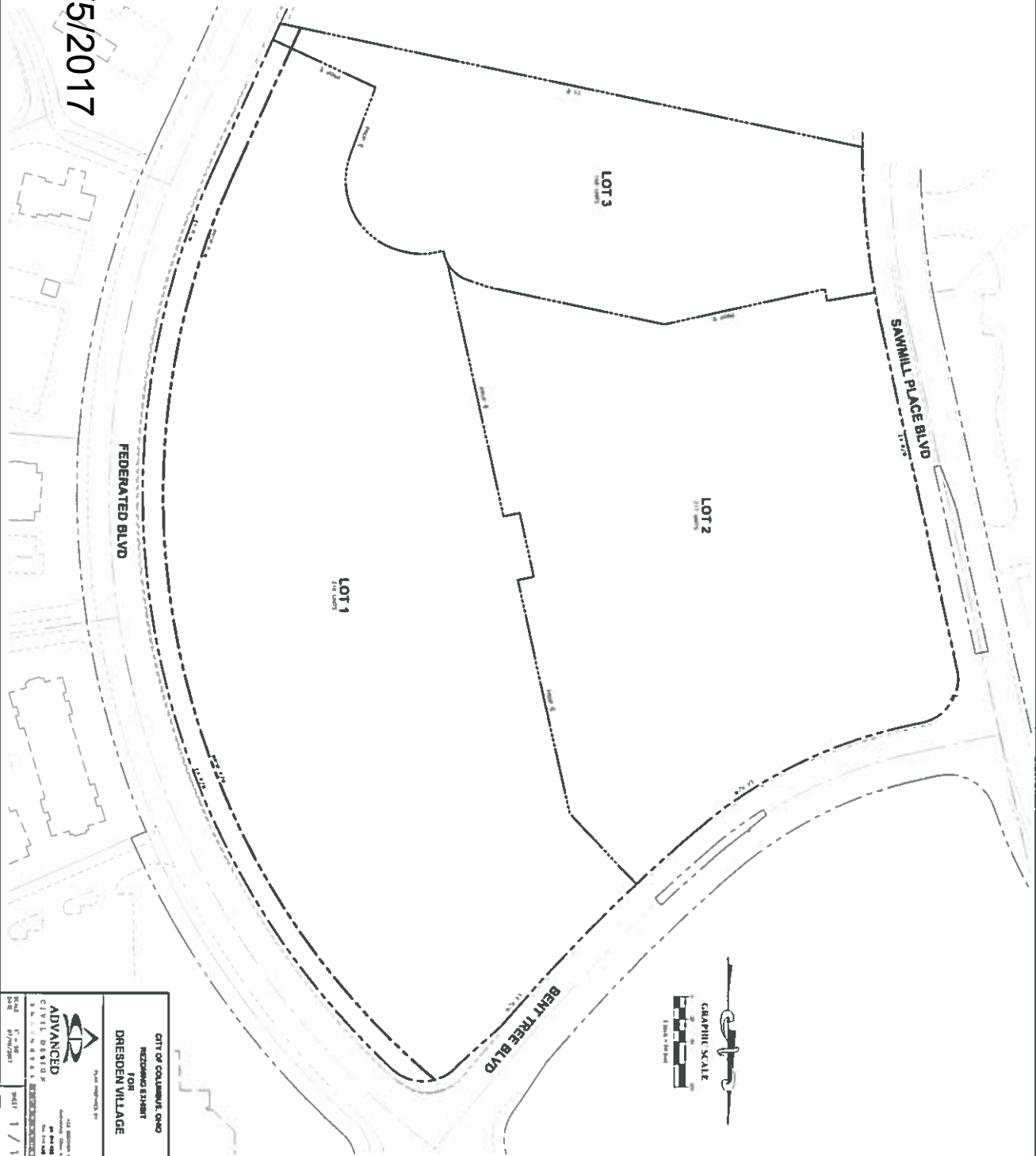


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*David H. J. - shares
5/15/2017*

CV17-020

Final Received 7/5/2017



	CITY OF COLUMBUS, OHIO RECORDS SECTION FOR DRESDEN VILLAGE
	ADVANCED CIVIL DESIGN ENGINEERS
DATE: 07/05/2017 SHEET: 1 / 1	ALL RIGHTS RESERVED NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

CV17-020

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

- A. Permit a variance 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 or unusual hardships 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 the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

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.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application 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):

Please see attached Statement of Hardship.

Signature of Applicant By:

[Handwritten signature]

Date

3/28/17

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

Statement of Hardship

7000 Bent Tree Boulevard

The subject property was formerly the Anderson's location on the northwest side of Columbus. The recent announcement that Anderson's was vacating this and another Columbus location generated interest in this property due to its location, and further due to the fact that this neighborhood was recently studied and the applicable land use recommendations modified in the December 2016 update of The Northwest Plan. That newly adopted plan recommends the subject property for mixed-use redevelopment at a residential density not to exceed 45 dwelling units an acre. Further, the plan makes the following recommendations:

Mixed Use 2 provides a "Density Guideline" of Less than 45 du/acre and states:

"Commercial classification with residential uses supported. Development may include a mix of uses on one site (for example, residential units located either above and/or next to the commercial uses), or it may include only one use per site. The designation does not require a mix of uses, but instead promotes mixed use development where it is a viable development scenario."

The Northwest Plan further provides:

- Neighborhoods within the area should have a mix of uses that provide a variety of housing types, neighborhood services and employment.
- Higher density residential development should be located on the primary commercial and mixed-use corridors.
- Mixed-use development should be located along primary corridors or within established commercial centers. Focusing higher density residential development in these areas will strengthen existing retail, promote more walkable neighborhood centers, and reduce development pressure in other areas of the Northwest where lower density development is preferred.

Mixed Use 2 – Less than 45 du/acre

This classification is the most intense use in the planning area. It is similar to the Mixed Use 1 classification, but supports residential densities less than 45 du/acre. This classification supports a mix of land uses, including commercial (retail, office, hotel), institutional, and/or multifamily residential. Development may include a mix of uses on one site (for example, residential units located either above or next to commercial uses) or only one use per site. Mixed Use 2 areas are the commercial hubs and corridors of the area, as well as existing large shopping centers. Areas recommended for this designation include the existing retail centers on SR 161 as Sawmill Road and south of Bethel Road at Olentangy River Road. Within areas designated Mixed Use 2, the following applies:

1. The designation does not require a mix of uses, but instead promotes mixed use development where it is a viable scenario.
2. Proposal should follow the Residential and/or Commercial Design Guidelines, as appropriate.

Among the Design Principles are:

- High-quality development attracts business investment and promotes the economic vitality of commercial areas, while minimizing adverse impacts to adjacent residential neighborhoods.
- Neighborhoods should have interconnected street and sidewalk systems providing connections to existing and future residential, commercial, and recreational areas.
- Parking should be balanced with the goal of reducing development's impact on the natural environment, as well as the goal of creating walkable and bikeable neighborhoods and encouraging the use of transit.
- The primary façade on the ground level of multifamily buildings should include entrances, stoops, porches, balconies or other features to contribute to street activity.
- Multifamily buildings should incorporate building articulation through the use of bays, balconies, cornice lines, and varying rooflines.
- Variation in building design is encouraged for multifamily developments with multiple buildings.
- Building height transitions should be used to create scale and massing compatible with surrounding uses.
- Setbacks of higher stories from the front façade should be considered for taller buildings to lessen their visual impact.
- Multifamily development should include useable open space as described in the Open Space guidelines.
- Multifamily development should face public streets and open space. Parking lots should be placed behind, or, if necessary, next to buildings.

To deliver a development consistent with the Design Guidelines of The Northwest Plan, the following variances are necessary, strict compliance with the Zoning Code would promote a redevelopment inconsistent with the newly adopted Land use plan:

Section 3312.09 Aisle.

To permit aisles to be divided by property lines, subject to applicable total code required aisle width being provided and applicable easements.

C.C. 3312.13 Driveway.

To permit driveways to be divided by property lines, subject to applicable total code required driveway width being provided and cross-access easements.

C.C. 3312.21 Landscaping and screening.

This section requires the interior of any parking lot containing ten parking spaces or more to have one shade tree for every ten parking spaces. The development overall shall meet this requirement though individual lots may not. Landscaping shall occur as generally depicted on the Landscape Concept and Open Space Plan committed to as part of the companion rezoning legislation for the subject property.

C.C. 3312.25 Maneuvering.

To permit maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easements.

C.C. 3312.27 Parking setback line.

Because this property is surrounded on three sides by public streets, the setback requirement differs from location to location. To provide for a redevelopment consistent with the planning principles of The Northwest Plan a variance is necessary as follows:

Bent Tree Boulevard 25 feet to 10 feet.

Sawmill Place Boulevard 25 feet to 13 feet.

C.C. 3312.49 Minimum number of parking spaces required.

This section requires 1.5 parking spaces to be provided for each dwelling unit. This redevelopment will meet the minimum parking requirement overall, however if the property is split into multiple parcels each individual parcel may not meet the minimum requirement on the parcel created therefore this technical variance is necessary.

C.C. 3321.07 Landscaping.

This section requires a minimum of one tree for every ten dwelling units. The development overall shall meet this requirement though individual lots may not. Landscaping shall occur as generally depicted on the Landscape Concept and Open Space Plan committed to as part of the companion rezoning legislation for the subject property.

C.C. 3333.13 AR-2 District Requirements.

If the lot is split a variance is necessary on Lot 3. This section requires a minimum lot size of 2.93 acres, where Lot 3 will be 2.90 acres.

C.C. 3333.18 Building lines.

Similar to the parking setback line variance, this property is surrounded on three sides by public streets which require different setbacks. For uniformity, and to develop in a manner consistent with the principles of The Northwest Plan a variance is necessary to provide the following building setbacks:

Federated Boulevard 38 feet to a minimum of 3 feet dependent upon right-of-way dedication requirements.

Bent Tree Boulevard 25 feet to 20 feet.

Sawmill Place Boulevard 25 feet to 10 feet.

C.C. 3333.255 Perimeter yard.

Requesting a reduction in the perimeter yard requirement to zero. The variance is necessary to provide the requisite flexibility in layout consistent with planning recommendations to introduce various housing product types, and the likelihood of these individual product types being an individual development on

The applicant's goal is to redevelop a vacant big box retail site in a manner that is perfectly consistent with a very recently adopted land use plan. The Code, as written, does not allow for redevelopment consistent with the land use plan's design principles. This unusual and practical difficulty, and unusual hardship in carrying out the zoning district provisions are conditions which warrant the approval of variances concurrent to a rezoning request. This, presently, is the Columbus mechanism for providing "planned development" as no other mechanism is presently available.

Redevelopment of this property, as proposed with this council variance in conjunction with the rezoning of the property, consistent with a newly adopted land use plan, will not seriously affect any adjoining property or the general welfare. On the contrary, these variances will allow the property to develop precisely as City leaders envisioned at the end of 2016.

Preferred Living

By:

Signature of Applicant:

David Hodge

Date:

July 5, 2017



CV17-020
7000 Bent Tree Boulevard
Approximately 16.71 acres

THE CITY OF
COLUMBUS
ANDREW J. GANTHER, MAYOR

DEPARTMENT OF BUILDING
& ZONING SERVICES

STANDARDIZED RECOMMENDATION FORM

Department of Building & Zoning Services
Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number: CV17-020
Address: 7000 Bent Tree Boulevard
Group Name: Far Northwest Coalition
Meeting Date: 4/26/17

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

Recommendation:
(Check only one)
 Approval
 Disapproval

NOTES:

- 1. Request improved architecture for street facing garages to be consistent with development
- 2. Suggest right-in, right-out ingress/egress from Bent Tree Blvd.
- 3 - Suggest increasing width of perimeter path to allow bikes to meet.
- 4. Ensure setback allows visibility for vehicles entering and leaving

Vote: In favor
Signature of Authorized Representative: [Signature]
SIGNATURE
Far Northwest Coalition
RECOMMENDING GROUP TITLE
614-738-9211
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, OH 43224.

Pine, Shannon L.

From: John Murley <jmurley@columbus.rr.com>
Sent: Thursday, May 11, 2017 10:59 PM
To: Pine, Shannon L.
Cc: 'David Hodge'
Subject: Far Northwest Coalition - Re: CV17-020 and Z17-008

The Far Northwest Coalition approved both requests. I have attached the Standardized Recommendation Form for both zonings. We did have the following comments (hand-written on the CV17-020 attachment so I am typing them here to ensure readability):

1. Request improved architecture for street facing garages to be consistent with the development.
2. Suggest right-in/right-out ingress/egress from Bent Tree Boulevard.
3. Suggest increasing width of perimeter path to allow bikes to meet.
4. Ensure setback allows visibility for vehicles entering and leaving.

Please contact me via this email or via phone at 614-738-9211 if you have any questions or concerns.

Thanks,
John Murley
President, FNWC

From: David Hodge [<mailto:david@uhlawfirm.com>]
Sent: Wednesday, May 03, 2017 4:44 PM
To: jmurley@columbus.rr.com
Cc: Jared Smith
Subject: The Andersons

Hi John-

Checking w/ you on whether or not you've had the chance to send in the Far Northwest recommendations for the Council Variance and Rezoning for the redevelopment of The Andersons property? If not, we are working with Shannon Pine (spine@columbus.gov) and they can be sent to her.

Please let me know.

Thanks!

David Hodge
Underhill & Hodge LLC
(614) 306-4649 mobile
david@uhlawfirm.com
Sent by Iphone
Please excuse typos

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 # CV17-020

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge
of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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

1. Preferred Living 750 Communications Parkway Columbus, Ohio 43214	2. Andersons P.O. Box 119 Maumee, Ohio 43537
3.	4.

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

SIGNATURE OF AFFIANT (David Hodge)

Sworn to before me and signed in my presence this 28th day of March, in the year 2017

(Kimberly R. Grayson)
SIGNATURE OF NOTARY PUBLIC

1-11-2021
My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

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