

This site plan was prepared in accordance with the provisions of the Ohio Revised Code, Chapter 3701, and the provisions of the Franklin County Code, Chapter 1001. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief.

*W11-008 Final Plan Record 9/11/11*  
*Daniel Frank 9/17/2011*  
 Daniel Frank, Director of Planning

**SITE STATISTICS - OFFICE**

Address: 800 Rhode Ave., Columbus, OH 43215  
 750 Square Feet  
 1.184 Acres  
 Zoning: O-2  
 Project Name: Kinneer Road Redevelopment  
 Prepared Date: 08/27/2010  
 Project Status: 100% Complete  
 Project Funding Request: \$ 2,327,000.00  
 Project Funding Provided: \$ 2,327,000.00

**SITE STATISTICS - APARTMENTS**

Address: 800 Rhode Ave., Columbus, OH 43215  
 750 Square Feet  
 1.184 Acres  
 Zoning: O-2  
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**EMHT**  
 ENGINEERING, ARCHITECTURE, INTERIOR DESIGN  
 1000 N. High Street, Columbus, OH 43215  
 614.291.1111  
 www.emht.com

**KINNEAR ROAD REDEVELOPMENT SITE DEVELOPMENT PLAN**

**KINNEAR ROAD REDEVELOPMENT, LLC**

SCALE: 1/8" = 1'-0"  
 DATE: 1/1/2011

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**LOCATION MAP**

Map showing the site location relative to Kinneer Road and Rhode Avenue.

CV11-008, 813 Kinnear Road, Columbus, OH 43215



**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)

**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.

**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 requested as detailed below:**

SEE EXHIBIT B

Signature of Applicant Donald Plank Date 6/7/2011  
 Kinnear Road Redevelopment LLC and  
 Nittany Lions LTD June 7, 2011  
 BY: Donald Plank, Attorney

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
For all questions regarding this form and fees please call: 614-645-4522  
**Please make all checks payable to the Columbus City Treasurer**

**Exhibit B**  
**Statement of Hardship**  
**Council Variance: CV11-008, 813 Kinnear Road, Columbus, OH 43215**

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This application is submitted in conjunction with rezoning application Z11-010. By rezoning application Z11-010, applicant proposes to rezone 4.58 +/- acres of the 5.77 +/- acre site to the AR-2, Apartment Residential District for multifamily residential development of the site with 194 dwelling units. 1.19 +/- acres will be rezoned from L-M, Limited Manufacturing to L-M, Limited Manufacturing. The site is within the SR 315/Kinnear Road Tech Corridor and within 0.10 mile to less than 1 mile of considerable shopping, employment, educational and research facilities. The multi-family residential component is targeted at the graduate student and young professional seeking high quality housing within a short distance of school, employment, and shopping and entertainment opportunities. The project is a significant urban redevelopment that provides urban housing opportunities as well as preserving the existing office use. This application is submitted to request variances in conjunction with the rezoning. The Columbus Zoning Code multi-family residential districts (AR) and related development standards are designed for green field development rather than urban redevelopment. The PUD, Planned Unit Development District can't accommodate urban projects due to the maximum density permitted of eight (8) dwelling units per acre, which is also a greenfield/suburban density standard. Applicant has a hardship with application of suburban development standards to an urban redevelopment site.

Applicant requests the following variances:

- 1) Section 3333.025, AR-2, Apartment Residential District, which Section prohibits vehicle parking and/or vehicular access and/or maneuvering area for parking spaces for commercial and/or industrial uses from being located on residentially zoned property, prohibits a dumpster box for non-residential use and requires that all buildings in an apartment complex, as defined, be a minimum of five (5) dwelling units, while applicant proposes to permit vehicular access to property zoned L-M, Limited Manufacturing (807 Kinnear Road) and developed with an office building to be from the common Kinnear Road curbcut/driveway which will be zoned AR-2, Apartment Residential ( Z11-010) for both the office building and the proposed multi-family residential development and further proposes the maneuvering area for certain parking spaces located on the property zoned L-M to be in a maneuvering aisle located on property zoned AR-2, Apartment Residential (Z11-010) and that certain parking spaces on the AR-2 property may be used in conjunction with the use of the L-M property; and while the use on the L-M property is not required to provide a dumpster box for trash collection, applicant elects to do so with a dumpster box located on property zoned AR-2, but immediately adjacent to the L-M property and accessed by a common maneuvering and circulation aisle for both the L-M and AR-2 property; and the multi-family residential buildings include one (1) four (4) family dwelling and one (1) two (2) family dwelling, in addition to eleven (11) other apartment buildings that contain more than five (5) dwelling units each.

- 2) 3333.18, Building Lines, which Section requires a building setback line of fifty (50) feet because Kinnear Road is a 4-2 arterial on the Columbus Thoroughfare Plan (CTP), while applicant proposes a building for a leasing office to be located 25 feet from the current Kinnear Road right of way and five (5) feet from the Kinnear Road right of way if the City of Columbus acquires additional right of way in the future to meet the CTP designation for the Kinnear Road frontage west of the existing curbcut. The City of Columbus has declined the additional Kinnear Road right of way west of the existing curbcut at this time, due to an existing natural gas regulating station within twenty (20) feet of the current Kinnear Road south right of way line. Kinnear Road right of way east of the site curbcut presently meets the CTP designated right of way width of fifty (50) feet from centerline.
- 3) 3333.255, Perimeter Yard, which Section requires a twenty-five (25) foot perimeter yard on the AR-2, Apartment Residential District property, while applicant proposes zero (0) perimeter yard and zero (0) perimeter building and pavement setback lines.
- 4) 3309.14(A), Height Districts, which Section prohibits the height of a building to exceed thirty-five (35) feet, as defined in 3303.08, Letter H, other than as permitted by exception (3309.142A, Height District Exceptions) which permits one (1) foot of additional height for each two (2) feet of additional setback from required setback lines (0), while all of the three (3) story apartment buildings may be up to 40 feet in height, measured as defined to the mid-point of the roof.
- 5) 3312.21, Landscaping and Screening, which Section requires landscaping and screening of parking lots within (80) feet of residential districts, while the L-M district abuts the AR-2 District on the south and west sides of the L-M area and portions of the L-M parking lot are within eighty (80) feet of the AR-2 district and no landscaping and/or screening is proposed nor can it be provided because internal vehicular circulation and parking is designed for common circulation throughout the L-M and AR-2 areas, as depicted on the referenced site plan.
- 6) 3312.25, Maneuvering, which Section requires maneuvering area for parking spaces to be located on-site, while certain parking spaces for the office site will maneuver across a common property lien of the L-M and AR-2 areas, but all code required maneuvering shall be provided on-site and/or by easement.
- 7) 3312.27, Parking Setback Line, which Section requires a minimum ten (10) foot parking setback line along Kinnear Road for the L-M, 1.19 +/- acre property and a minimum twenty-five (25) foot parking setback line for the AR-2 4.58 +/- acre property, while applicant proposes a five (5) foot parking setback for the L-M property and, while a twenty-five (25) foot Kinnear Road parking setback is provided at this time for the AR-2 property, if the City of Columbus acquires up to an additional twenty (20) feet of right of way in the future to meet the Columbus Thoroughfare Plan designation for the Kinnear Road frontage west of the existing curbcut the parking setback will then be five (5) feet for the AR-2 property. The City of Columbus has declined the additional Kinnear Road right of way west of the existing curbcut at this time, due to an existing natural gas

regulating station within twenty (20) feet of the current Kinnear Road south right of way line.

- 8) 3312.49, Minimum Number of Parking Spaces Required, which Section requires 291 parking spaces at 1.5 spaces/dwelling unit for 194 dwelling units, while applicant proposes to provide 281 parking spaces at 1.45/dwelling unit (1.29 parking spaces/bedroom).

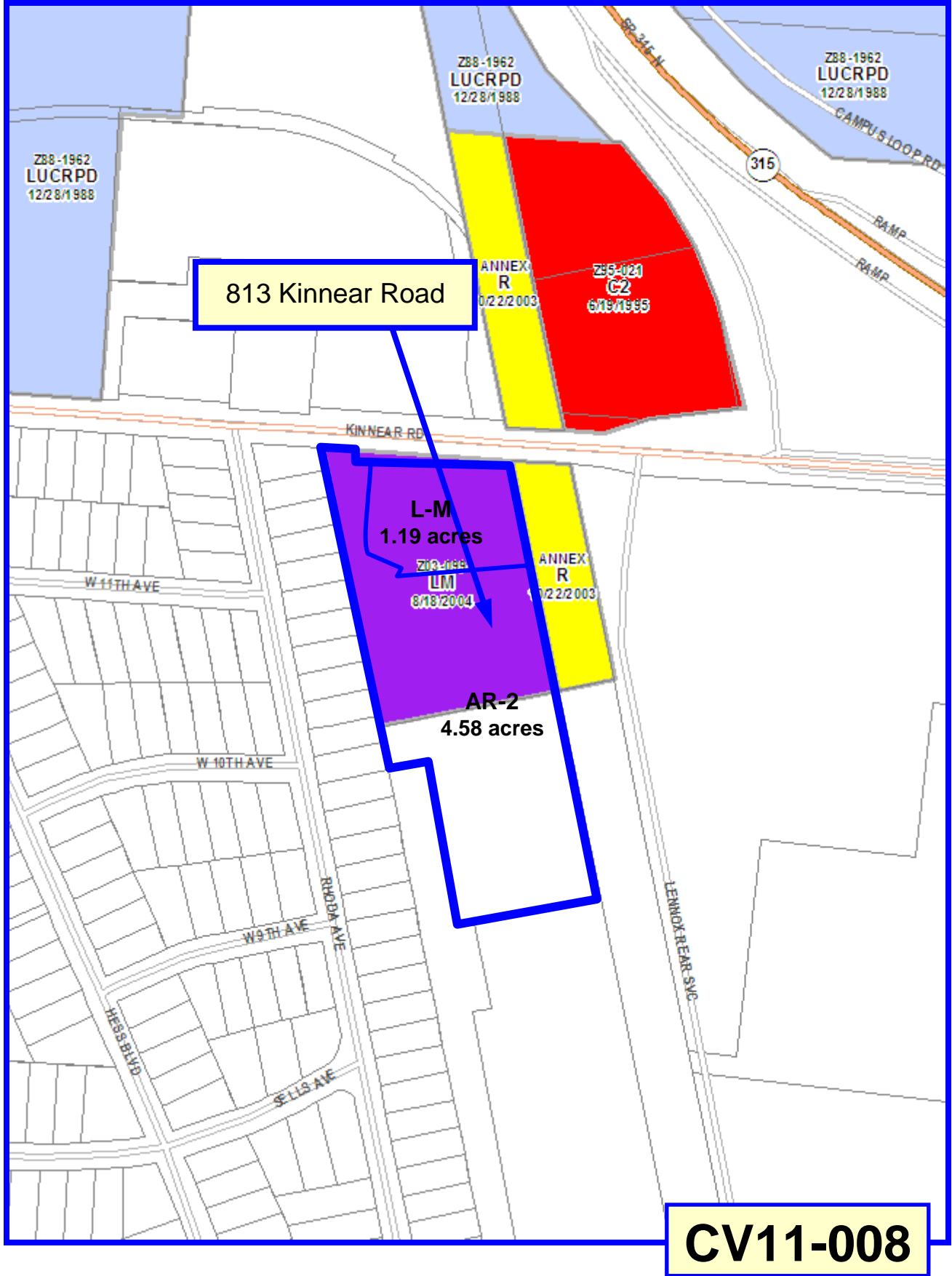
The site plan titled "Kinnear Road Redevelopment Site Development Plan" dated and signed June 7, 2011 by Donald Plank, Attorney for Applicant, is submitted to depict the proposed development, which includes both the on-site development and Kinnear Road right of way improvements consisting of a west bound left turn lane, a public sidewalk along the south side of Kinnear Road along the frontage of both the L-M and AR-2 areas and street trees along the south side of Kinnear Road, east of the site curbcut. The west bound Kinnear Road left turn lane, Kinnear Road access/curbcut and vehicular circulation shall be subject to the approval of the Franklin County Engineer and/or City of Columbus Public Service Department, as applicable. Street trees shall be a minimum two (2) inch caliper at installation and shall be a species approved by and planted at locations approved by the City Forester. Street tree spacing shall be approximately thirty-five (35) feet on center. Additional site development notes, as follows: 1) A minimum of three (3) trees, evergreen (min 5 feet at planting) and/or deciduous (min 2" caliper at planting) shall be planted west of the west wall of the 4 family dwelling, between the west wall of the dwelling and the west fence along the property line, 2) The site plan notes "Optional Future Carports and/or Garages" and "Optional Future Accessory Storage Units" along the east and south property lines. If garages and/or storage units are not built, or if the carports are not enclosed on side facing the applicable perimeter property line, or if garages and/or carports and/or storage units are built, but not continuous along the east and south property lines, then a six (6) foot fence and landscaping shall be provided to achieve 75% opacity, and 3) Pavement marking (ladder stripping, crosswalk delineation or similar) shall be provided to mark a pedestrian crosswalk from the internal sidewalk to the compactor and bulk refuse area. The site plan shall be referenced in the variance ordinance, and shall be the development plan for the site, subject to slight adjustments to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

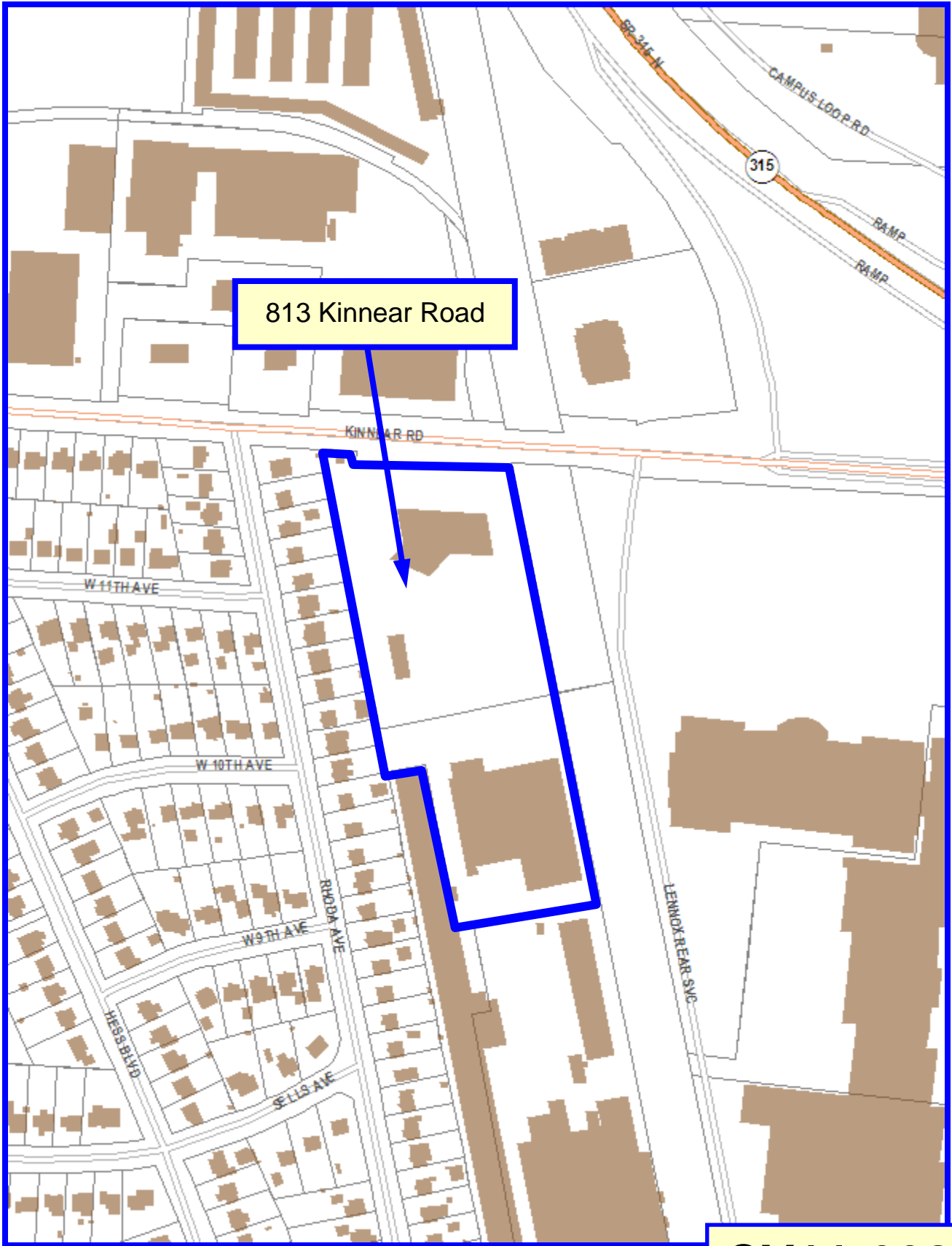


Donald Plank, Attorney for Applicant and Property Owners

6/7/2011

Date





813 Kinnear Road

**CV11-008**



813 Kinnear Road

**CV11-008**





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**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 # CV11-008

STATE OF OHIO  
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, 145 East Rich Street, 3rd Flr., 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 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

|  |  |
|--|--|
| <p>1.<br/>                 Julia E. Pfeifer<br/>                 c/o Donald Plank, Plank Law Firm<br/>                 145 East Rich Street, 3rd Flr.<br/>                 Columbus, OH 43215<br/>                 # of Columbus Based Employees: 0<br/>                 Contact: Donald Plank, (614) 947-8600</p> | <p>2.<br/>                 Kinnear Road Redevelopment LLC<br/>                 c/o Donald Plank, Plank Law Firm<br/>                 145 East Rich Street, 3rd Flr.<br/>                 Columbus, OH 43215<br/>                 # of Columbus Based Employees: 0<br/>                 Contact: Donald Plank, (614) 947-8600</p> |
| <p>3.<br/>                 Nittany Lions LTD<br/>                 1930 Cambridge Boulevard<br/>                 Columbus, OH 43212<br/>                 # of Columbus Based Employees: 0<br/>                 Contact: Ray Tesner, (614) 738-1661</p>  | <p>4.<br/>                 _____<br/>                 _____</p>  |

Check here if listing additional parties on a separate page.

**SIGNATURE OF AFFIANT** Donald Plank  
 Subscribed to me in my presence and before me this 5th day of April, in the year 2011  
**SIGNATURE OF NOTARY PUBLIC** Barbara A. Painter  
 My Commission Expires: AUGUST 3, 2015

Notary Seal Here



**BARBARA A. PAINTER**  
 Notary Public, State of Ohio  
 My Commission Expires AUGUST 3, 2015

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

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