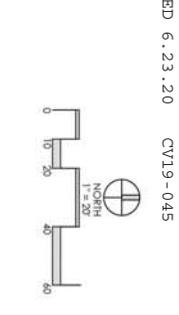




FINAL SITE PLAN RECEIVED 6.23.20
 CV19-045
 Signed June 23, 2020
 David Hoyle



LOCATION MAP 	
CODE / ZONING PROJECT ADDRESS: 1400 N. HIGH STREET, COLUMBUS OH 43201 PARCEL NUMBER: 01066241 CITY: UNIVERSITY DISTRICT ZONING OVERLAY PLANNING OVERLAY: UNIVERSITY AREA COMMISSION PLANNING OVERLAY: UNIVERSITY IMPACT REGIONAL COMMERCIAL SITE AREA: 1.158 ACRES, 50,442 SF BUILDING AREA: 228,793 SF (GROSS) PROPOSED DENSITY: 158 DWELLING UNITS / 1.158 = 135 DU/AC HEIGHT: 72'-0" NUMBER OF STORIES: 6 SETBACKS: 3'-0" ALONG HIGH STREET 5'-0" ALONG EUCLID AVENUE 5'-0" ALONG PEARL STREET 14'-0" ALONG ALEF AT RESIDENTIAL FLOORS FLOOD DESIGNATION: MMF #3806000000 ZONE: SF EFFECTIVE DATE: 06/17/08	
DEVELOPMENT DATA PROPOSED USES: RESIDENTIAL AREA: 119,045 SF PARKING AREA: 9,139 SF RESTAURANT AREA: 7,922 SF RESTAURANT AREA: REQUIRED: 0.5 SPACE PER BEDROOM RESIDENTIAL SPACES: 14 (28 BEDROOMS) 1 SPECT. SPACES: 15 (7.5 TH SF) 1 SPACE PER 100 SF RESTAURANT RESTAURANT SPACES: 53 (7,922 SF) TOTAL REQUIRED: 72 PROVIDED: 188 PROVIDED	

REVISIONS _____ _____ _____		1400 N. HIGH ST. PREPARED FOR UH LAW FIRM 8000 WALTON PARKWAY, SUITE 260 NEW ALBANY, OH 43054	DEVELOPMENT PLAN
DATE: 5/11/20 PROJECT: XXXXX SHEET: L-1	Faris Planning & Design LAND PLANNING LANDSCAPE ARCHITECTURE 243 N. 5th Street Suite 401 Columbus, OH 43215 P (614) 487-1964 www.farisplanninganddesign.com		



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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

STATEMENT OF HARDSHIP

Application #: CV19-045

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.

Multiple horizontal lines for providing details of the variance request.

Signature of Applicant By: [Handwritten Signature] Date 4/23/19

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

1398 North High Street

The subject property, located on the east side of North High Street between 7th Avenue and Euclid Avenue, was entitled for redevelopment at the end of 2015 (CV15-015, Ord 2760-2015). That Ordinance approved the development of a six-story mixed-use building with 156 apartment units (287 beds) on the upper stories. The proposal also included 16,000 square feet of retail space with 4,885 square feet of accessory residential space (leasing office, lobby, etc.) and 32 enclosed parking spaces on the first floor, and 156 basement level parking spaces. The variance was necessary because the C-4 district prohibited first-floor residential uses. Variances for increased height, a reduction of 90 required parking spaces, no loading space, C-4 development limitations, and UCO building setback were also approved by the request.

It was originally contemplated that the first-floor retail spaces would be occupied for an extended period by Dollar Tree, who had a long-term lease at that time. The parking calculation was therefore based upon a purely retail assumption and under the old Urban Commercial Overlay standard. Specifically, Ord 2760-2015 approved the reduction of the parking requirement by 90 parking spaces, from 278 to 188 (156 dwelling units required 234 parking spaces and 16,000 square feet of retail required 44 parking spaces). The development was constructed as proposed but the Dollar Tree tenancy never came to fruition.

With the reduced parking requirements of the University District Zoning Overlay, the vacant retail space left by Dollar Tree, and the development as constructed, the property owner has revisited the potential for a greater mix of commercial uses on the site. The inclusion of restaurant use within this development will further diversify the mix of uses on site and allow the property to contribute more to this regional commercial subarea of the UDZO.

The property is developed with 15,241 square feet of leasable commercial space on the first floor, 287 bedrooms, and 188 parking spaces. The request is to have the right to use 7,922 square feet of that commercial space for restaurant uses, and the remaining 7,319 square feet as retail. Under the UDZO parking requirement, this development would require 212 parking spaces (144 parking spaces for residential, 53 parking spaces for restaurant, and 15 parking spaces for retail).

The property owner therefore requests the following variances to address the revised parking requirement and incorporate applicable variances from CV15-015, Ord 2760-2015:

1. Section 3356.03, C-4 permitted uses, permits residential uses only above certain commercial uses, while the applicant proposes 3,995 square feet of ground floor accessory residential uses as part of a mixed-use development. This is a variance which was previously granted by CV15-015, Ord 2760-2015.
2. Section 3312.49(A),(B), Minimum numbers of parking spaces required, requires two (2) bicycle spaces and an additional one (1) bicycle space per twenty (20) vehicle parking spaces located in a highly visible area on the property for the uses to be served, with a total of fourteen (14) bicycle spaces required. The applicant proposes zero (0) bicycle spaces on the property for the commercial uses, but is providing bicycle parking for commercial patrons in the public right-of-way as approved by the Department of Public Service. The applicant also proposes a minimum of twenty (20) residential bicycle parking spaces in a non-visible area within a bicycle room accessible from the parking garage and leasing office. This is a variance which was previously granted by CV15-015, Ord 2760-2015.

3. Section 3312.49, Minimum numbers of parking spaces required, utilizing the UDZO parking reduction of Section 3325.381, requires 0.5 spaces per bedroom, and 1 space per 500 square feet of retail space, and 1 space per 150 square feet of restaurant space, for a mixed-use development containing 287 bed rooms, 7,922 square feet of restaurant space, and 7,319 square feet of retail spaces, is a maximum total requirement of 212 spaces, while the applicant proposes 188 parking spaces, a reduction of 24 parking spaces. By contrast, CV15-015, Ord 2760-2015 was approved to reduce the parking requirement by 90 parking spaces from 278 to 188
4. Section 3312.53, Minimum number of loading spaces required, requires one (1) loading space to be provided, while the applicant proposes zero (0) loading spaces. This is a variance which was previously granted by CV15-015, Ord 2760-2015.
5. Section 3356.05(F), C-4 district development limitations, requires that first-floor parking garages with dwelling units above must be connected/adjoined to commercial uses that occupy the entire length of at least one property frontage, while the applicant proposes adjoining commercial uses to occupy less than the entire length of the North High Street frontage. This is a variance which was previously granted by CV15-015, Ord 2760-2015.

The current property has worked extensively with neighborhood organizations in the immediate area, the Weinland Park Civic Association and the Dennison Place Neighborhood Association. As a result, the property owner commits that no eating and drinking establishment who locates within the commercial spaces may use an outdoor amplification system or provide outdoor seating on the property.

This development is situated along the High Street urban core, in the University District. This area is extremely pedestrian oriented and along the COTA route which is only a few blocks north of the free C-Bus limit. Introducing restaurant uses to this development will not burden existing infrastructure nor necessarily accommodate a destination type restaurant. This restaurant space will be an accommodation, in most cases, to residents in the proximate vicinity who will use means other than cars to access the restaurants. The urban core of High Street continues to evolve and permitting first-floor restaurant uses in this building will not be detrimental to surrounding property owners or residents and is inarguably appropriate at this location.

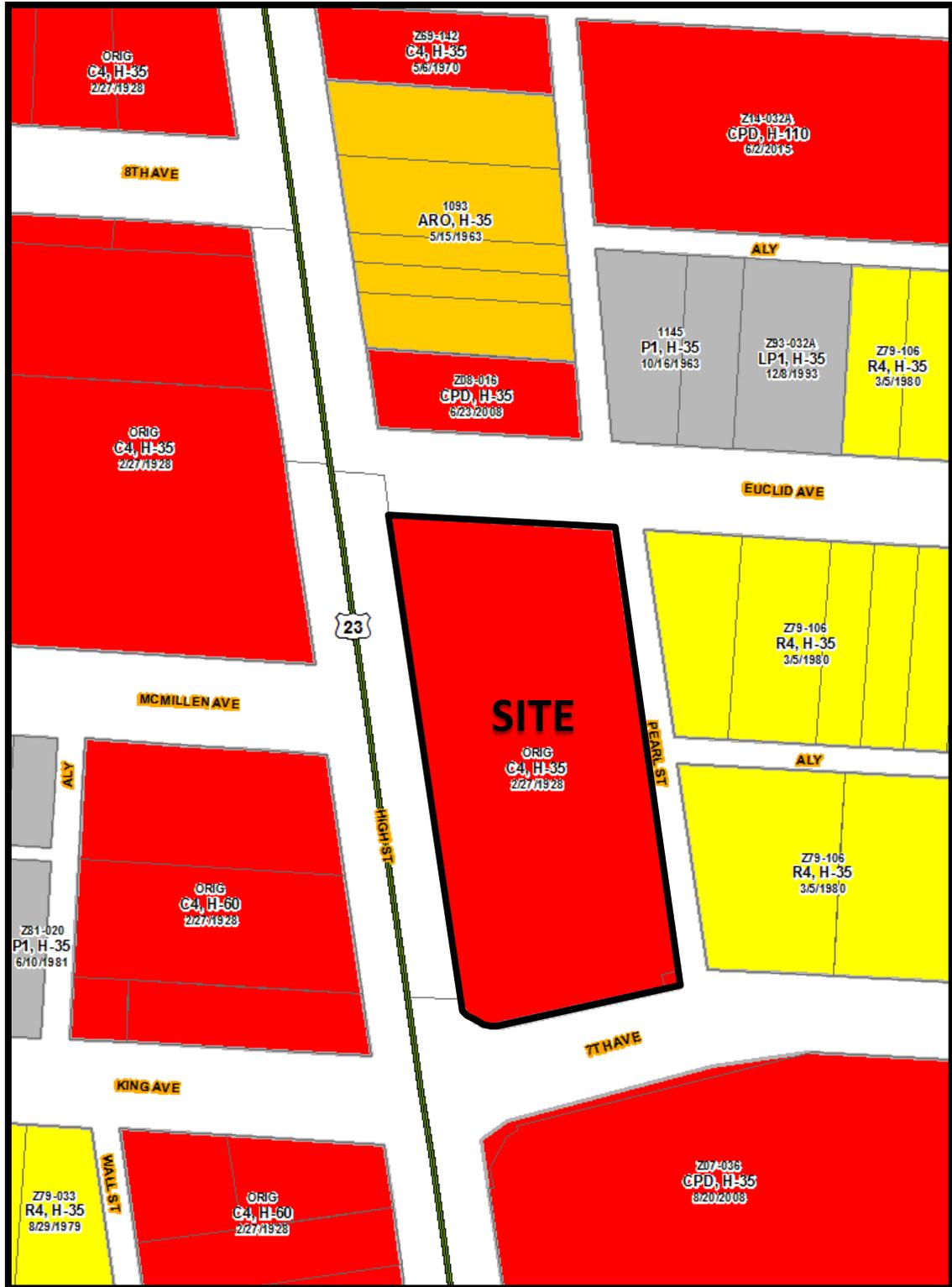
This variance request will not impair and adequate supply of light or air to any adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of residents of the City of Columbus.

The applicant respectfully requests approval of this variance request.

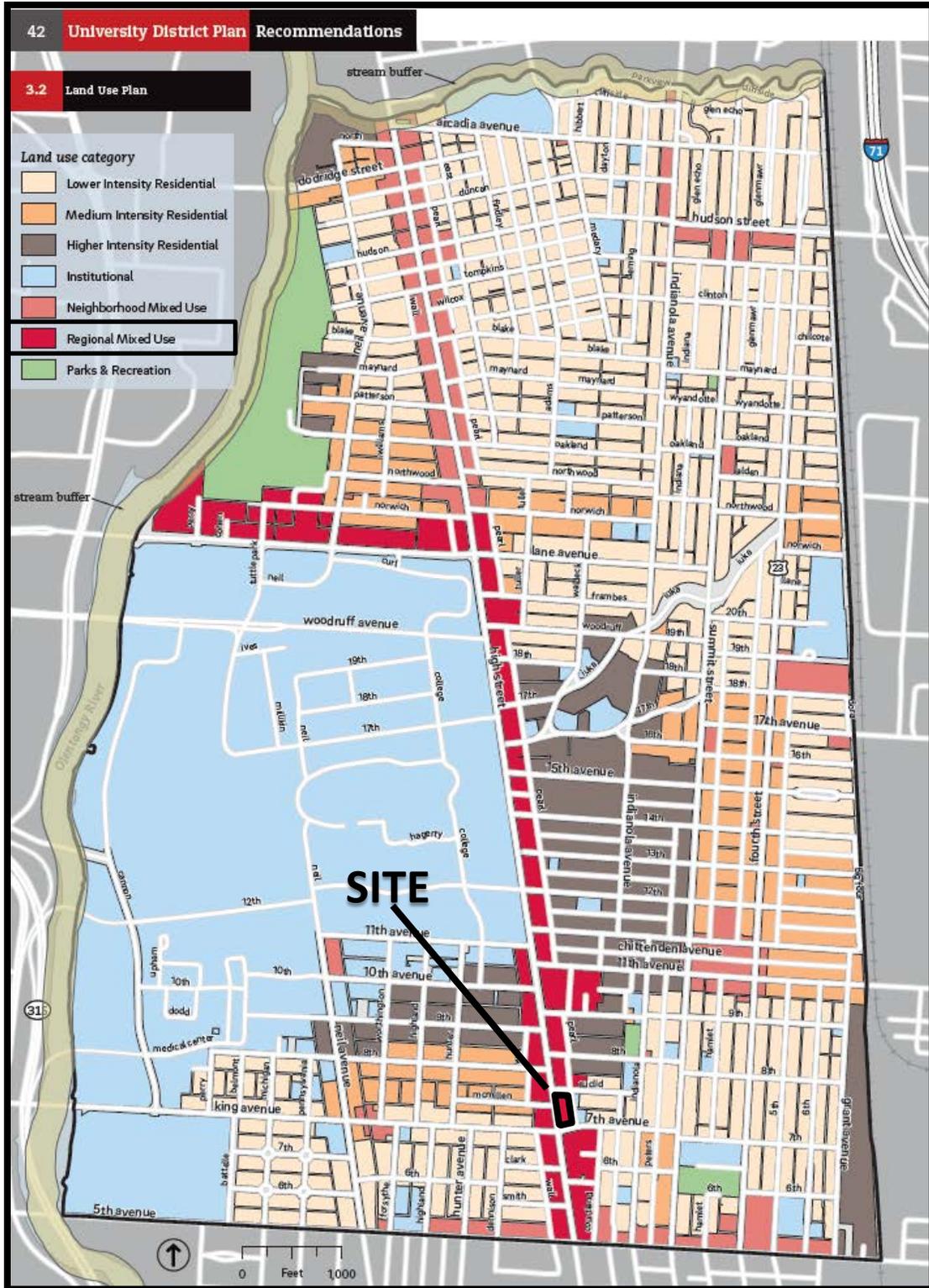


Signature of Applicant: _____

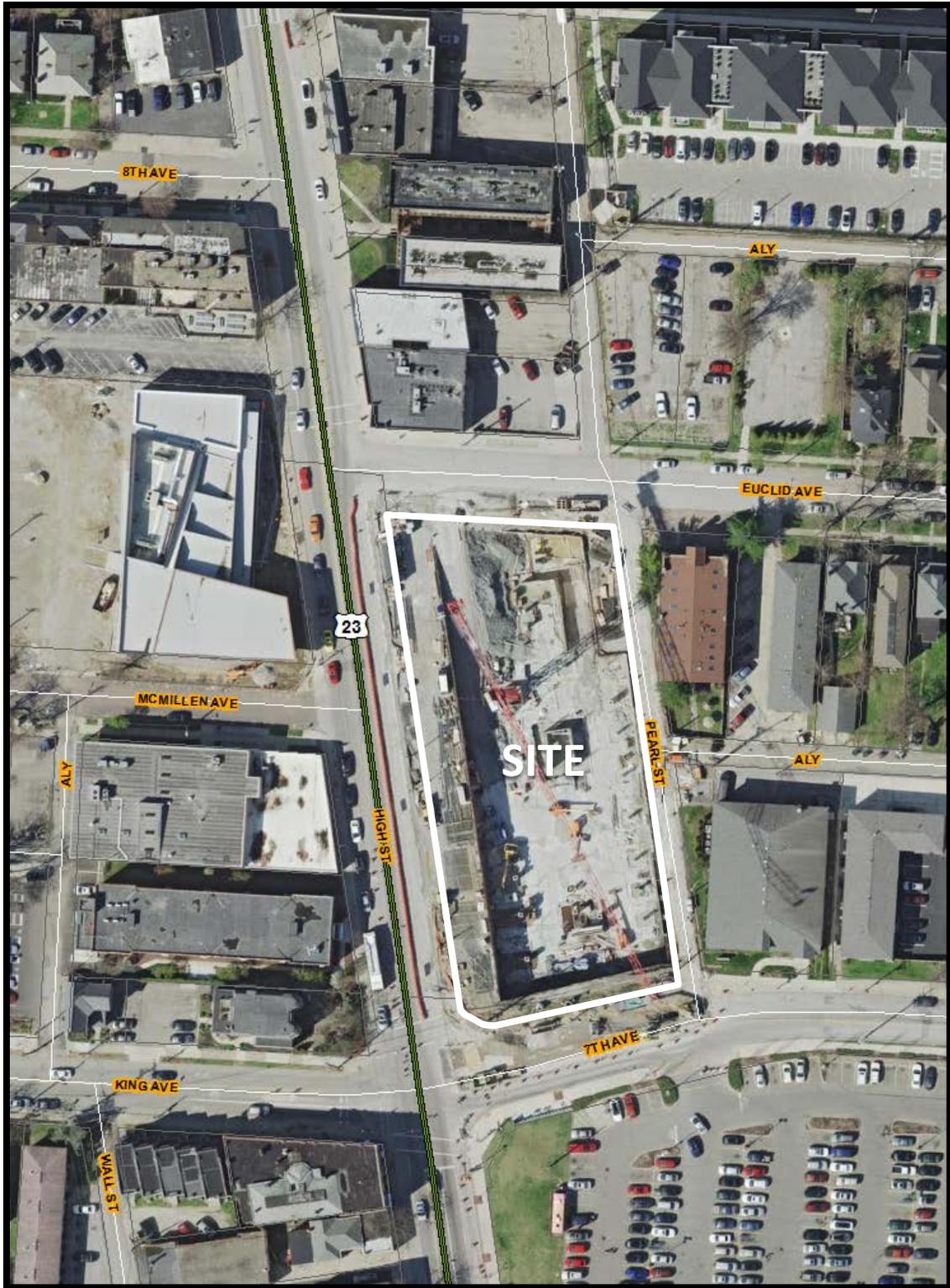
Date: May 18, 2020



CV19-045
1398 N. High St.
Approximately 1.15 acres



CV19-045
1398 N. High St.
Approximately 1.15 acres



CV19-045
1398 N. High St.
Approximately 1.15 acres

Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

ORD #1621-2020; CV19-045; Page 8 of 10

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

Case Number: CV19 - 045

Address: 1398 N. High Street

Group Name: University Area Commission

Meeting Date: June 17, 2020

Specify Case Type:

BZA Variance / Special Permit

Council Variance

Rezoning

Graphics Variance / Plan / Special Permit

Recommendation:

(Check only one and list basis for recommendation below)

Approval

Disapproval

NOTES:

The applicant worked extensively with, and earned support from, both Weinland Park and Dennison Place.

Vote: 14 - 0

Signature of Authorized Representative: Brian Williams
SIGNATURE

University Area Commission / Zoning Committee / Chairperson
RECOMMENDING GROUP TITLE

614-560-5785
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, 111 N. Front St, Columbus, OH 43215.

RECOMMENDATION

variance case no. **CV19-045**
 property address **1398 N. High Street**
 hearing date **June 25, 2020**
 applicant David Hodge
 issue date **June 29, 2020**

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 (614-645-4522 / 111 North Front Street, First Floor) and following all other applicable codes and ordinances of the City of Columbus.

The University Impact District 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 of Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3325.115.

Variance or Zoning Change Request

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

TYPE(S) OF ACTION(S) REQUESTED:

To support the Zoning Variances necessary to promote the current design proposal and use.

RECOMMENDATION:

- SUPPORT REQUESTED VARIANCES 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.



Patrick Holland
 University Impact District Review Board, Staff



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

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

APPLICATION #: CV19-045

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

Table with 2 columns and 2 rows for listing parties with interest in the project.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Handwritten signature of David Hodge

Subscribed to me in my presence and before me this 11th day of May, in the year 2020

SIGNATURE OF NOTARY PUBLIC

Handwritten signature of Eric J. Zartman

My Commission Expires:

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

Notary Seal Here

Eric J. Zartman, Attorney At Law
NOTARY PUBLIC-STATE OF OHIO
My Commission Has No Expiration Date
Sec. 147.03.R.C.

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Please make all checks payable to the Columbus City Treasurer