

Michael J. ... 6/9/10

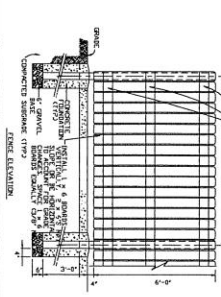


TABLEAU INFORMATION:
 OWNER: WESLEY GLEN, INC.
 PROJECT NO.: 010-11087 / 010-11721
 SR / R (SEE PLAN)
 PARKING LOT: 26
 TOTAL PARKING SPACES: 26
 EXISTING ADJACENT ZONING DISTRICTS: C4, R, SR
 NOTE PARKING LIGHTING: 1. THE PARKING LOT SHALL INSTALL FULLY SHIELDED LIGHT FIXTURES
 2. THE LIGHT FIXTURES SHALL BE DESIGNED TO SHAVE MORE THAN 80% OF THE LIGHTING FROM THE ADJACENT STREETS
 3. THE LIGHT FIXTURES SHALL BE DESIGNED TO SHAVE MORE THAN 80% OF THE LIGHTING FROM THE ADJACENT STREETS
 4. THE LIGHT FIXTURES SHALL BE DESIGNED TO SHAVE MORE THAN 80% OF THE LIGHTING FROM THE ADJACENT STREETS

THESE ARE THE PROPOSED CHANGES TO THE SITE PLAN:
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**Wesley Glen Retirement Community
 Wellness Center Addition**
 5155 N High Street
 Columbus, OH 43214
 Methodist Eldercare
 5155 N High Street
 Columbus, OH 43214

PH
 1130 West Street
 Suite 205
 Columbus, OH 43215
 614-221-2215
 614-221-2215
 614-221-2215
 614-221-2215

Site Plan
 JOB NO.: 200931
 DATE: 12/23/09
A101

Site Plan

CV09-035

**Statement of Hardship
For Council Variance Request
34 Fenway Road**

This statement is submitted in support of Applicant's request for certain variances necessary to develop a parking lot on property zoned SR and R.

The Applicant in this matter is Wesley Glen, Inc., which operates an accredited Continuing Care Retirement Community along North High Street at Fenway Road, south of Westview. The property lies within the boundaries of the Clintonville Area Commission.

Applicant proposes a parking lot to be constructed on four (4) residentially-zoned lots owned by Wesley Glen, which lots are zoned SR and R. Although a rezoning could be sought to properly place the parking lot in an appropriate zoning district for the use, this council variance request has been filed at the neighbors' suggestion, to address their desire to retain the base residential zoning should the parking lot use be vacated in the future. For that reason, the variances requested herein are an effort to address the neighborhood's long-term goals and concerns of retaining the residential zoning of the neighborhood.

Wesley Glen has operated at its North High Street location for 40 years. Over the years, it has undergone many expansions as demand has increased for the services it provides. With approximately 400 residents and 290 employees, parking is at a premium for the facilities and both employees and patient family members alike experience daily frustrations with inadequate onsite parking.

The proposed parking lot will be primarily for employees, with access to be provided only by key-card or a similar control mechanism. Moving the employee parking to this new parking lot would free up a tremendous amount of space within the main parking lot, so that residents and their families, as well as other visitors, can avoid the struggles they now face with finding parking spaces. Also proposed for the new parking lot site is a storage garage at the rear of the parking lot, for use by the facilities maintenance staff to store seasonal property maintenance equipment and supplies. See the submitted site plan for size and location details.

Four parcels are included in the request, all of which are owned by Wesley Glen. One parcel is vacant undeveloped land, while three are currently improved with single-family homes built between 1920 and the mid-1950's. The houses located at 28 and 34 Fenway Road will be demolished to allow for the parking lot, which will have access only from Fenway Road. The home located at 45 Westview, to the north, is located on a very large lot and will remain, following a lot split to separate the home site from the remainder of the land to be used. The two homes that will be demolished are currently used as rental homes by Wesley Glen, and the occupants have been notified of this pending request and will be provided relocation assistance as needed.

In order to implement the proposed parking lot on residentially-zoned property, the following variances are necessary:

1. Variance from C.C.C. §3332.02 (R, Rural District), to allow a use not otherwise permitted in the zoning district.
2. Variance from C.C.C. §3332.029 (SR, Suburban Residential District), to allow a use not otherwise permitted in the zoning district.
3. Variance from §3332.27 (Minimum Rear Yard Required). A rear yard of no less than 25% of the total lot area is to be provided in residential districts. Due to the nature of the non-residential use being proposed, the rear yard area cannot practically be met.
4. Variance from §3332.06 (R, Rural Area District), to permit a lot in the R, Rural district that is less than five (5) acres in area. This variance is needed because Parcel ID: 010-151722 will be split and a separate lot created so that the single-family home fronting Westview Avenue can remain once the large rear yard is split off for use with the proposed parking lot.

The proposed parking lot will contain 126 parking spaces, and will be appropriately screened from the residential properties to the west and north. Immediately east of the site are commercial properties with frontage along North High Street, and to the south is the main Wesley Glen complex.

Following numerous meetings with the Clintonville Area Commission, the following specific commitments have been made relative to Applicant's request:

- 1). Applicant will provide a 25-foot landscape buffer setback along the west and north, property lines where the site abuts residential properties.
- 2). Applicant will provide a 6-foot board-on-board fence at the 25-foot setback line along the west and north property lines, as well as along the east property line (the east property line not having the 25-foot setback requirement due to its location abutting commercial properties along North High Street).
- 3). Applicant will install landscaping along the outside perimeter of the fence along the south, west, and north property lines as shown on the submitted site plan. Landscaping shall include, at a minimum, trees planted 30 feet on center.
- 4). The proposed equipment storage building will be located along the east property line which abuts the commercial property along N. High Street, as shown on the revised site plan).

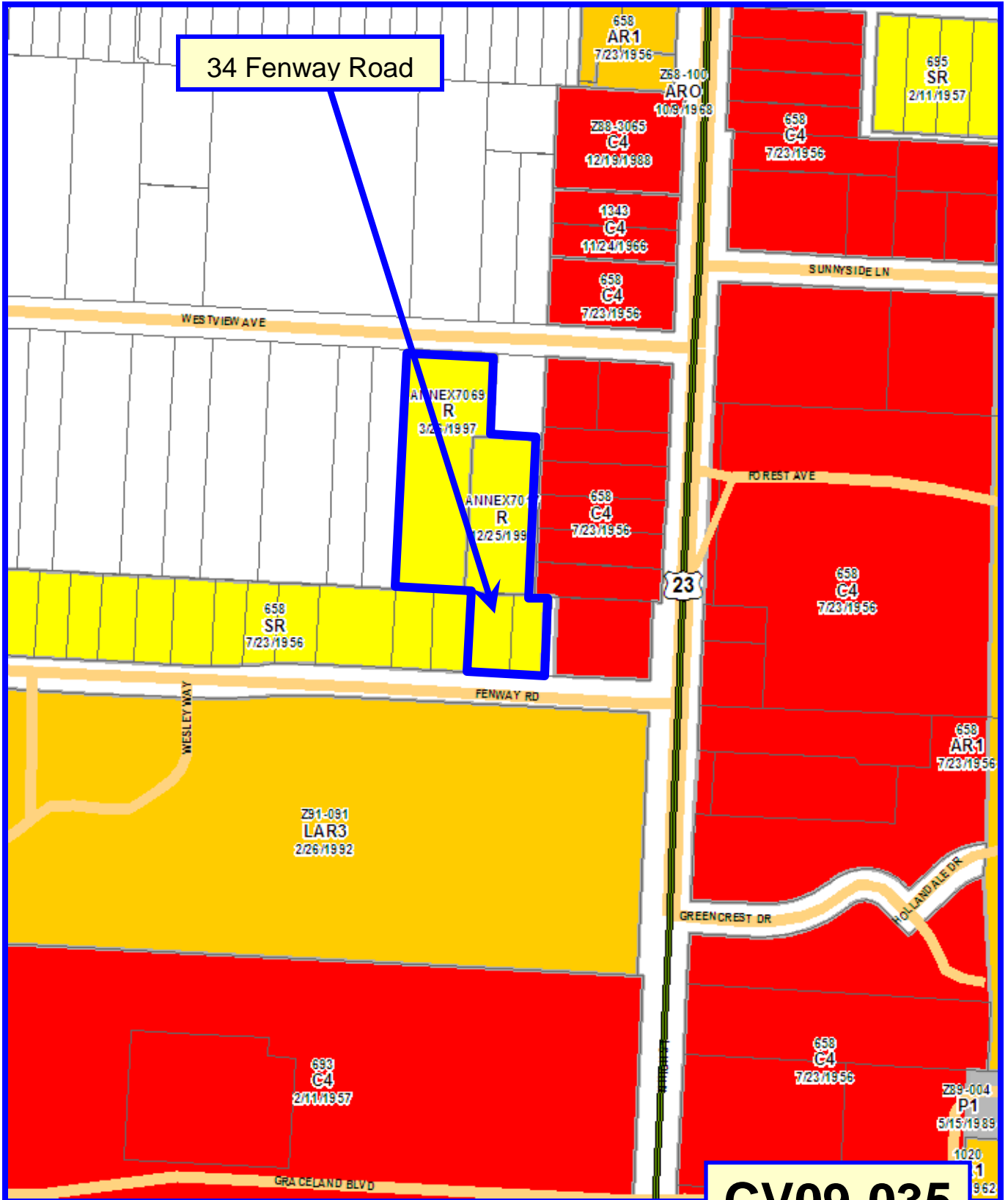
- 5). Parking lot lighting, which shall be down lighting to prevent off-site light spillage, will not exceed 18 feet in height, as reduced from the originally-proposed 28 feet height.
- 6). The key card entry gate will be relocated north of the entry drive parking spaces as shown at the entry of the parking lot, so that those spaces may be used by residents and their visitors.
- 7). Security cameras will be utilized onsite and monitored on the main campus of Wesley Glen.
- 8). The parking lot will be constructed in accordance with the City of Columbus approved stormwater management standards to ensure proper drainage and stormwater management functions.
- 9). Applicant has agreed to work with the neighbors toward limiting on street parking that occurs into grass areas along the North side of Fenway Road.

In light of the above information, applicant respectfully requests approval of the variances necessary to facilitate the proposed use while maintaining the residential zoning present in the area.

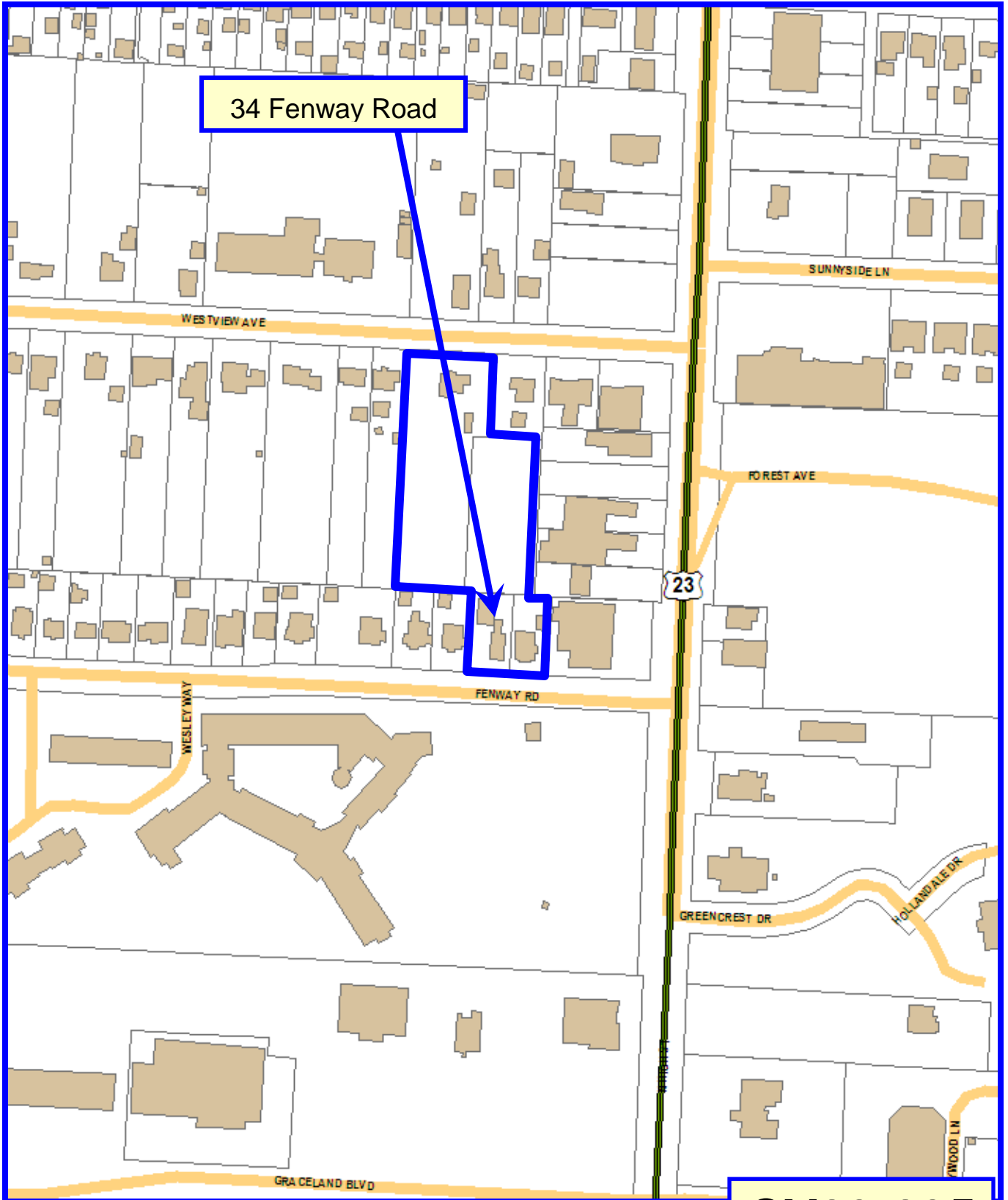
Respectfully submitted,



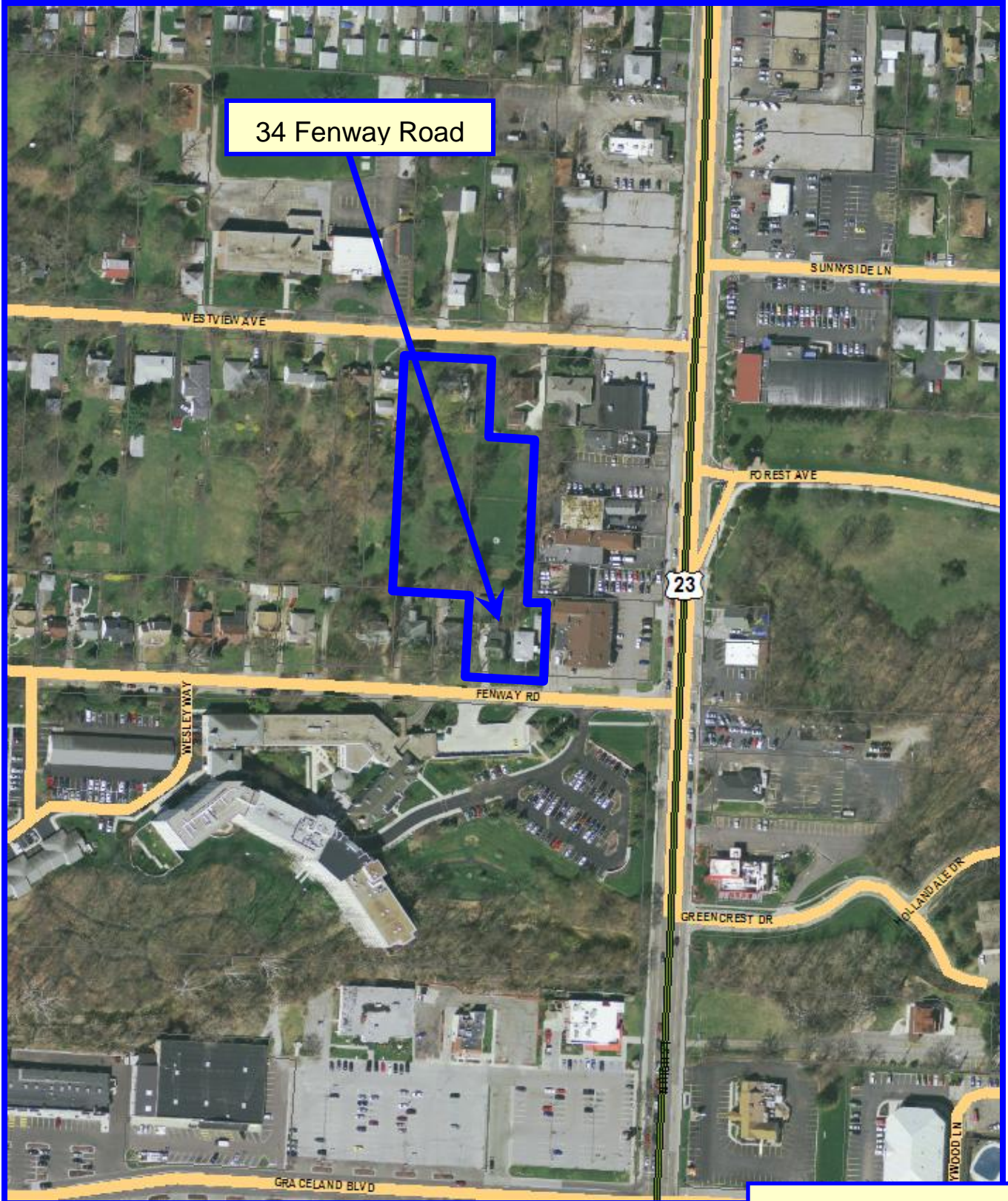
Michael T. Shannon, Esq.
CRABBE, BROWN & JAMES, LLP
500 S. Front Street, Suite 1200
Columbus, Ohio 43215
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MShannon@cbjlawyers.com
Counsel for Owner/Applicant



CV09-035



CV09-035



CV09-035

34 Fenway Road

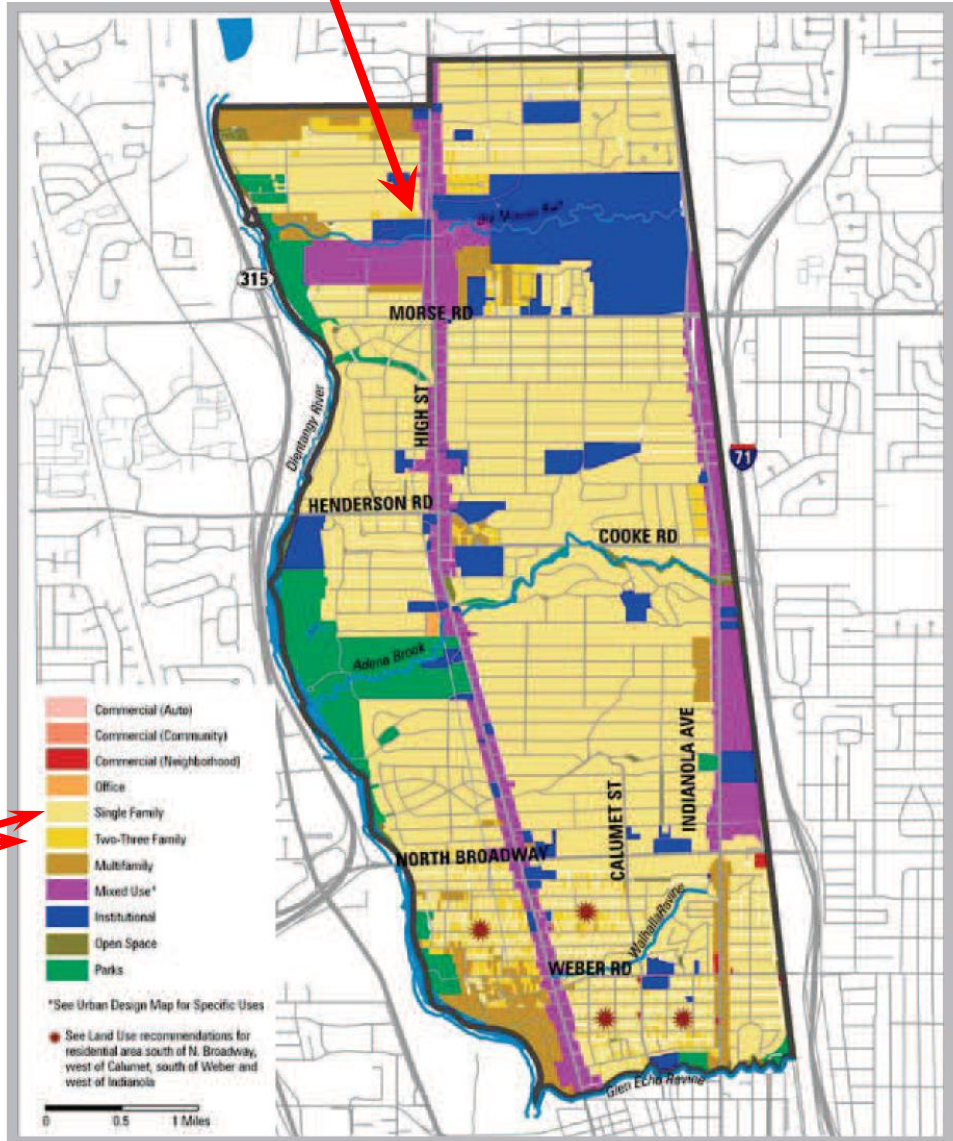


Figure 10 : Land Use Plan



Plan Recommendations/Development Principles

CV09-035



To: Shannon Pine (spine@columbus.gov)
From: Nick Cipiti, Clintonville Area Commission Secretary
Date: 4/15/2010
Subject: Wesley Glen Parking Lot Proposal 34 Fenway Rd.
Columbus, OH 43214

34 Fenway Road – Dist. 9 – D Searcy

Request: Council Variance from SR, R

Original request amended to include site plan with the following: a 25' landscape buffer, board on board privacy fence along W-N E sides, locating storage building to east side of lot, reduce light height, approved storm water management, key card entry for employee parking with approx. 12 spaces for residents and visitors.

The applicant will also work toward limiting on street parking that occurs into grass area along the N side of the street.

Purpose: To allow a parking lot

Applicant: Wesley Glen Inc.

Attorney: Michael T. Shannon, Esq.,

Crabbe, Brown & James LLP

The Commissioner's district report included negative comments. Such remarks included said parking lot will intrude into a residential community.

The proposed parking lot does not comply with the Clintonville Neighborhood Plan (CNP). The CNP states "New development should be restricted to the area between the street right-of-way and the parallel alley and not encroach upon residential uses beyond the alley."

The Clintonville Area Commission disapproved this request 9-0.

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224



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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CV09-035

Being first duly cautioned and sworn (NAME) Michael T. Shannon, Esq.
of (COMPLETE ADDRESS) 500 S. Front St., Suite 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 formats

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

Wesley Glen, Inc.
5155 N. High Street
Columbus, OH 43214
Contact: Michael T. Shannon, Esq.
(614) 229-4506
Columbus-Based Employees: 320

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT

Michael Shannon

Subscribed to me in my presence and before me this 11th day of June, in the year 2010

SIGNATURE OF NOTARY PUBLIC

Rita J. Martin

My Commission Expires:

11-02-10

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

Notary Seal Here



RITA J. MARTIN
Notary Public, State of Ohio
My Commission Expires 11-02-10
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