

CV17-035 FINAL RECEIVED 9/18/2017 PAGE 1 OF 3

*Pa. Spoke 9-18-17*

**PIZZUTI**  
THE MERCANTILE

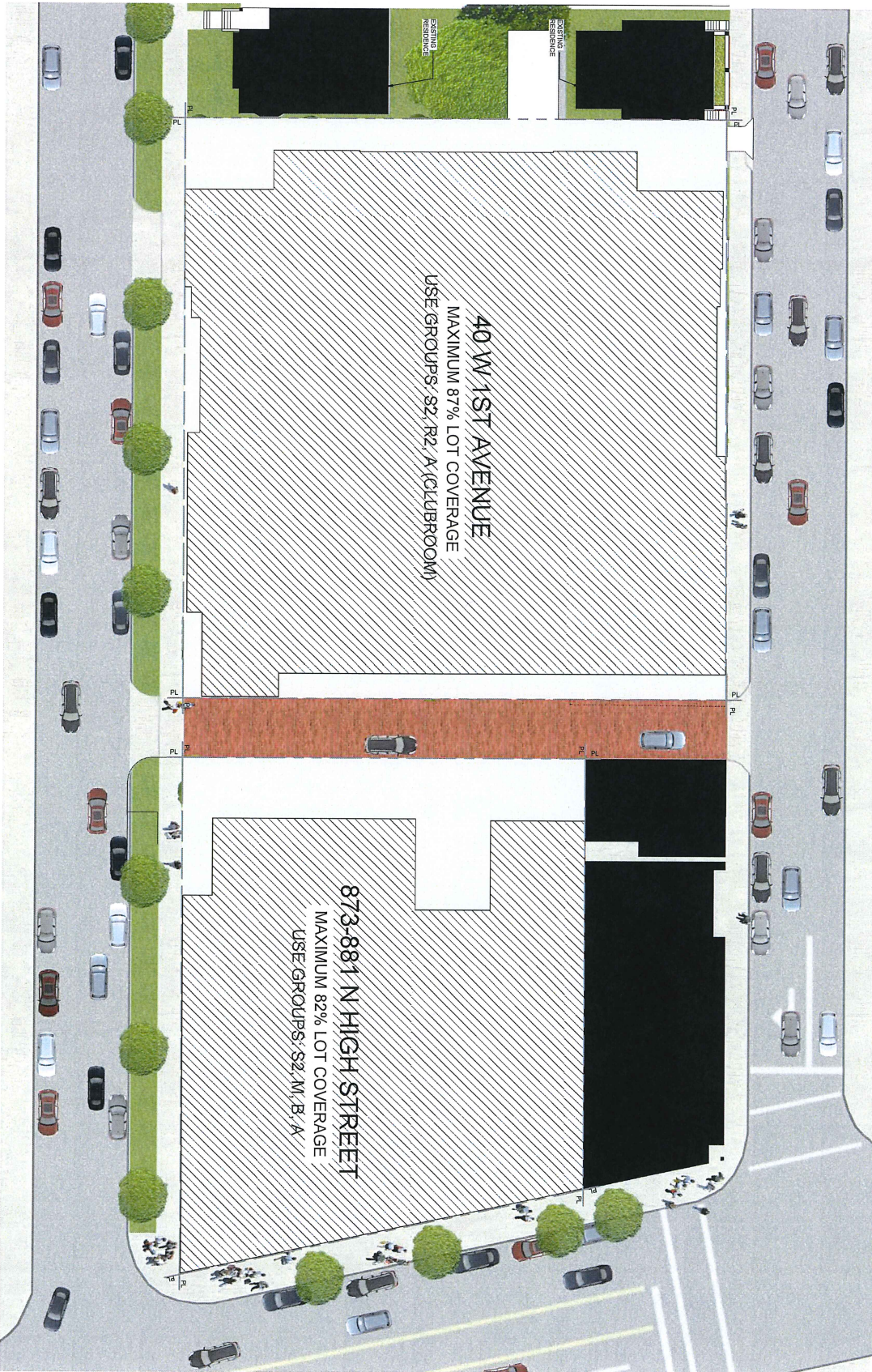
**LUPTON RAUSCH**  
ARCHITECTURE + INTERIOR DESIGN

973-441 N. HIGH STREET, 401 W. 1ST STREET, CORNER, SUITE 303  
SCHEMATIC DESIGN 09/08/2017

**SITE PLAN**

1:1" = 1'-0" PER





40 W 1ST AVENUE  
 MAXIMUM 87% LOT COVERAGE  
 USE GROUPS: S2, R2, A (CLUBROOM)

873-881 N HIGH STREET  
 MAXIMUM 82% LOT COVERAGE  
 USE GROUPS: S2, M, B, A

SITE PLAN

1/4" = 100'

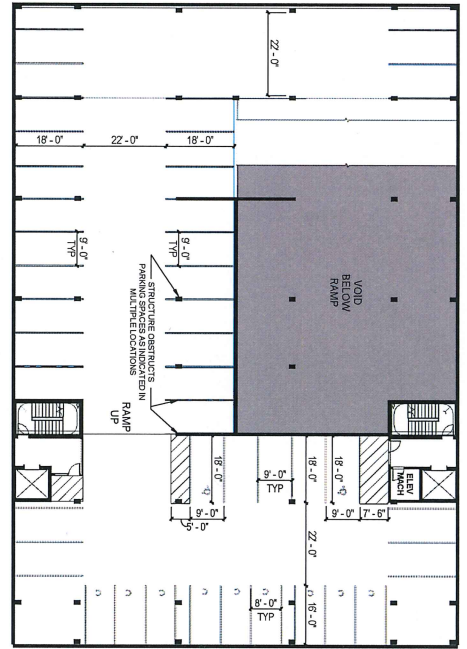
**PIZZUTI**  
 THE MERCHANTILE

873-881 N HIGH STREET & 40 W 1ST STREET, COLUMBUS, OH 43215  
 SCHEMATIC DESIGN 09/08/2017

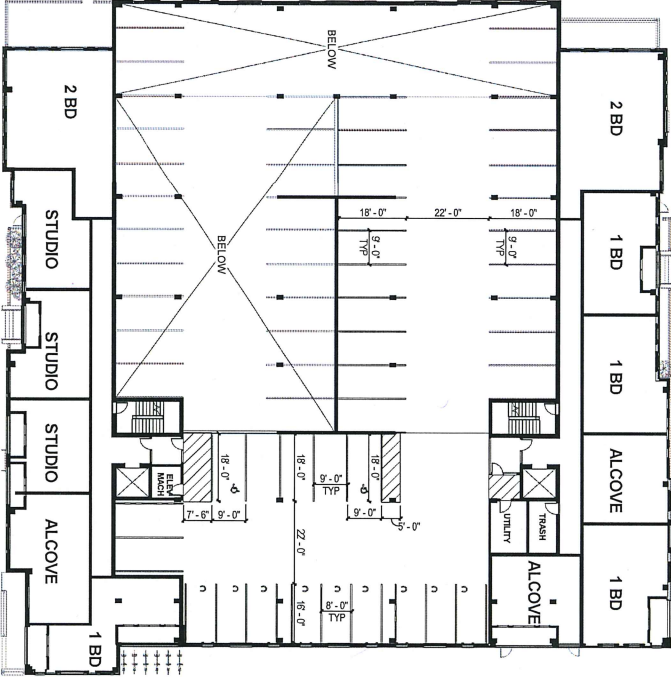
**LUPTON RAUSCH**  
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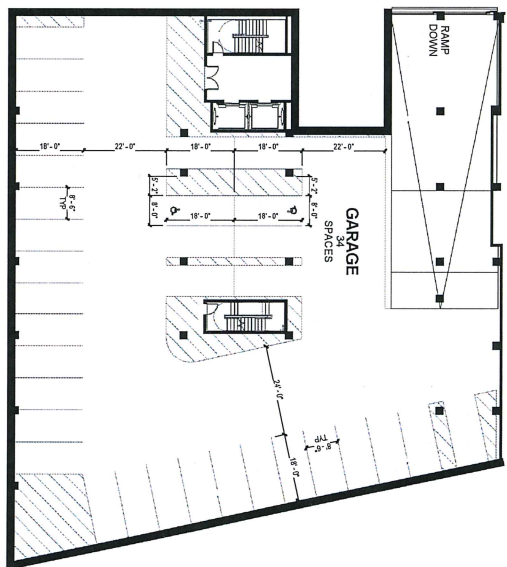
PLAN - BASEMENT APARTMENTS



PLAN - SECOND FLOOR APARTMENTS



PLAN - BASEMENT OFFICE



Floor	Use	Area	Number of Units	GSF/ Parking Space	Required Parking
Office (Floors 2-4)	Office	Approx 46,790	-	1.0 / 800sf	Approx 52
First Floor	Retail*	Approx 11,062	-	0*	0
First Floor	Restaurant**	Approx 0	-	1.0 / 750sf	0
1st - 6th Floor	Residential	Approx 100,000	Approx 100	1 Spaces / Unit	Approx 100
<b>Total</b>		<b>157,852</b>	<b>100</b>		<b>Approx 152</b>

Handicapped Parking 7 Spaces Required per OBC Section 1106  
 Bicycle Parking 1 Slot per 20 Parking Spaces (Maximum 20 Slots Required) - 9 Slots 18" x 6'-0" per bike = 13.5 x 6' Area (12 provided at F.V.F., 2 provided at G.W.)  
 Garage Construction Residential: Enclosed PT slab with basement  
 Office Construction Office: Enclosed basement level with speed ramp  
 Office Area based on BOMA exterior gross area for floors 2-4  
 \* Retail to be completed of max. 2,500 SF tenant size, no parking required.  
 \*\* No restaurant tenants expected.  
 \*\*\* Parking calculation is approximate and based on an approximate density, commercial, and office uses, subject to change, and shall comply with the Short North Parking Area parking regulations

**PIZZUTI**  
 THE MERCHANTILE

973 - 881 N. HIGH STREET, 4.0W., 1ST  
 STREET, COLUMBUS, OH 43215  
 SCHEMATIC DESIGN 098662017

**LUPTON RAUSCH**  
 ARCHITECTURE +  
 INTERIOR DESIGN

**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):**

See attached.

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Signature of Applicant Michael Sumner (by ESI) Date 4-24-17

**Statement of Hardship**

**Property Address:** 873 N. High St.  
**Owner #1:** Meecs Store, LLC  
47 W. Third Ave.  
Columbus, Ohio 43201  
**Owner #2:** BSSJ Ventures LLC  
40 W. First Ave.  
Columbus, Ohio 43201  
**Applicant:** Pizzuti Companies  
c/o Dan Gore  
629 N. High St., Ste. 500  
Columbus, Ohio 43215  
**Attorney:** Crabbe, Brown & James, LLP  
Michael Shannon, Esq.  
500 S. Front St., Ste. 1200  
Columbus, Ohio 43215  
**Date of Text:** September 28, 2017  
**Application:** CV17-035

The Subject Site consists of three parcels, PIDs: 010-033280, 010-010465, 010-009102. The Site is bounded on the north by Price Ave, on the south by W. First Ave., and on the east by N. High St. The Site is situated within the Victorian Village Historic District and subject to the Victorian Village Commission. The Site is also subject to the I-670 Graphics Control Planning Overlay. The Site is not situated within a Commercial Overlay.

On the Site currently stands a single story commercial building occupied by the Grandview Mercantile and offices occupied by ImproveIt!.

The Site is currently classified with two zoning districts. PID 010-033280 is classified C-4 while PIDs 010-010465, 010-009102 are classified AR-O.

Applicant proposes the Site for a mixed-use development providing approximately 46,780 square feet of office space, approximately 11,062 square feet of commercial space, approximately 100 dwelling units, and approximately 163 parking spaces. Individual tenant's retail space shall be limited to a maximum of 2,500 square feet in area. Applicant requests the following variances to allow the construction of the proposed development:

AR-O:

3333.04 – Permitted Uses in the AR-O. Applicant requests a variance to allow parking within the AR-O district to serve commercial uses within the C-4 district.

3333.15(C) – Lot Area. Which section does not allow a residence building to occupy alone or together with any other building greater than 50 percent of the total lot area. Applicant requests a variance to allow the building to occupy a maximum of 87% percent of the lot area.

3321.05(A)(1)(2) – Vision Clearance. Which section provides that there must be unobstructed vision clearance between the elevations of two and one-half to ten feet above the driveway grade within “clear vision triangles,” which are two ten-foot, right-angle triangles formed by the intersection of a driveway pavement edge and street right-of-way line. Applicant requests a variance to allow a minimum 6-foot by 6-foot clear vision triangle on the W. First St. access to Wall St., a minimum 8-foot by 8-foot clear vision triangle on the Price Ave. access from Wall St., and a minimum 8-foot and 6-inch by 8-foot and 6-inch clear vision triangle on the driveway access to Price Ave. at the north-west corner of the Site.

3333.18 – Building Lines. Which section does not allow a building line less than 10 feet. Applicant requests a variance to allow a minimum building line of zero feet from Price Ave. and W. First St.

3312.29 – Parking Space. Which section provides that a parking space shall be a rectangular area of not less than 9 feet by 18 feet. Applicant requests a variance to allow a maximum of 15% of the provided parking spaces to be a minimum reduced parking space size of 8 feet by 16 feet for compact vehicle parking spaces.

3309.14 – Height District. Applicant requests a variance to allow a height of 68 feet, excluding mechanicals, elevator shafts, and parapets.

C-4

3309.14 – Height District. Applicant requests a variance to allow a height of 61 feet, excluding mechanicals, elevator shafts, and parapets.

3312.29 – Parking Space. Which section provides that a parking space shall be a rectangular area of not less than 9 feet by 18 feet. Applicant requests a variance to allow 100% of the provided parking spaces to be a minimum reduced parking space size of 8 feet and 6 inches by 18 feet.

3356.11(A)(4) – Building Lines. Which section does not allow a building line less than 10 feet. Applicant requests a variance to allow a minimum building line of zero feet from W. First Ave. This section also requires a building setback equal to one-half the CTP right-of-way. N. High St. is a 4-2D arterial and requires a minimum 60-foot building setback. Applicant requests a variance to reduce the building line to zero feet from N. High St.

3312.27 – Parking setback line. Which section does establish the parking setback line at ten feet from the street right-of-way line without respect to the building line. Applicant requests a variance to reduce the parking setback line to zero (0) feet.

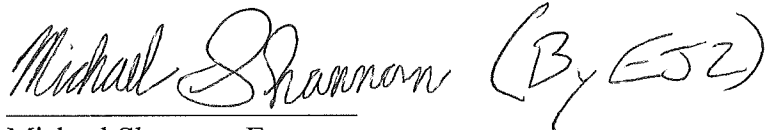
A hardship exists because the Applicant cannot develop the Site as proposed while still conforming to the underlying zoning district established by the City’s Zoning Code. Applicant’s requested use variances will not adversely affect the surrounding property or surrounding neighborhood. The requested use variances will not impair supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, nor unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Further, a practical difficulty exists because Applicant cannot develop the Site as propose while still meeting the underlying development standards established by the City's Zoning Code. Applicant's requested area variances will not seriously affect any adjoining property or the general welfare.

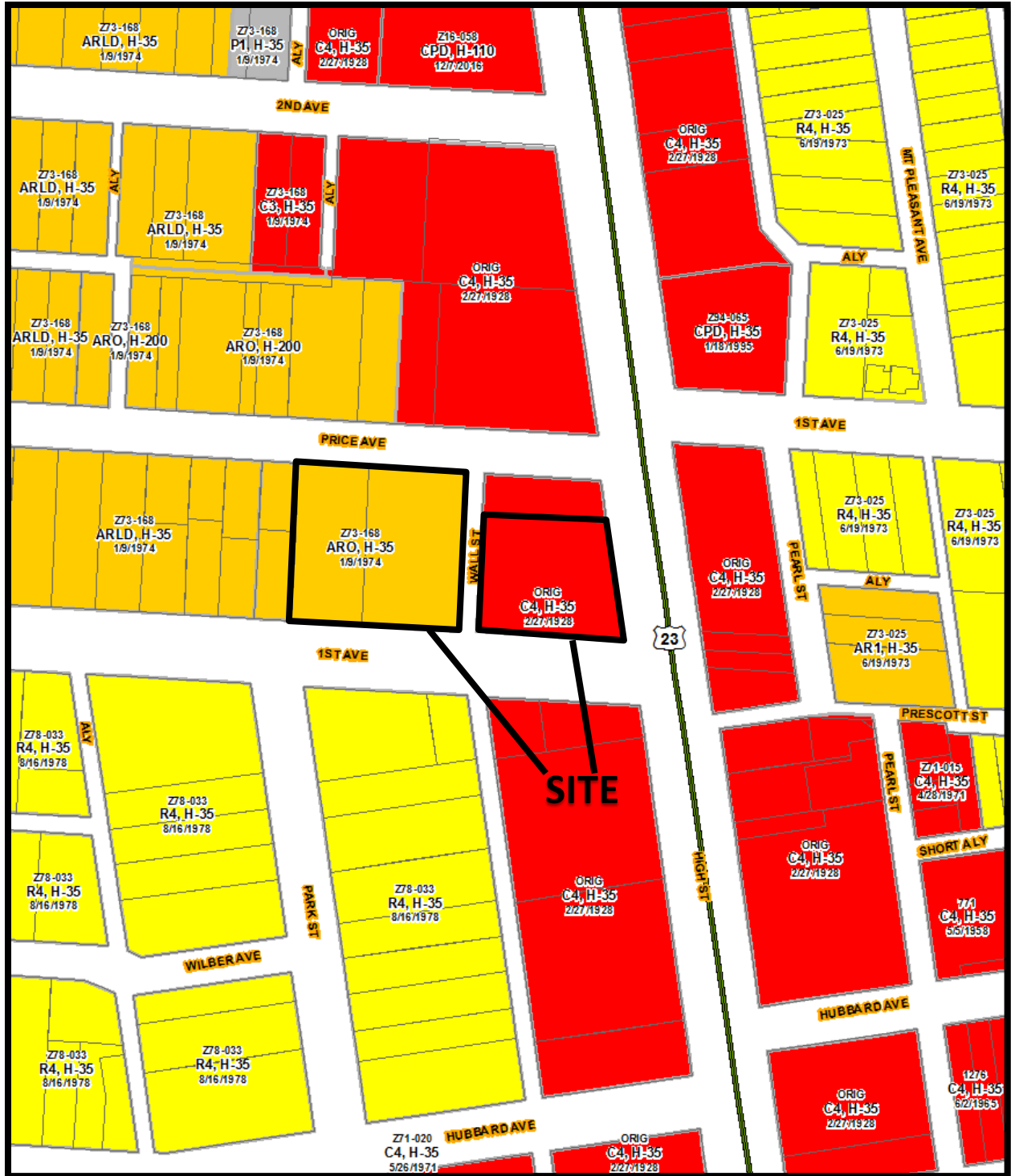
Notably, the Victorian Village Commission has voted to approve demolition of the Site, effectively approving the massing and merits of the proposed development, and to approve the requested variances. A Certificate of Appropriateness is being held at the Historic Preservation Office pending receipt and approval of final permit drawings.

For the reasons stated above, Applicant respectfully requests approval of the requested variances.

Respectfully submitted,

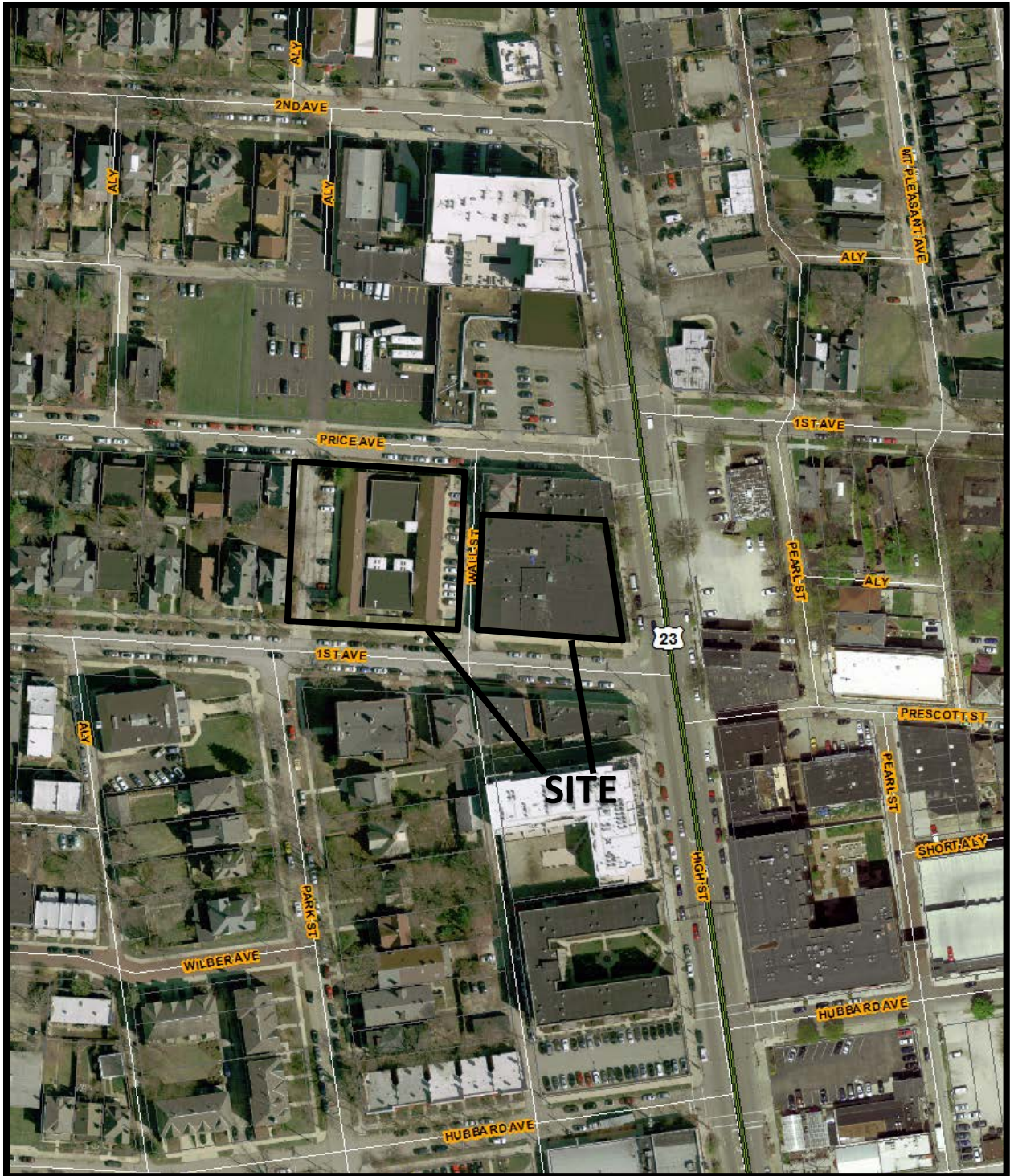
 (By E52)

Michael Shannon, Esq.



CV17-035  
873 North High Street  
Approximately 1.25 acres





CV17-035  
873 North High Street  
Approximately 1.25 acres

COPY

DEPARTMENT OF  
DEVELOPMENT

**HISTORIC DISTRICT COMMISSION  
RECOMMENDATION**

**VICTORIAN VILLAGE COMMISSION**

*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 (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 873 North High Street & 40 West First Avenue  
**APPLICANT'S NAME:** Pizzuti Companies c/o Michael Shannon, Esq. (Applicant)  
Meccs Store, LLC & BSSJ Ventures, LLC (Owner)

**APPLICATION NO.:** 17-5-19      **COMMISSION HEARING DATE:** 5-11-17

The Victorian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119.

**Variance or Zoning Change Request**

- Rezoning
- Parking Variance
- Change of Use

- Special permit
- Setbacks
- Other

**TYPE(S) OF ACTION(S) REQUESTED:**

Recommend Variance Application #17-5-19, 873 North High Street & 40 West First Avenue, as submitted.  
Variance Request

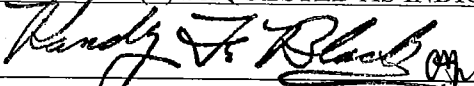
- The site of the proposed development has two zoning classifications; required variances include the following:  
AR-O:
  - C.C. 3333.04 – To allow parking within the AR-O district to serve commercial and retail uses within the C-3 and C-4 districts.
  - C.C. 3333.15(c) – To allow the building to exceed 50% of the lot area.
  - C.C. 3321.05(A)(1) – To allow 0' x 0' clear vision triangle on the West First Avenue parking garage access, a 6' x 6' clear vision triangle on the West First Avenue access to Wall Street, and a, 8' x 8' clear vision triangle on the Price Avenue access (10' vision triangle required).
  - C.C. 3333.18 – To allow a building line of 1' on Price Avenue and West First Avenue (10' minimum required).
  - C.C. 3312.29 – To allow parking spaces of 8' x 16' for compact vehicles (9' x 18' parking space required).
  - C.C. 3309.14 – To allow a building height of 71' excluding mechanicals, elevator shafts and parapets
- C-4:
  - C.C. 3309.14 – To allow a building height of 60' excluding mechanicals, elevator shafts and parapets.
  - C.C. 3321.05(A)(1) – To allow 4' x 4' clear vision triangle on the Price Avenue access to Wall Street
  - C.C. 3312.29 – To allow parking spaces of 8' x 16' for compact vehicles (9' x 18' parking space required).
  - C.C. 3356.11(A)(4) – To allow a building line of 1' on Price Avenue and West First Avenue (10' minimum required).

MOTION: Decker/Hissem (6-0-0) RECOMMENDED.

**RECOMMENDATION:**

- RECOMMEND APPROVAL       RECOMMEND DENIAL       NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

  
\_\_\_\_\_  
Randy F. Black  
Historic Preservation Officer





**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 # CV17-035

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman  
of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, Columbus, Ohio 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 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. Pizzuti Companies c/o Dan Gore 629 North High Street, Suite 500 Columbus, Ohio 43215	2.
3. 614-280-4009	4.

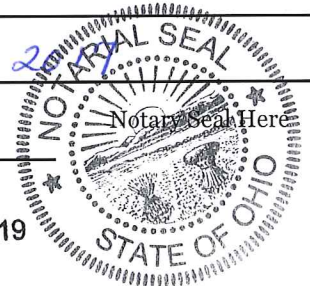
Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT *Eric Zartman*

Sworn to before me and signed in my presence this 24th day of April, in the year 2017

*Carol A Stewart*  
SIGNATURE OF NOTARY PUBLIC

My Commission Expires  
**CAROL A STEWART**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/28/2019



**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**