

E.P. FERRIS & ASSOCIATES, INC.

E.P. FERRIS & ASSOCIATES, INC.
 880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 298-2889 (FAX)
 WWW.EPFERRIS.COM

CITY OF COLUMBUS, OHIO
88 E. NINTH AVE
 88 E. NINTH AVENUE

DATE: 02/19/21
 DESIGNED BY: CMH
 CHECKED BY: CMH
 APPROVED BY: CMH

ZONING SITE PLAN
 CV20-101

SCALE: 1" = 20'
 SHEET NO. 1 OF 1

Final Site Plan Received 2/19/2021 CV20-101

Drawn By: *David R. Perry* Date: *2/19/2021*
 Checked By: *David R. Perry* Date: *2/19/2021*
 Approved By: *David R. Perry* Date: *2/19/2021*

* MIN. PARKING (3325.907/8) = (174.315 S.F. - (143 X 300) / 300) X 0.66 = 434

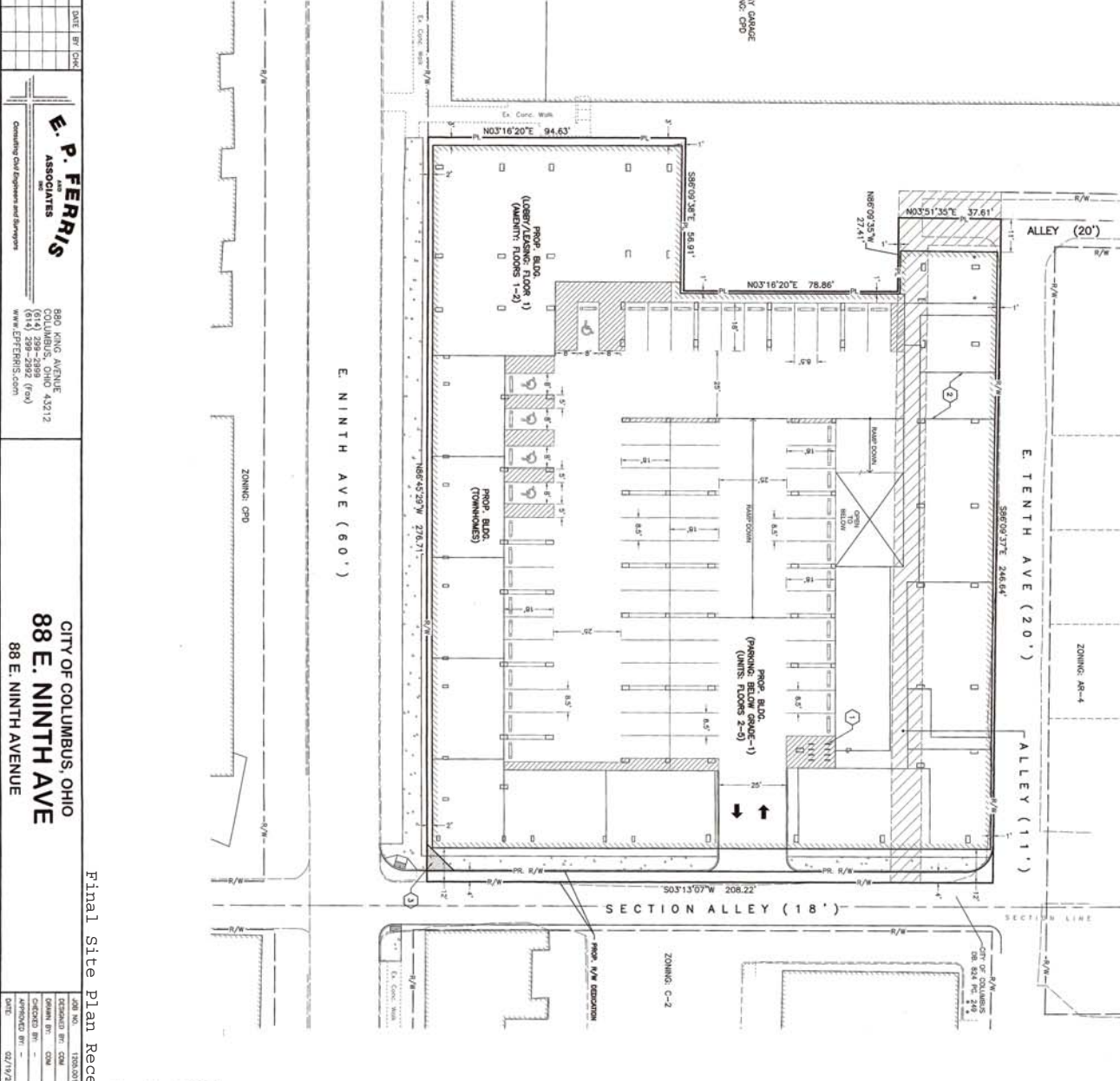
PARKING CALCULATION (SECTION 3325.907)			
USE	AREA/ACRE	ZONING REQUIREMENT	REQUIRED
RESIDENTIAL	143 UNITS	3325.907/8	AS CALCULATED
TOTAL REQUIRED PARKING			434
PROPOSED PARKING			434
PROPOSED ADA PARKING			5 TOTAL, 1 VAN
PROPOSED BIKE PARKING			5 TOTAL, 1 VAN
PROPOSED BICYCLE PARKING			5

GENERAL ZONING INFORMATION	
PARCEL ADDRESS	74 E. NINTH AVE. 75 E. NINTH AVE. 80-82 E. NINTH AVE. 84 E. NINTH AVE. 86-90 E. NINTH AVE. 92 E. NINTH AVE. 94 E. NINTH AVE. 96-100 E. NINTH AVE. 102-110 E. NINTH AVE.
PARCEL NUMBER	010-020000, 010-040000, 010-050000, 010-060000, 010-070000, 010-080000, 010-090000, 010-100000, 010-110000, 010-120000, 010-130000, 010-140000, 010-150000, 010-160000, 010-170000, 010-180000, 010-190000, 010-200000, 010-210000, 010-220000, 010-230000, 010-240000, 010-250000, 010-260000, 010-270000, 010-280000, 010-290000, 010-300000, 010-310000, 010-320000, 010-330000, 010-340000, 010-350000, 010-360000, 010-370000, 010-380000, 010-390000, 010-400000, 010-410000, 010-420000, 010-430000, 010-440000, 010-450000, 010-460000, 010-470000, 010-480000, 010-490000, 010-500000, 010-510000, 010-520000, 010-530000, 010-540000, 010-550000, 010-560000, 010-570000, 010-580000, 010-590000, 010-600000, 010-610000, 010-620000, 010-630000, 010-640000, 010-650000, 010-660000, 010-670000, 010-680000, 010-690000, 010-700000, 010-710000, 010-720000, 010-730000, 010-740000, 010-750000, 010-760000, 010-770000, 010-780000, 010-790000, 010-800000, 010-810000, 010-820000, 010-830000, 010-840000, 010-850000, 010-860000, 010-870000, 010-880000, 010-890000, 010-900000, 010-910000, 010-920000, 010-930000, 010-940000, 010-950000, 010-960000, 010-970000, 010-980000, 010-990000, 010-1000000
EXISTING ZONING CLASSIFICATION	CPD (201-001) R4 (273-106)
PROPOSED ZONING	AR-1, APARTMENT RESIDENTIAL (220-080/200-101)
HEIGHT RESTRICTION	10-15 (CPD) 11-35 (AR)
PROPOSED HEIGHT RESTRICTION	10-15
BLANKET HEIGHT	60 (MINIMUM) ELEVATION SHALT 65' MINUS 4' 33.3 (WITHOUT) (CALCULATED S.F.) (3325.913)
BLANKET SETBACK (FEET)	AS NOTED
MAXIMUM LOT COVERAGE (3325.905)	92%
FLOOD ZONE	X
FLOOD INSURANCE RATE MAP NUMBER (FIRM)	200400020V (6.17.2008)

SITE DATA TABLE		
DESCRIPTION	QUANTITY	UNIT
LOT AREA	1,320 (62,389 S.F.)	AC.
LOT WIDTH (MAX)	278.71	FT.
NO. OF BUILDING UNITS	143	0.14
LOT AREA PER BUILDING UNIT	9.24	SQ.

- CODED NOTES**
- 1. EXISTING LOT AREA 1,320 (62,389 S.F.)
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Council Variance Application

111 North Front Street, Columbus, Ohio 43215

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

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

CV20-101

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 Exhibit B

Signature of Applicant

Parallel Company
by David B. Perry, Agent

Date

9-22-2020

Signature of Attorney

Donald Plank

Date

9/22/2020

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

Exhibit B

Statement of Hardship

CV20-101

88 E 9th Avenue, Columbus, OH 43201

The 1.2 +/- acre development site is located on the north side of E. Ninth Avenue, 500 +/- feet east of N. High Street and adjacent to the Gateway parking garage. The site extends east to Section Alley and encompasses the block from E. 9th Avenue to E 10th Avenue. The site is zoned CPD, Commercial Planned Development and R-4, Residential. The abutting property is zoned CPD, Commercial Planned Development, AR-4, Apartment Residential District and C-2, Commercial District. The site is located in the heart of the high density off campus housing and a short distance from the commercial and high density housing on N. High Street. Applicant has a pending rezoning application (Z20-086) for the AR-3, Apartment Residential District. This variance application is submitted to run concurrently with application Z20-086 for variances related to the proposed 5 story, 143 (max.) dwelling unit apartment building with 143 space parking garage. The site is multiple tax parcels, as itemized on the Supplemental Parcel Number Exhibit included in the application. Site development is as depicted on the Site Plan titled “Zoning Site Plan – 88 E Ninth Avenue”, dated 02/19/2021. The building will have a center courtyard with pool and active space above the parking level. The interior of the building also has amenity space.

The site is unique in that it is adjacent to the Gateway Garage and large buildings to the south and west. Zoning to the south and west is CPD, Commercial Planned Development (Z03-004) from the Gateway rezoning (H-110), which also had a companion CV to permit ground level residential use in the commercial zoning. Large apartment buildings in the CPD weren’t subject to the same site development standards of the University Planning Overlay (UPO) as this site is because of the commercial zoning and because this site is proposed to be rezoned to the AR-3 district since it doesn’t have a commercial component other than an accessory leasing office. The site is a short distance from N High Street and is very much core area for student housing appropriate for the proposed building.

The University District Plan (2015) designates the site as “Higher Intensity Residential” while it abuts the “Regional Mixed Use” designation. Contrary to the “Regional Mixed Use” designation which recommends a minimum FAR rather than a maximum FAR and a substantially reduced

parking standard than the parking formula for the AR districts initially established with the 1991 University Planning Overlay (UPO), while this site and the adjacent site is comparable.

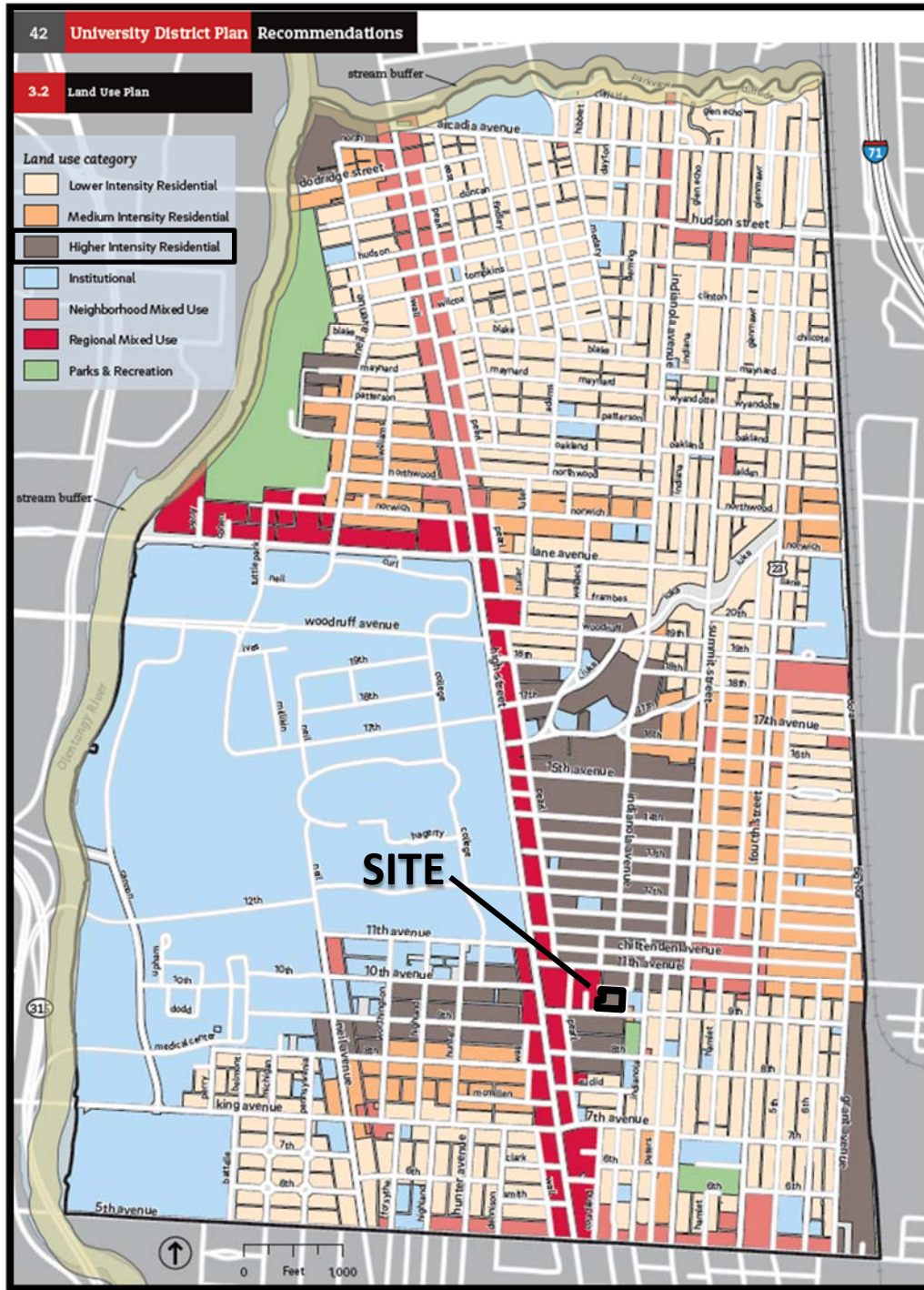
Applicant has a hardship as well as a practical difficulty with compliance with the referenced code sections in an area appropriate for dense urban development. If the site were zoned commercial with a variance for ground level commercial use, many of the code sections wouldn't be applicable. Commercial zoning extends to Section Alley on the south side of E. 9th Avenue. The proposed use is consistent with the area and the proposed variances are appropriate for the location. The requested variances will not alter the essential character of the neighborhood, will not affect the delivery of government services, and are appropriate for reasonable use of the property.

Applicant requests the following variances:

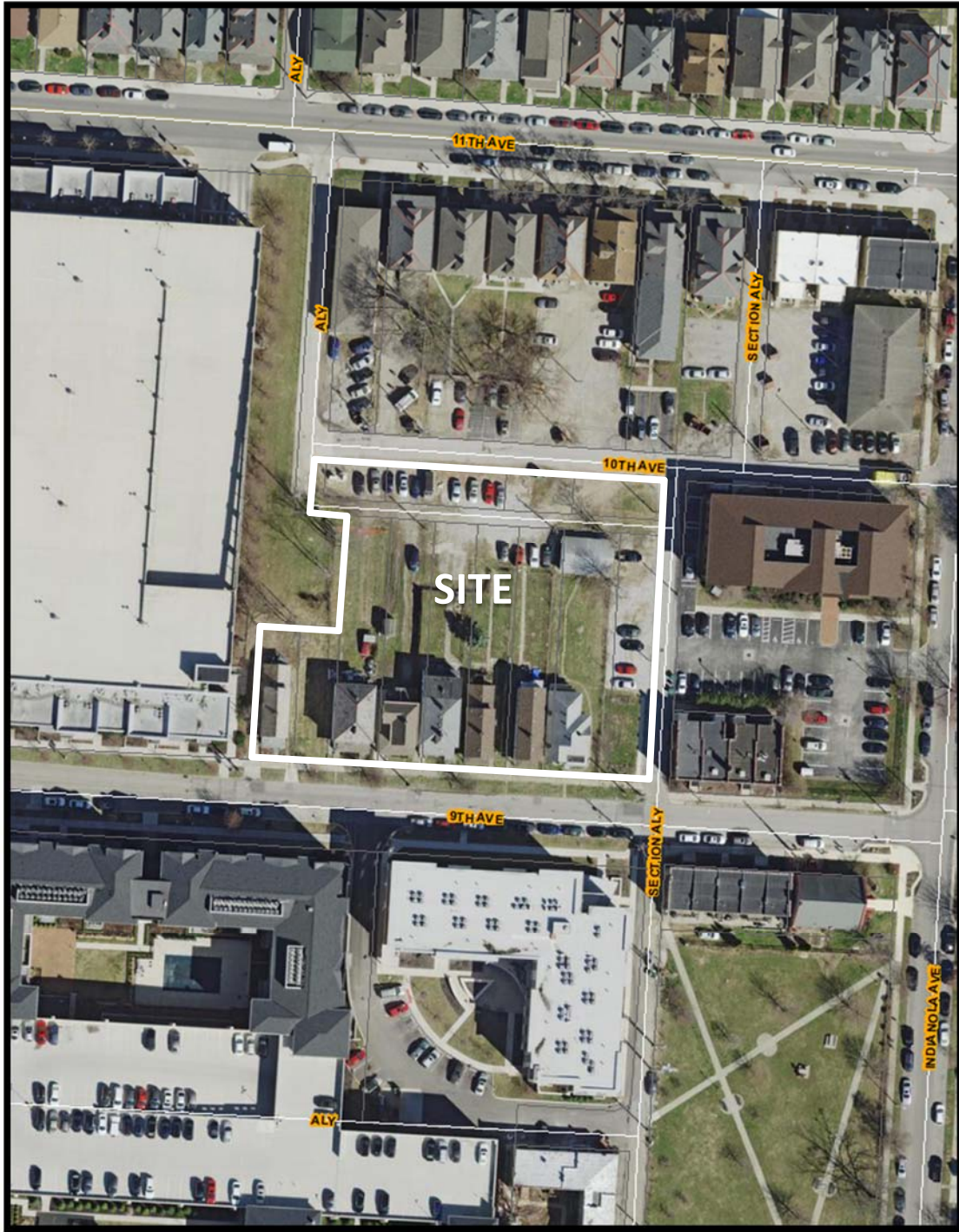
- 1) Section 3325.901(A), Density, to reduce lot area per dwelling unit from 700 SF to 366 SF.
- 2) Section 3325.903(A)(B), Landscaped Area and Treatment, to reduce landscaping area behind the most rear portion of the building from 5% of lot area to 0% and to remove existing 10" caliper trees without replacement on the parcel but street trees to be planted in the E. 9th Avenue right of way.
- 3) Section 3325.905(A)(B), Maximum Lot Coverage, to increase permitted lot coverage from 30% to 92%.
- 4) Section 3325.907, Parking, to reduce calculated parking from 434 spaces to 143 spaces.
- 5) Section 3325.909(A)(B), Building Lines, to reduce the calculated building setback line based on buildings to the east and west from 6.5 feet to 2 feet, as depicted on the Site Plan, and to reduce the minimum rear setback from 2 feet to 1 foot.
- 6) Section 3325.911(C), Building Separation and Size, to increase the maximum building size from 10,200 SF to 228,292 +/- SF (5 story).
- 7) Section 3325.913, Maximum Floor Area Ratio, to increase FAR from 0.8 to 3.33.
- 8) Section 3325.915, Height, to permit a 60 foot building height, measured to the mid-point, a 63 foot ridge height and 65 feet to the top of the elevator shaft.
- 9) Section 3321.07(B), Landscaping, to reduce tree planting from 15 to 0 on-site but street trees to be planted in the E. 9th Avenue right of way.



Z20-086
88 E. 9th Ave.
Approximately 1.20 acres
R-4 & CPD to AR-3



Z20-086
 88 E. 9th Ave.
 Approximately 1.20 acres
 R-4 & CPD to AR-3



Z20-086
88 E. 9th Ave.
Approximately 1.20 acres
R-4 & CPD to AR-3

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

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

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

Case Number: Z20-086 / CV20-101

Address: 88 E 9th Avenue

Group Name: University Area Commission

Meeting Date: December 16, 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:

Vote:

11 yes; 6 no; 1 abstain

Signature of Authorized Representative:

Brimm, W. J.

SIGNATURE

UAC ZONING CHAIR

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

Zoning/ cv case
no. **Z20-086, CV20-101**
property address **88 E. 9th Ave.**
hearing date **January 23rd, 2020**
applicant **Dave Perry, Parallel**
issue date **February 1, 2021**

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

TYPE(S) OF ACTION(S) REQUESTED:

Rezoned to AR-3

Variances to:

3325.901 (A), Density, to reduce lot area per dwelling unit from 700 sf to 366 sf.

3325.903 (A), Landscaped Area and Treatment, to reduce landscaping area behind the most rear portion of the building from 5% of lot area to 0%.

3325.905 (A)(B), Maximum lot coverage, to increase permitted lot coverage from 30% to 92% and to remove existing 10" caliper trees without replacement on the parcel (street trees to be provided).

3325.907, Parking, to reduce calculated parking from 432 to 143 spaces.

3325.909 (A)(B) Building Lines, to reduce the calculated building setback line based on building to the east and west from 6.5 feet to 2 feet, as depicted on the site plan and to reduce the minimum rear setback from 2 feet to 1 foot.

3325.911(C), Building Separation and Size, to increase the maximum building size from 10,200 sf to 228,202 +/- sf (5 story).

3325.913, Maximum Floor Area Ratio, to increase FAR from .8 to 3.33.

3325.915, Height, to permit a 60 foot building height.

3321.07 (B), Landscaping, to reduce tree planting from 15 to 0 (street trees to be provided)

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.

A handwritten signature in black ink that reads "Patrick Holland". The signature is written in a cursive, flowing style.

Patrick Holland
University Impact District Review Board, Staff

PROJECT DISCLOSURE STATEMENTApplication No.: CV20-101STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn Donald Plank of Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215 deposes and states that he is the 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:

Sliver Ltd, 34 W Ninth Avenue, Columbus, OH 43201 Number of Columbus based employees: 0 Contact: Wayne Garland, (614) 329-4412	84 E Ninth LLC, 222 E 11 th Ave, Columbus, OH 43201 Number of Columbus based employees: 0 Contact: Tom Heilman, (614) 582-9877
Hassey Michael TR (The Hassey Family Preservation Trust May 31, 2016) 5473 Worthington Forest Place E, Columbus, OH 43229 Number of Columbus based employees: 0 Contact: Jay Blazek, Attorney, (614) 554-6457	Community Housing Network, Inc. 1680 Watermark Dr, Columbus, OH 43215 Number of Columbus based employees: 93 Contact: Samantha Shuler, (614) 487-6700
Parallel Company, 506 W 7 th Avenue, Suite 1, Austin, TX 78701 Number of Columbus based employees: 0 Contact: Kristen Penrod, (512) 265-1130	<i>this space intentionally left blank</i>

SIGNATURE OF AFFIANT

Donald PlankSubscribed to me in my presence and before me this 26th day of February, in the year 2021

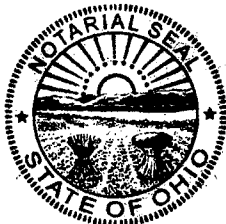
SIGNATURE OF NOTARY PUBLIC

MaryAlice Wolf

My Commission Expires: _____

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

Notary Seal Here



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires October 24, 2023