

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

OFFICE USE ONLY

Application Number: CV16-006 Date Received: 1/6/16  
Application Accepted by: Rev MM, TD Fee: \$1760  
Comments: Assigned to Shannon Pine; (614)645-2208; spine@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address (for zoning purposes only): 15 E. Lane Avenue Zip: 43215

Is this application being annexed into the City of Columbus? Select one:  YES  NO

*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*

Parcel Number for Certified Address: 010-069995 010-007581

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C-4

Area Commission or Civic Association: University Area Commission

Proposed Use or reason for Council Variance request:

To permit mixed use with development standard variances

Acreage: 1.02

**APPLICANT:**

Name: University Gateway North, LLC Phone Number: 614.621.8888 Ext.: \_\_\_\_\_

Address: 88 W. Main Street City/State: Columbus, OH Zip: 43215

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**PROPERTY OWNER(S)**  Check here if listing additional property owners on a separate page

Name: University Gateway North, LLC Phone Number: 614.621.8888 Ext.: \_\_\_\_\_

Address: 88 W. Main Street City/State: Columbus, OH Zip: 43215

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**ATTORNEY / AGENT** (Check one if applicable):  Attorney  Agent

Name: Michael J. Shannon Phone Number: 614-229-4503 Ext.: \_\_\_\_\_

Address: 500 S. Front St, Ste 1200 City/State: Columbus, Ohio Zip: 43215

Email Address: mshannon@cbjlawyers.com Fax Number: 614.229.4559

**SIGNATURES** (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE By Michael J. Shannon

PROPERTY OWNER SIGNATURE By Michael J. Shannon

ATTORNEY / AGENT SIGNATURE Michael J. Shannon

*My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.*

**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

CV16-006

PROPERTY ADDRESS: 15 East Lane Avenue, Columbus, Ohio 43201

APPLICANTS: C & V Lane & High LLC, and  
University Gateway North LLC, c/o  
Michael T. Shannon, Esq.  
CRABBE, BROWN & JAMES, LLP  
500 South Front Street, Suite 1200  
Columbus, Ohio 43215  
mshannon@cbjlawyers.com

DATE OF TEXT: December 28, 2015

The Site consists of two parcels: PID 010-069995 (hereinafter "Parcel A") and PID 010-007581 (hereinafter "Parcel B"). The Site is located on south-east corner at the intersection of East Lane Avenue and North High Street. The Site is currently classified C4 with a Height District of 35 feet. The Site is subject to the University Commercial Overlay, the University Area Commission, and the University/Impact Planning Overlay. Parcel A is currently vacant. Parcel B is currently used as commercial space and provides 40 parking spaces.

The Site's neighboring parcels are classified C2 across North Pearl Street on the east, C4 across Lane Avenue on the north, LUCRPD across North High Street on the west, and C4 on the south.

Applicant's proposed development is a mix of commercial, residential, and parking uses. The market indicates that Parcel A should support 20,000 square feet of commercial space on the first and second floors. The parking garage will rise two stories behind the existing commercial space on Parcel B and also include the basement of both Parcels A and B. The development will also provide residential uses on the third, fourth, and fifth floors of both Parcels A (above the new commercial space) and B (above the parking garage).

In the event that 20,000 square feet of commercial space is not viable on Parcel A, Applicant alternatively proposes 10,000 square feet of commercial space on the first floor and residential uses on the second floor and above. This alternative with less commercial use and more residential use would reduce the required number of parking spaces under the Columbus City Code. In either case, Parcel A requires a parking variance and Applicant will provide 151 parking spaces combined between Parcels A and B, as depicted on the Site Plan.

Applicant requests the following variances (for both Parcels A and B, unless indicated otherwise):

1. 3309.14 – Height District – The Site's Height District is 35 feet. Applicant request a variance to allow a maximum height of 70 feet.
2. 3312.51 – Loading Space – Loading space shall have minimum dimensions of not less than 12 feet in width and 50 feet in length, exclusive of any driveway, aisle, or other circulation area and shall be located on the same lot as the use they are intended to serve. Applicant requests a variance to allow minimum loading space dimensions of 12 feet in width by 18 feet in length and to allow loading space maneuvering across lot lines.

3. 3312.29 – Parking Space - A parking space shall be a rectangular area of not less than nine feet by 18 feet and limited to one vehicle stacked parking. Applicant requests a variance to allow a minimum rectangular parking area of eight feet by 18 feet. Applicant also requests a variance to allow a maximum of seven stacked vehicles.
4. 3312.25 – Maneuvering – Every parking space shall have sufficient access and maneuvering area. Applicant requests a variance to allow parking spaces to have access and maneuvering over and through other parking spaces and lot lines.
5. 3312.49 – Minimum Numbers of Parking Spaces –
  - a. A minimum of two bicycle spaces shall be provided with additional bicycle parking spaces at a rate of one bicycle parking space per 20 vehicle parking spaces up to a maximum of 20 bicycle spaces. Bicycle parking shall be located in highly visible areas. Applicant request a variance to allow bicycle parking located within the parking garage.
  - b. The parking requirement for residential uses with four or more dwelling units is 1.5 per unit. The parking requirement for eating/drinking commercial retail uses is 1 per 75 square feet. The parking requirement for mercantile commercial retail use is 1 per 250 square feet. Applicant requests a variance for Parcel A to allow a minimum of 38 parking spaces. As a mitigating factor, Parcel B will provide 113 parking spaces (an excess of 37) and will serve both parcels. The Site will provide a minimum total of 151 parking spaces.
6. 3356.03 – C-4 Permitted Uses – Ground floor residential uses are not permitted in the C-4 district. Applicant requests a variance for Parcel A to allow ground floor residential accessory uses such as: an onsite leasing office, a workout facility, or a computer station/study for exclusive use by the buildings residents.
7. 3356.05(F)(1) – C-4 District Development Limitations - Dwelling units are permitted above parking garages or parking lots only if the parking facilities are adjoining to one or more other commercial uses. Applicant requests a variance for Parcel B to allow residential uses above the proposed parking garage without adjoining commercial use.

A hardship exists in that the proposed development cannot conform to the underlying Commercial zoning district established by the City's Zoning Code. The development will appreciate and enhance the existing neighborhood and, therefore, will not adversely affect the surrounding property or surrounding neighborhood. Rather, the development will alleviate a hardship for difficulty which warrants variances from C-4 Commercial zoning classification.

Additionally, a practical difficulty exists because the Applicant cannot meet the underlying development standards required by the City's Zoning Code. Accordingly, the above development standard variances are necessary in order for the Applicant to maintain the intended mix use development project.

The requested variances will not impair an adequate 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, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

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

Respectfully submitted,



Michael T. Shannon, Esq.

Attorney for Applicant

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224  
Phone: 614-645-7433 • www.bzs.columbus.gov

**AFFIDAVIT** (See instruction sheet)

Application Number: CV16-006

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Michael J. Shannon  
of (1) MAILING ADDRESS 500 S. Front St, Ste 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 the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 15 E. Lane Ave. Columbus, OH 43215

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 1/6/2016

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) University Gateway North, LLC  
88 W. Main St.  
Columbus Ohio 43215

APPLICANT'S NAME AND PHONE #  
(same as listed on front application)

University Gateway North, LLC.  
Same

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR  
OR CONTACT PERSON AND ADDRESS

(5) University Area Commission  
Susan Keeney  
358 King Ave, Columbus, OH

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List** or the **County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

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

(8) SIGNATURE OF AFFIANT Michael J. Shannon

Sworn to before me and signed in my presence this 5th day of January, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC Carol A. Stewart

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



*This Affidavit expires six (6) months after the date of notarization.*

**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

CV16-666

Robert & Karen VanCleve  
36 E. Frambes Ave  
Columbus, Ohio 43201

C. Robert Talbott  
2104 E. Tuller Street  
Columbus, Ohio 43201

University Gateway North LLC  
88 W. Main Street  
Columbus, Ohio 43215

OSU Properties, LLC  
c/o George & Laura Kanellopoulos  
455 Ridge Drive  
Naples, FL 34108

Lane & High, LLC  
c/o 65 E. State Street  
Ste. 1000  
Columbus, Ohio 43215

Constance Corrova  
4440 N. State Route 61  
Sunbury, Ohio 43074

Omega Properties  
c/o Pella Company  
**Attn: George Bavelis**  
52 E. 15<sup>th</sup> Ave  
Columbus, Ohio 43201

Banmm, LLC  
22 E. Frambes Ave  
Columbus, Ohio 43201

Argo Properties, LLC  
c/o Pella Company  
**Attn: George Bavelis**  
52 E. 15<sup>th</sup> Ave.  
Columbus, Ohio 43201

Buckeye Real Estate  
Post Office Box 8310  
Columbus, Ohio 43201

United Dairy Farmers Inc.  
3955 Montgomery Road  
Cincinnati, Ohio 45212

C&V Lane & High LLC  
**Attn: Paula Clark**  
2015 Braemer Drive  
Columbus, Ohio 43220

The Ohio State University  
Physical Planning & Real Estate  
2003 Millikin Rd.,  
200 McCracken  
Columbus, Ohio 43210

#### **ATTORNEY**

Michael T. Shannon, Esq.  
Crabbe, Brown & James, LLP  
500 S. Front St., Ste. 1200  
Columbus, Ohio 43215

#### **APPLICANT**

University Gateway North, LLC  
88 W. Main Street  
Columbus, Ohio 43215

#### **AREA COMMISSION**

University Area Commission  
Attn: Susan Keeny  
358 King Avenue  
Columbus, Ohio 43201



# City of Columbus Zoning Plat



CV16-006

## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 010069995

Zoning Number: 15

Street Name: E LANE AVE

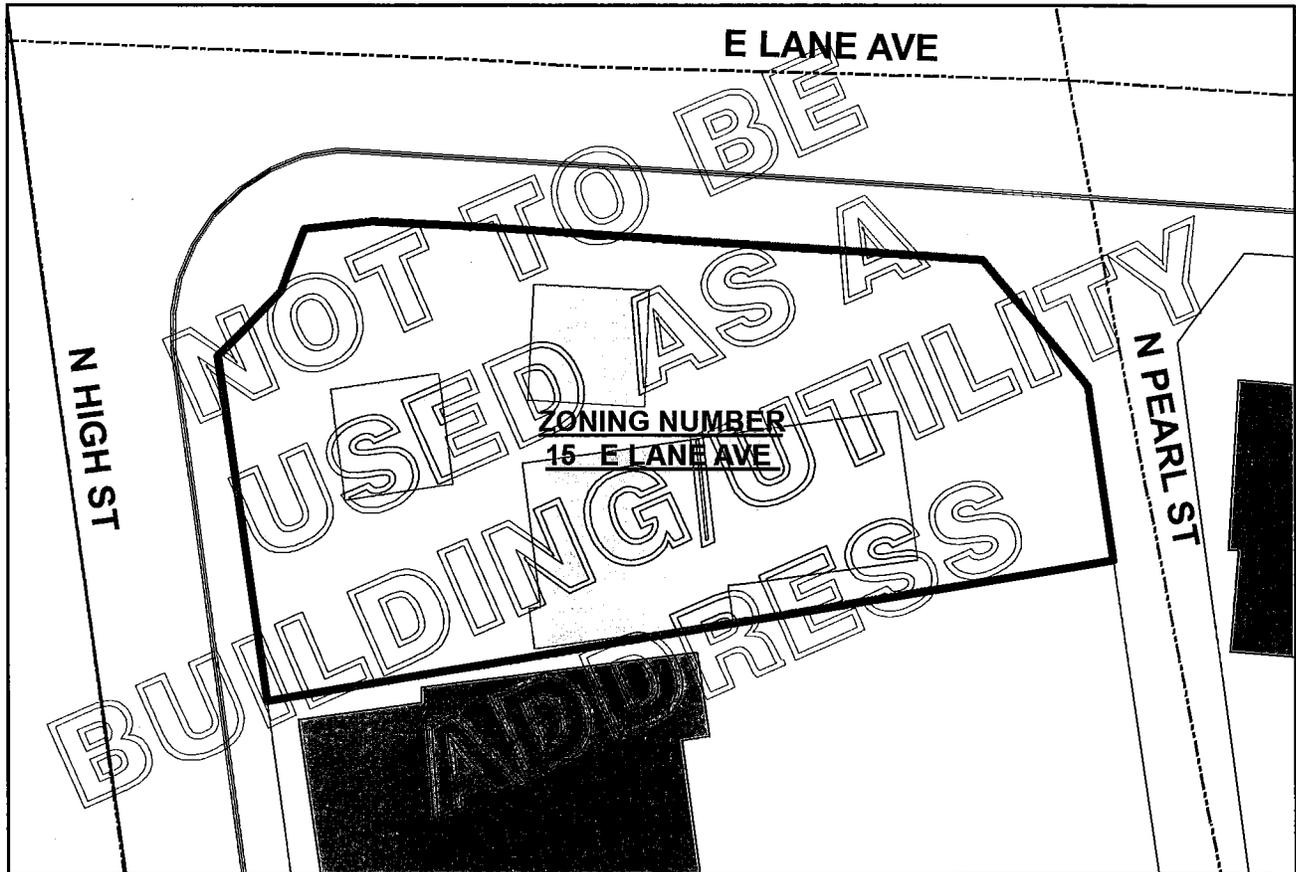
Lot Number : N/A

Subdivision: N/A

Requested By: DAVE PERRY CO., INC. (DAVE PERRY)

Issued By: *Debra Whisman*

Date: 4/30/2015



JAMES D. YOUNG, P.E., ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 32942

CV16-006

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being Lots Numbered Three (3), Four (4), Five (5) and Six (6) of T.R. Heads Waldeck Avenue Addition to the City of Columbus, Ohio as the same are numbered and delineated upon the recorded plat of said Addition, in the office of the record of Franklin County, Ohio, in Plat book 3, Page 398.

Parcel No: 010-007581

Also known as: 2016-2124 North High Street, Columbus, Ohio 43201

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being all of Lots One (1) and Two (2) of T.R. Head's WALDECK AVENUE SUBDIVISION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 398, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, township 1, Range 18, United States Military Lands, and being part of Lot 1 of T.R. Head's Waldeck Avenue Subdivision, of record in Plat Book 3, page 398, said Lot 1 being described in deeds to Marcia S. Clark and Rickard Z. Vesper, of record in ORV 2615, page H20, and ORV 2782, page 102, all records are on file in the Recorder's Office, Franklin County, Ohio all stations and offsets reference the Centerline Survey Plat of Lane Avenue prepared by MS Consultants, Inc. for the City of Columbus, said Parcel 42-WD being more particularly described as follows:

Beginning for reference at the centerline intersection of North High Street and East Lane Avenue, being at Centerline Station 89+43.41 (North High Street Centerline Station 300+00.00);

Thence South  $7^{\circ} 27' 27''$  East, along the centerline of North High Street, a distance of 62.00 feet to a point, being at North High Street Centerline Station 299+38.00;

Thence North  $82^{\circ} 32' 53''$  East. A distance of 35.85 feet to a point on the easterly line of North High Street, on the westerly line of said Lot 1, being 35.85 feet right of Station 299+38.00, and being the True Place of Beginning:

Thence North  $8^{\circ} 16' 08''$  West, along the easterly line of North High Street, the westerly line of said Lot 1, a distance of 34.58 feet to a point at the northwest corner of said Lot 1, on the southerly line of East Lane Avenue, being 23.43 feet right of Station 89+82.02:

Thence South  $86^{\circ} 17' 18''$  East, along the southerly line of East Lane Avenue, the northerly line of said Lot 1, a distance of 184.10 feet to a point at the northeast corner of said Lot 1, on the westerly line of a 20 foot wide alley, being 25.55 feet right of Station 91+67.68;

CV16-006

Thence South  $8^{\circ} 16' 08''$  East, along the easterly line of said Lot 1, the westerly line of said 20 foot wide alley, a distance of 30.10 feet to a point, being 55.00 feet right of Station 91+73.90;

Thence passing through said Lot 1 the following 6 courses:

- 1 North  $40^{\circ} 03' 12''$  West, 34.59 feet to a point, being 30.00 feet right of Station 91+50.00;
- 2 North  $86^{\circ} 20' 10''$  West, 105.93 feet to a point, being 30.00 feet right of Station 90+44.07;
- 3 North  $87^{\circ} 03' 29''$  West, 23.31 feet to a point, being 30.00 feet right of Station 90+20.00;
- 4 South  $83^{\circ} 55' 25''$  West, 14.65 feet to a point, being 32.00 feet right of Station 90+05.00;
- 5 South  $21^{\circ} 25' 46''$  West, 13.86 feet to a point, being 45.00 feet right of Station 90+00.00;
- 6 South  $44^{\circ} 15' 43''$  West, 17.46 feet to the True Place of Beginning, and containing 0.034 acre of land.

The bearings for this description are based on a bearing of North  $68^{\circ} 52' 08''$  East from Franklin County control monument "ASTRO" to control monument "LANE" and are based on the NAD83 State Plane Coordinate System, Ohio South Zone.

This description was prepared by MS Consultants, Inc. from an actual field survey (1995-1999) and existing records.

Commonly known as 15 East Lane Avenue, Columbus, Ohio

Auditor's parcel number: 010-069995

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224  
Phone: 614-645-7433 • www.bzs.columbus.gov

## 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 # CV16-006

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael J. Shannon  
of (COMPLETE ADDRESS) 500 S. Front St, Ste. 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 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

<p>1. <u>University Gateway North, LLC</u> <u>88 W. Main</u> <u>Columbus, Ohio 43215</u></p>	<p>2. <u>C &amp; V Lane &amp; High, LLC</u> <u>2015 Braemar Drive</u> <u>Columbus, OH 43220</u></p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT Michael J. Shannon

Sworn to before me and signed in my presence this 5th day of January, in the year 2016

Carola A. Stewart  
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

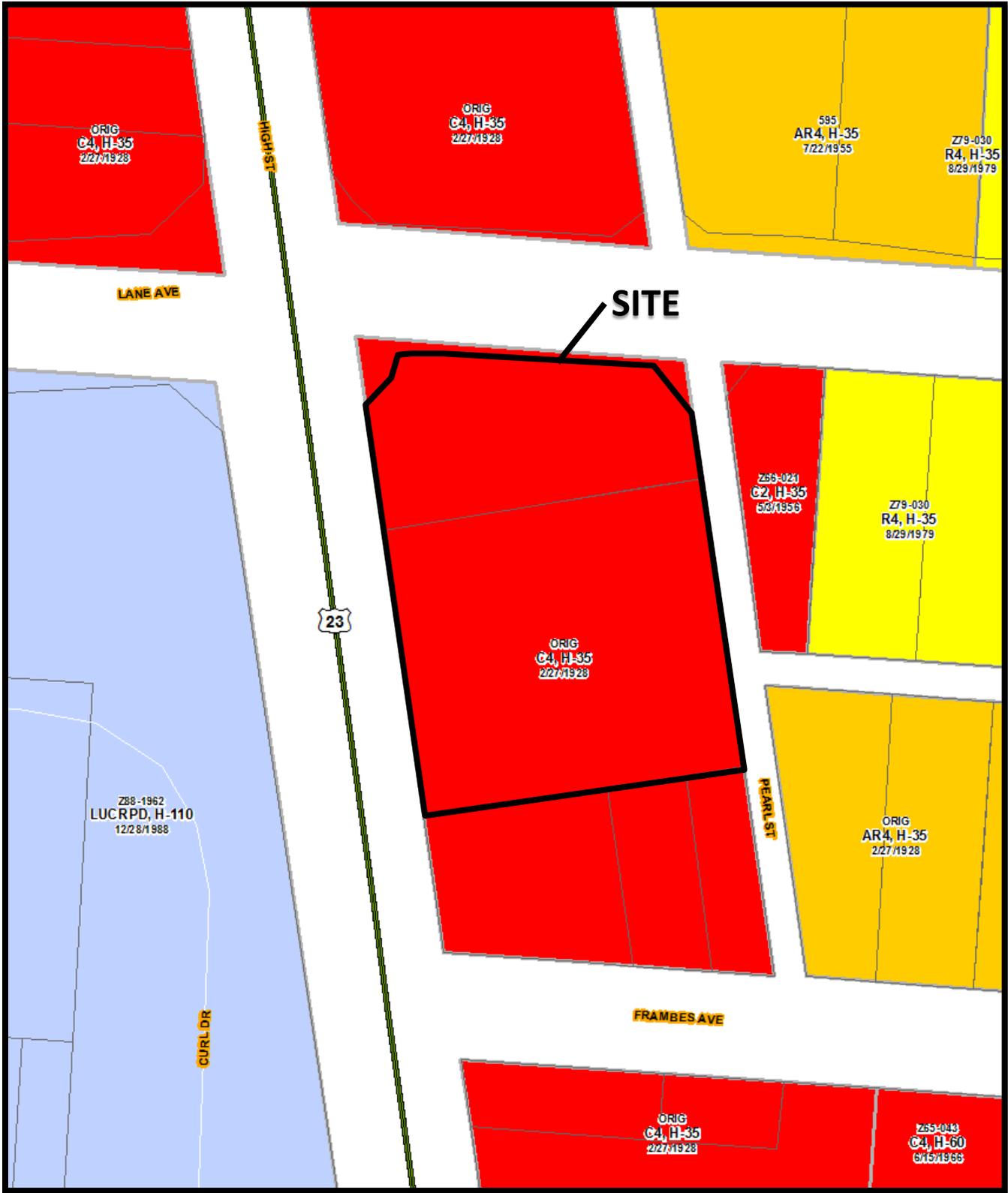
My Commission CAROLA STEWART  
**NOTARY PUBLIC, STATE OF OHIO**  
**MY COMMISSION EXPIRES 06/28/2019**



*This Project Disclosure expires six (6) months after the date of notarization.*

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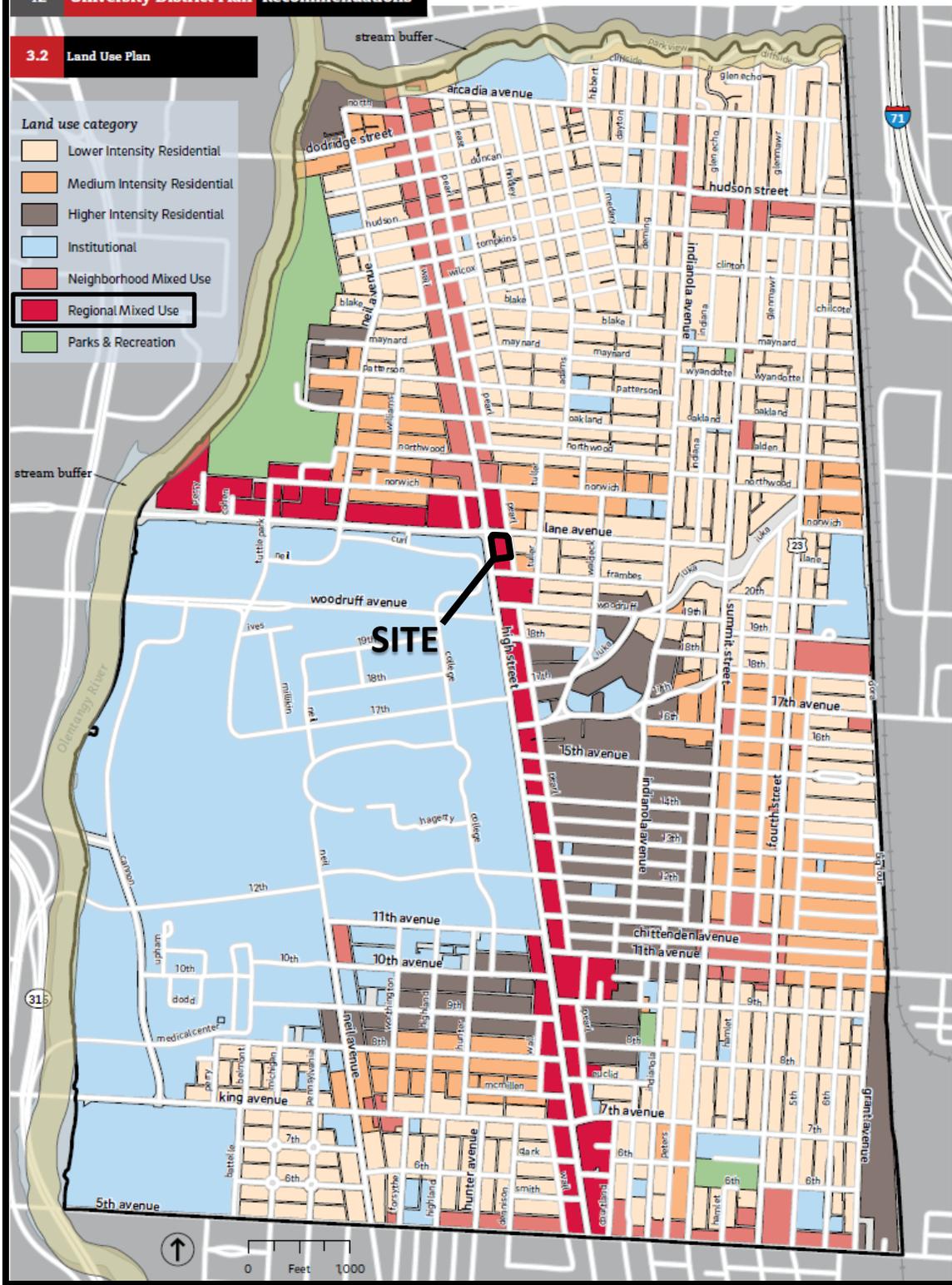




CV16-006  
15 East Lane Avenue  
Approximately 1.02 Acres

3.2 Land Use Plan

- Land use category
- Lower Intensity Residential
  - Medium Intensity Residential
  - Higher Intensity Residential
  - Institutional
  - Neighborhood Mixed Use
  - Regional Mixed Use**
  - Parks & Recreation



CV16-006  
15 East Lane Avenue  
Approximately 1.02 Acres



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15 East Lane Avenue  
Approximately 1.02 Acres