

## Council Variance Application

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

OFFICE USE ONLY

Application Number: CV15-015 Date Received: 3/25/15  
Application Accepted by: SP Fee: N/A - Fee collected under 82415-043  
Comments: Assigned to S. Pine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1398 N. High Street Zip: 43201

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: 010-064241

☐ 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 allow limited first floor accessory residential uses - residential lobby and leasing office.

Acreage: 1.15±

### APPLICANT:

Name: CA Ventures Phone Number: (312) 994-0868 Ext.: \_\_\_\_\_

Address: 161 N. Clark, Suite 4900 City/State: Chicago, IL Zip: 60601

Email Address: cjohnson@ca-ventures.com Fax Number: \_\_\_\_\_

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

Name: Annlee Investment Co. LLC Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: 1480 Dublin Road City/State: Columbus, OH Zip: 43215

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

### ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Jeffrey L. Brown Phone Number: 221-4255 Ext.: \_\_\_\_\_

Address: 37 W. Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jlbrown@smithandhale.com Fax Number: 221-4409

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

APPLICANT SIGNATURE CA Ventures By: David Hodge

PROPERTY OWNER SIGNATURE Annlee Investment Co. LLC By: David Hodge

ATTORNEY / AGENT SIGNATURE David Hodge

*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.**

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Please make checks payable to the Columbus City Treasurer

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CV15-015

### 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.

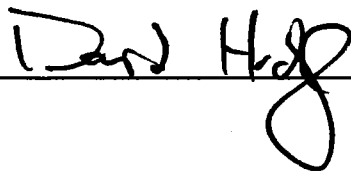
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the 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.

**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 requested as detailed below:**

Please see attached statement

Signature of Applicant



Date

3/25/15

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CVIS-015  
Statement of Hardship

1398 North High Street

The applicant, CA Ventures, proposes demolition of the existing building located along North High Street between 7<sup>th</sup> Avenue to the south and Euclid Avenue to the north for redevelopment with a mixed-use development in the C-4 district. The development will consist of first floor uses which are predominately retail, with residential accessory first floor lobby space and the office, leasing, management office for the building. Upper stories of the development are residential. This redevelopment is within the University Impact District, which controls the building architecture, and what is proposed is consistent with these regulatory guidelines as well as the newly adopted University District Plan.

Columbus City Code Section 3356.03 permits first floor commercial uses with residential uses above, though does not permit first floor residential uses. In this instance the applicant proposes limited use of the first floor as a residential lobby, and for its management, leasing, and local operational office as shown on the site plan, which use does not strictly meet the use allowance of 3356.03.

The majority of the High Street first floor frontage of the proposed building will be retail uses, starting at 7<sup>th</sup> Avenue on the south, extending northward to within approximately 58 feet of Euclid Avenue. The remaining 273 feet of frontage will be retail, which is 82%.

The applicant's proposal meets the spirit of the zoning regulation, and is necessary for the functionality of the building. This variance will not impair an adequate supply of light and 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 the inhabitants of the City of Columbus.

The facts warrant the grant of this requested variance and will accommodate the redevelopment of this property in accordance with the spirit of the University District Plan.

The applicant respectfully requests that the variance be granted.

CA Ventures

By: David H. [Signature]

Date: 3/25/15

CV15-015

List of Variances

- |                    |  |
|--------------------|--|
| Section 3356.03    | C-4 district permitted uses to allow limited use of the first floor with accessory residential uses including the lobby, management office for the development, and bicycle parking. |
| Section 3356.11    | C-4 district setback to reduce building setback from 25 feet to 5 feet along Euclid Avenue from 25 feet to 16 feet along 7 <sup>th</sup> Avenue.                                     |
| Section 3312.49    | Parking and circulation to reduce the required number of parking spaces from 282 to 149.   |
| Section 3312.53    | Minimum number of loading spaces to reduce the required number from 1 to zero  |
| Section 3309.14    | Height districts to increase the allowable height for a building from 35 feet to 70 feet   |
| Section 3356.05(F) | C-4 district development standards to permit the required adjoining uses to occupy less than the entire length of at least one property frontage.                                    |
| Section 3321.05    | Vision clearance to reduce the vision clearance at the entry points to the parking garage.   |

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**AFFIDAVIT** (See instruction sheet)

Application Number: CV15-015

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge  
of (1) MAILING ADDRESS 37 W. Broad Street, Suite 460, 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 1398 N. High Street

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3/25/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Annlee Investment Co. LLC

1480 Dublin Road  
Columbus, OH 43215

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

CA Ventures

(312) 994-0868

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

(5) University Area Commission  
c/o Susan Keeny

358 King Avenue  
Columbus, OH 43201

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

David Hodge

Sworn to before me and signed in my presence this 25<sup>th</sup> day of March, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

9/4/15  
My Commission Expires



Notary Public, State of Ohio  
My Commission Expires 09-04-2015  
*This Affidavit expires six (6) months after the date of notarization.*

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**Please make checks payable to the Columbus City Treasurer**

CV15-015

**APPLICANT**

CA Ventures  
161 N. Clark, Suite 4900  
Chicago, ILL 60601

**PROPERTY OWNER**

Annlee Investment Co., LLC  
1480 Dublin Rd.  
Columbus, OH 43215

**AREA COMMISSION**

University Area Commission  
c/o Susan Keeny  
358 King Ave.  
Columbus, OH 43201

**SURROUNDING PROPERTY OWNERS**

Seventh Avenue  
Community Baptist Church  
28 E. 7<sup>th</sup> Ave.  
Columbus, OH 43201

NWP I LLC  
2362 N. High St.  
Columbus, OH 43202

35 Euclid Ave., LLC  
70 Park Ave. W.  
Mansfield, OH 44902

Lantern Square Apts., LLC  
7086 Butterwood Dr.  
Cincinnati, OH 45241

Gateway 2000 Rentals, LLC.  
10 E. 17<sup>th</sup> Ave.  
Columbus, OH 43201

Plasma Biological Svcs., LLC.  
5700 Pleasant View Rd.  
Memphis, TN 38134

Victorian Heritage Ltd.  
407 E. Livingston Ave.  
Columbus, OH 43215

Communications Workers of America  
27 Euclid Ave.  
Columbus, OH 43201

Radar of Huron, LTD  
22 E. Gay St.  
Columbus, OH 43215

Columbus Metro Library  
96 S. Grant Ave.  
Columbus, OH 43215

Jeffrey D. & Christine Masters  
41 Euclid Ave.  
Columbus, OH 43201

John Angelo & Frank Neumann  
12 King Ave.  
Columbus, OH 43201

Topvalco Inc.  
1014 Vine St., Suite 1000  
Cincinnati, OH 45202

Lantern Square Apts., LLC  
7086 Butterwood Dr.  
Cincinnati, OH 45241

1426 High Street LLC.  
2555 34th St. NE  
Canton, OH 44705

180 Partners LLC  
PO Box 163970  
Columbus, OH 43216

## Council Variance Application

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### 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 # CV15-015

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge  
of (COMPLETE ADDRESS) 37 W. Broad Street, Suite 460, 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

1. Annlee Investment Co. LLC 1480 Dublin Road Columbus, OH 43215	2. CA Ventures 161 N. Clark, Suite 4900 Chicago, IL 60601
3.	4.

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

SIGNATURE OF AFFIANT

David Hodge

Sworn to before me and signed in my presence this 25<sup>th</sup> day of March, in the year 2015

SIGNATURE OF NOTARY PUBLIC

Natalie C. Timmons

My Commission Expires

9/4/15



Notary Seal Here  
Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

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

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# City of Columbus Zoning Plat

## 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: 010064241

Zoning Number: 1398

Street Name: N HIGH ST

Lot Number: 1THRU 7

Subdivision: MARZETTI

Requested By: BARBARA WINTER, AGENT FOR OWNER

Issued By: James R. Reagan Date: 08/30/2011





Number 1770 104328

GENERAL WARRANTY DEED\*

Instr: 199806100143400 06/10/1998  
Pages: 1 Fee: \$14.00 2:33PM  
Richard B. Metcalf T1998061961  
Franklin County Recorder BXHUMMEL B

Gay & High Holding Co., an Ohio corporation of Franklin County, Ohio for valuable consideration paid, grant(s) with general warranty covenants, to Annlee Investment Company LLC, whose tax-mailing address is

the following **REAL PROPERTY**: Situated in the State of Ohio, County of Franklin, City of Columbus, and more particularly described as follows:

Being Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of JOHN MARZETTI'S NORTH HIGH STREET ADDITION, as the same are numbered and delineated on the recorded plat of subdivision shown in Plat Book 3, Page 308 of the Franklin County Recorder's Office, together with that part of Seventh Avenue vacated by the City of Columbus by Ordinance No. 1151-66.

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, of record for said premises, subject to all of which this conveyance is made.

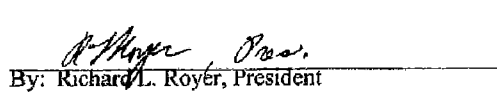
Parcel Number: 010-64241  
Address: 1398 N. High Street, Columbus, Ohio

Prior Instrument Reference: Volume 28749, Page J11 of the Official Records of Franklin County, Ohio.

Witness its hand(s) this 9<sup>th</sup> day of June, 1998

Signed and acknowledged in presence of: Gay & High Holding Co., an Ohio corporation

  
Witness

  
By: Richard L. Royer, President

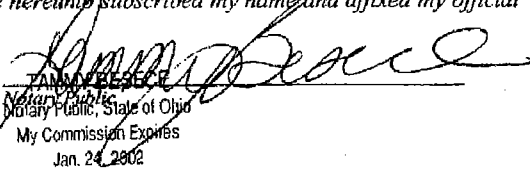
  
Witness

State of Ohio County of Franklin ss.

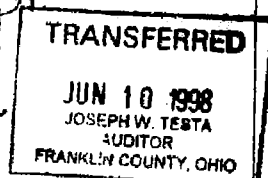
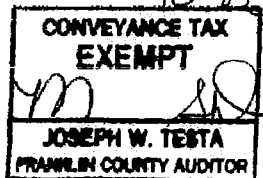
**BE IT REMEMBERED**, That on this 9<sup>th</sup> day of June, 1998, before me, the subscriber, a notary public in and for said state, personally came, Gay & High Holding Co., an Ohio corporation, by Richard L. Royer, its President, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be its/his voluntary act and deed.

**IN TESTIMONY THEREOF**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



  
TAMM REESE  
Notary Public, State of Ohio  
My Commission Expires  
Jan. 24, 2002

This instrument was prepared by Michael J. Weisz, Esq., 555 City Park Ave., Columbus, Ohio 43215  
Auditor's and Recorder's Stamps



\*See Sections 5302.05 and 5302.06 Ohio Revised Code

615-015



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DLH      DATE: 12/12/14



Disclaimer

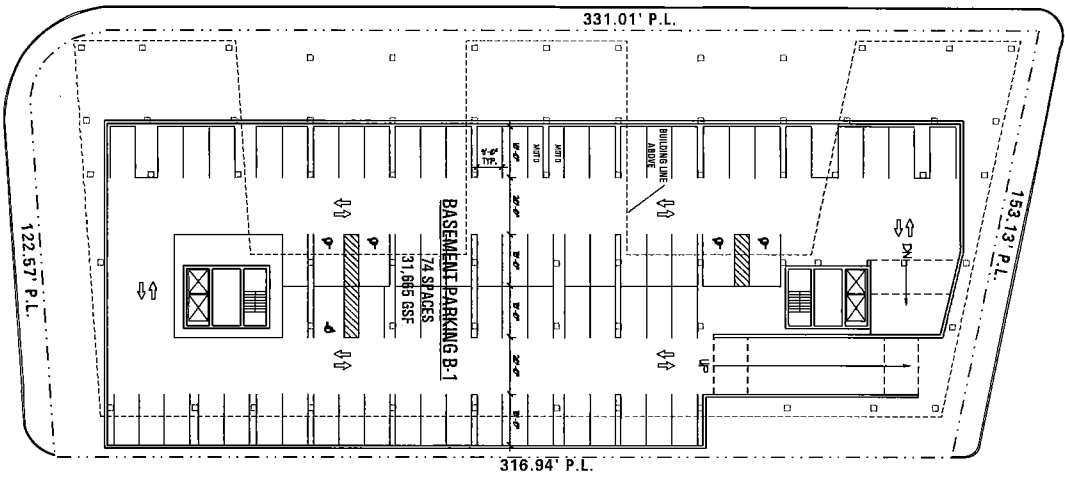
Scale = 100

Grid  
North

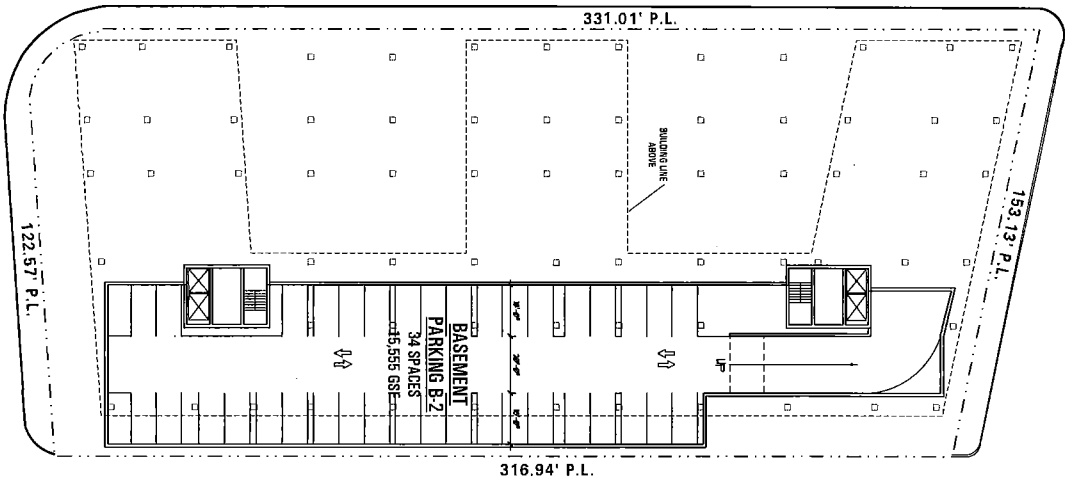
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CV15-015



1 BASEMENT PARKING B-1  
SCALE: 1" = 20'-0"



2 BASEMENT PARKING B-2  
SCALE: 1" = 20'-0"



CV15-015



1400 N. High St.  
Carmel, CA 95006

DATE	ISSUED FOR
11-20-15	ZONING APPLICATION

	DATE	ISSUED FOR
1400 N. High St. Carmel, CA 95006	01-20-15	ZONING APPLICATION

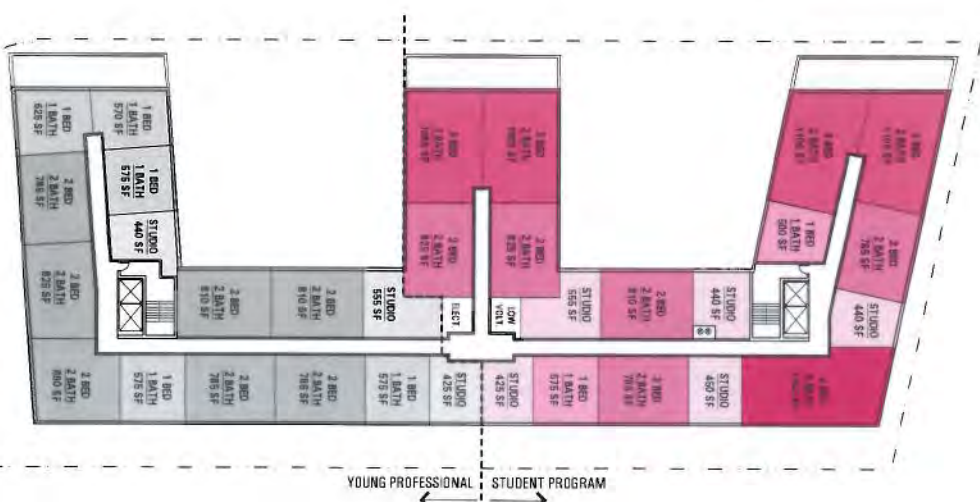
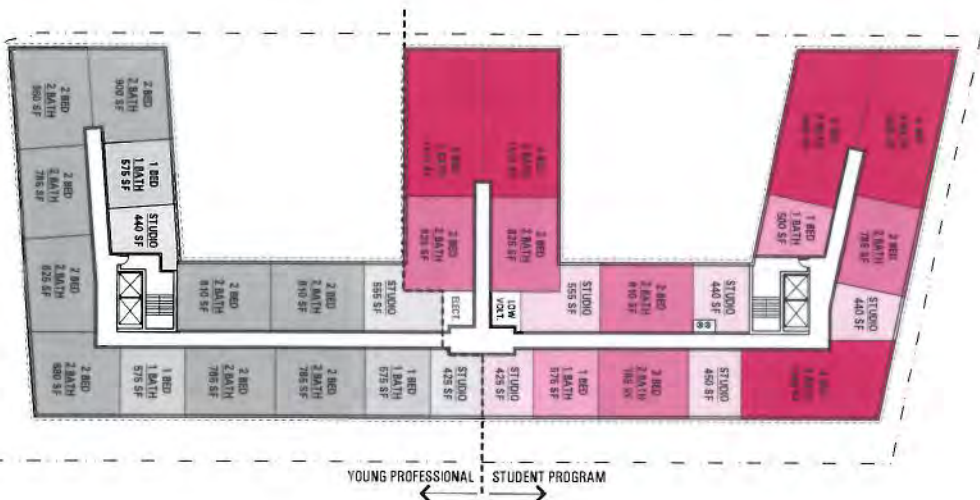
**HDA**  
HAYDA ASSOCIATES  
ARCHITECTS & PLANNERS  
3000 AVENUE 100, SUITE 200  
SAN JOSE, CA 95128  
TEL: 408.941.1000  
WWW.HAYDAASSOCIATES.COM

**BASEMENT PARKING PLANS**

**A1.0**









1 VIEW LOOKING NORTH ON HIGH STREET

W15-015

THESE PLANS WERE PREPARED BY THE ARCHITECT FOR THE PURPOSES SPECIFIED. THEY ARE NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS, WHETHER OR NOT SUCH DAMAGE OR INJURY IS CAUSED IN WHOLE OR IN PART BY NEGLIGENCE ON THE PART OF THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PERFORMANCE OF THE SERVICES AGREED TO BY THE ARCHITECT AND THE CLIENT. THE ARCHITECT'S LIABILITY DOES NOT EXTEND TO ANY OTHER MATTER. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PERFORMANCE OF THE SERVICES AGREED TO BY THE ARCHITECT AND THE CLIENT. THE ARCHITECT'S LIABILITY DOES NOT EXTEND TO ANY OTHER MATTER.



1400 N. High St.

DATE: 01/20/15  
ISSUED FOR: 2015/01/20  
DRAWN BY: J. D. H.

NO.	DESCRIPTION	DATE
1	ISSUED FOR 2015/01/20	01/20/15
2	2015/01/20	01/20/15
3	2015/01/20	01/20/15
4	2015/01/20	01/20/15
5	2015/01/20	01/20/15
6	2015/01/20	01/20/15
7	2015/01/20	01/20/15
8	2015/01/20	01/20/15
9	2015/01/20	01/20/15
10	2015/01/20	01/20/15

**HDA**  
HAROLD D. ANDERSON  
ARCHITECT  
1400 N. High St.  
Austin, TX 78701  
512.476.1234

PERPECTIVE  
A1.3





① VIEW LOOKING NORTH-EAST

CW15-015



1400 N. High St.

DATE ISSUED FOR  
01/20/15 ZONING APPLICATION

DATE	ISSUED FOR
01/20/15	ZONING APPLICATION

H2/A  
HARRIS HARRIS ARCHITECTS  
ARCHITECTS & ASSOCIATES  
HARRIS HARRIS ARCHITECTS  
HARRIS HARRIS ARCHITECTS

PROJECT: 1400 N. High St.  
DATE: 01/20/15  
SCALE: 1/8" = 1'-0"

PERSPECTIVE

A1.4



## PERSPECTIVE



12/1

[illegible]

1500 N. High St.  
Columbus, Ohio 43212

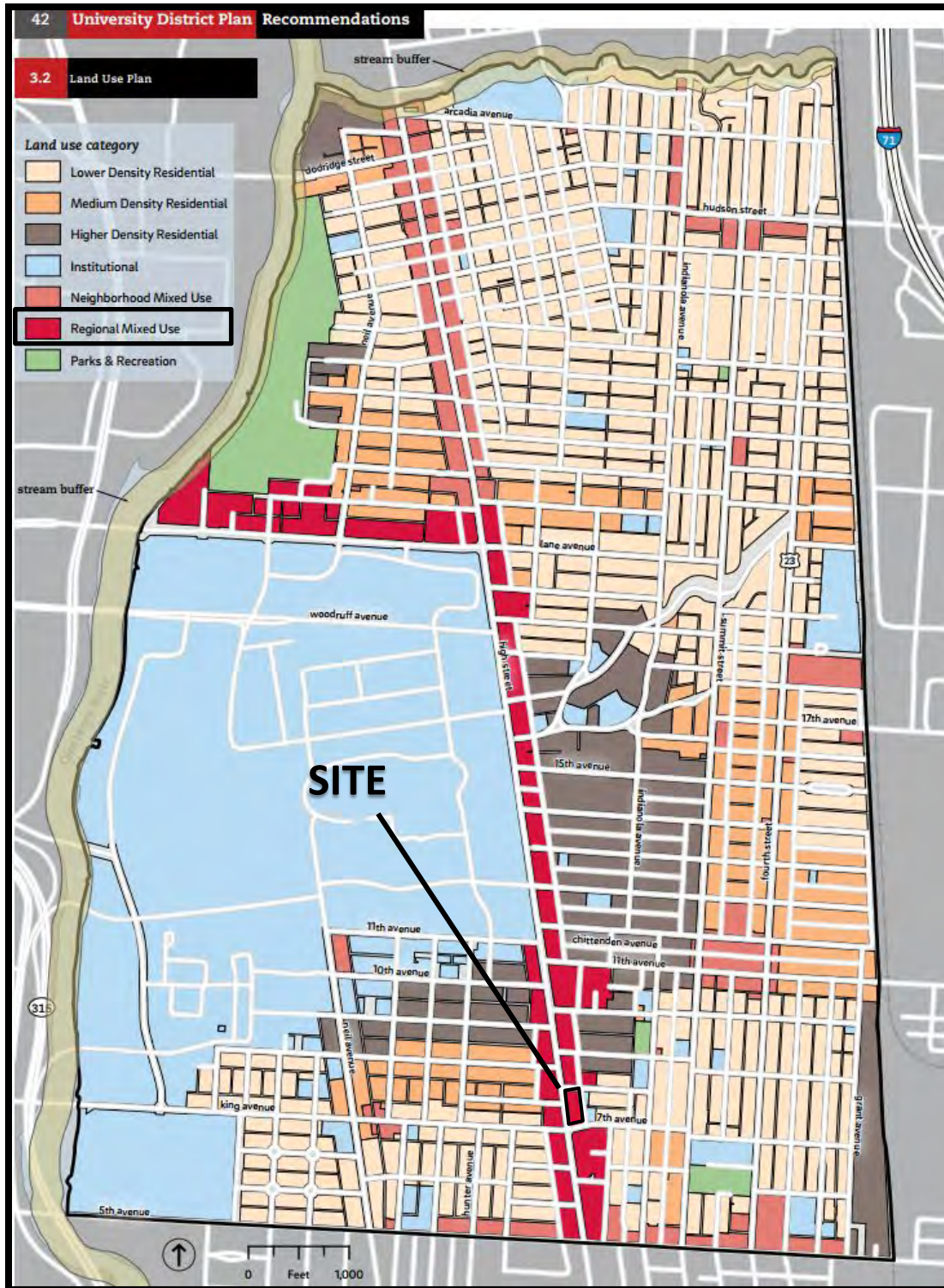
1400 N. High St.

[illegible]

CW15-015

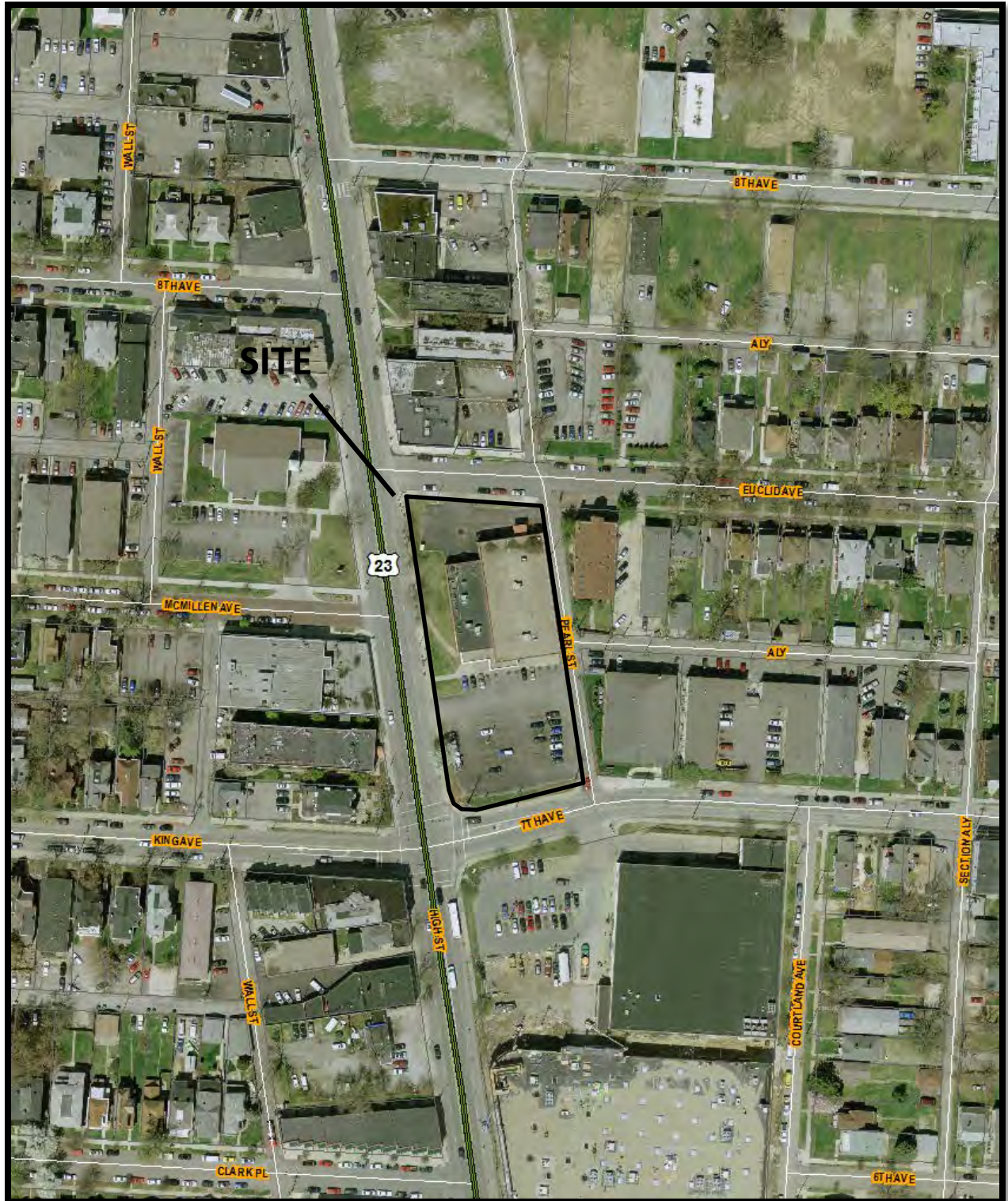






CV15-015  
1398 North High Street  
Approximately 1.15 acres





CV15-015  
1398 North High Street  
Approximately 1.15 acres