THE CITY OF COLUMBUS MICHAEL B. COLEMANI, MAYOR

DEPARTMENT OF BUILDING AND ZONING BERVICES

Council Variance Application

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

Application Number: CUIS-O	31	Date Received:	3/31/15
Application Accepted by:		Fee:	1960'
Comments: Assigned to Eliza Th	irush, ecth	rush@columbus.go	v, 614-645-134
LOCATION AND ZONING REQUEST:			
Certified Address (for zoning purposes only): <u>8886 Lyra</u>	<u>ı Drive, Columbus</u>	, OH	Zip: 43240
Is this application being annexed into the City of Columbus <i>If the site is currently pending annexation, Applica</i> <i>adoption of the annexation petition.</i> Parcel Number for Certified Address: <u>Delaware County</u> <i>Check here if listing additional parcel numbers</i>	ant must show do 7: 31843101017003	cumentation of County Co Pand part 31843101013003	mmissioner's
Current Zoning District(s): L-C-4		-	
Area Commission or Civic Association: Far North Colur	nbus Communitie	s Coalition	
Proposed Use or reason for Councial Variance request: See Exhibit B			
Acreage:			
APPLICANT: Name: <u>VanTrust Real Estate, LLC c/o Donald Plank, Plan</u> Address: <u>145 E. Rich Street, FL 3</u>		Number: <u>(614) 947-8600</u> ate: <u>Columbus, OH</u>	
Email Address: <u>dplank@planklaw.com</u>		Fax Number: <u>(614) 228-</u>	1790
PROPERTY OWNER(S) X Check here if listing ad	ditional property of	uners on a senarate nage	
Name: Polaris 8900, LLC c/o Donald Plank, Plank La			Ext.:
Address: <u>145 E. Rich Street, FL 3</u>	City/St	ate: <u>Columbus, OH</u>	Zip: <u>43215</u>
Email Address: <u>dplank@planklaw.com</u>		Fax Number: <u>(614) 228-</u>	1790
ATTORNEY / AGENT (Check one if applicable): X Att	torney 🗌 Agent		
Name: Donald Plank, Plank Law Firm	Phone	Number: (614) 947-8600	Ext.:
Address: 145 E. Rich Street, FL 3	City/St	ate: <u>Columbus, OH</u>	Zip: <u>43215</u>
Email Address: <u>dplank@planklaw.com</u>		Fax Number: <u>(614) 228-</u>	1790
SIGNATURES (All signatures must be provided and signe	d in blue nk)	/ //	
APPLICANT SIGNATURE	1 Cant	- altanel	/
PROPERTY OWNER SIGNATURE	el / C	ento alta	ener
(ATTORNEY) AGENT SIGNATURE	nala	1 Cardi	
My signature attests to the fact that the attached application pack City staff review of this application is dependent upon the accurac provided by me/my firm/etc. may delay the review of this applica	y of the information p	curate to the best of my knowledg ovided and that any inaccurate o	e. I understand that the r inadequate information

CV15-<u>V</u> 8886 Lyra Drive, Columbus, OH 43240

SUPPLEMENTAL PROPERTY OWNER LIST

1). Polaris 8900, LLC 8800 Lyra Drive, Suite 550 Columbus, OH 43240

2). Polaris AL, LLC 8800 Lyra Drive, Suite 550 Columbus, OH 43240

03/29/2015



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DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

CV15-021

- **A.** Permit a variance in the yard, height, or parking requirements of any district only in conjuction 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:

See Exhibit B	
	NORMAL
	19-9-14-1
nature of Applicant Inula Cank	
	Date <u></u>

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

CV15-<u>D</u>2-

8886 Lyra Drive, Columbus, OH 43240

The development site consists of 21.96 +/- acres generally located at the southeast quadrant of Lyra Drive and Gemini Place. The site is zoned L-C-4, Limited Commercial (Z91-018C, H-110). Applicant's development concept for the site includes a broad range of commercial uses, including retail, office, hotel and restaurant uses, all as permitted under the current L-C-4 zoning, and, additionally, residential use. Applicant proposes two apartment buildings, including ground level dwelling units. The C-4 district permits dwelling units when located over a ground level commercial use, but not ground level dwelling units per se. Applicant also proposes two (2) parking structures totaling over 1,000 parking spaces, in addition to surface parking. The first phase of site development will be on the north end of the site adjacent to Gemini Place and proceed south. A multi-year build-out is expected. Lot splits will be necessary for construction phases, individual buildings and the parking structures. It is not anticipated that parcels for construction phases and/or individual building sites will individually comply with certain development standards, but, for example, parking spaces or aisles divided by property lines will comply in overall dimensions across property lines. A reduction in total overall required parking, for the sum of the uses, is also requested. Applicant's proposed range of uses provide a synergy with applicable parking demand. The submitted site plans are concept plans representative of the concept development, but aren't specifically binding on site development due to the anticipated extended development of the site, all commercial uses are permitted under existing zoning and specific building configurations may change as more detailed design work is completed for each building. No variance is requested to perimeter (Lyra Drive, Gemini Place, I-71) building or parking setbacks.

Variances are requested as follows:

- 1) 3356.03, C-4, Permitted Uses, to permit ground level residential use for two (2) apartment buildings.
- 2) 3312.09, Aisle, to permit aisles to be divided by property lines, subject to applicable total code required aisle width being provided.
- 3) 3312.13, Driveway, to permit driveways to be divided by property lines, subject to applicable total code required driveway width being provided.
- 3312.25, Maneuvering, to permit maneuvering areas to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces, but not for loading spaces (See #7).

1 of 2, CV15-02, 8886 Lyra Drive, Statement of Hardship, 03/30/2015

- 5) 3312.29, Parking Space, to permit parking spaces to be divided by property lines, subject to applicable total code required parking space dimensions being provided.
- 6) 3312.49, Minimum Numbers of Parking Spaces Required, to reduce total code required parking for the site by 15% and to reduce on-site parking for individual buildings to zero (0), with all buildings being part of the overall development and having access to the parking structures and surface parking off-site of individual parcels.
- 7) 3312.51, Loading Space, to not provide any loading space meeting the dimensions of this section (12'x15'x50' plus applicable code required maneuvering area), while service areas as needed will be designed for each building.
- 8) 3321.01,Dumpster Area, to permit maneuvering area for access to dumpsters, compactors and refuse areas inside buildings to be divided by property lines, subject to applicable total area being provided.

Applicant has a hardship and practical difficulty with compliance with the referenced code sections. Many variances have been granted for ground level residential use in the C-4 district and a similar ground level residential use is permitted as an "extended stay hotel". The requested standards variances a due to the need on a development of this size to divide phases and/or individual buildings for construction and financing purposes while meeting the intent of the code. Centralized parking with parking structures prevents provision of on-site parking completely on-site of individual buildings/uses.

03-29-2015

2 of 2, CV15-<u>D2</u>, 8886 Lyra Drive, Statement of Hardship, 03/30/2015



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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

AFFIDAVIT (See instruction sheet)	Application Number: CVIS -D2
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (1) NAME	nald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145	E. Rich Street, FL 3, Columbus, OH 43215
deposes and states that (he/she) is the applicant, agen	t, 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 r	ecord of the property located at
(2) per ADDRESS CARD FOR PROPERTY 8886	Lyra Drive, Columbus, OH 43240
for which application for a rezoning, variance, special	permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3) 3/3/	115
(THIS LIT)	VE TO BE FILLED OUT BY CITY STAFF)
SUBJECT PROPERTY OWNERS NAME	(4) Polaris 8900; LLC c/o Donald Plank
AND MAILING ADDRESS	Plank Law Firm
See Supplemental Property Owner List	145 E. Rich Street, FL 3
	Columbus, OH 43215
APPLICANT'S NAME AND PHONE #	<u>VanTrust Real Estate, LLC c/o Donald Plank</u>
(same as listed on front application)	(614) 947-8600
AREA COMMISSION OR CIVIC GROUP	(5) <u>Far North Columbus Communities Coalition</u>
AREA COMMISSION ZONING CHAIR	<u></u>
OR CONTACT PERSON AND ADDRESS	7984 Brookpoint Place
	Westerville, OH 43081

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)

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

See Exhibit A	
(8) SIGNATURE OF AFFIANT / Malel	Cant
•	
Sworn to before me and signed in my presence this $\underline{30eb}$ day of	\mathcal{D} \mathcal{D} , in the year \mathcal{Q} \mathcal{G} \mathcal{D}
Babara Q. Prenter	AUGUST 3, 2015
(8) SIGNATURE OF M TARY PUBLIC	My Commission Expires
BARBARA A. PAINTER	
Notary Seal Here	$\partial \mathcal{L}$
My Commission Expires <u>ADGUST</u> 3, 2	
Minis Affidavit expires six (6) month	s 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 CV15-<u>D</u> 8886 Lyra Drive, Columbus, OH 43240

SUPPLEMENTAL PROPERTY OWNER LIST

- 1). Polaris 8900, LLC 8800 Lyra Drive, Suite 550 Columbus, OH 43240
- 2). Polaris AL, LLC 8800 Lyra Drive, Suite 550 Columbus, OH 43240

03/29/2015

EXHIBIT A, Public Notice 8886 Lyra Drive CV15-<u>02</u> March 25, 2015

APPLICANT

VanTrust Real Estate, LLC c/o Donald Plank, Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

PROPERTY OWNER

Polaris 8900, LLC c/o Donald Plank, Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

Polaris AL, LLC c/o Donald Plank, Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

ATTORNEY FOR APPLICANT

Donald Plank, Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

COMMUNITY GROUP

FNCCC c/o Mr. Jim Palmisano 7984 Brookpoint Place Westerville, OH 43081

PROPERTY OWNERS WITHIN 125 FEET

Cabelas Wholesale Inc. Attn: Jeff Ellwanger 1 Cabela Dr. Sidney, NE 69160

8800 Lyra LLC 8800 Lyra Dr., Ste. 550 Columbus, OH 43240

David B. Perry David Perry Company, Inc. 145 E Rich Street, FL 3 Columbus, OH 43215

Mark Daniels, AlA M + A Architects 775 Yard Street, Suite 325 Columbus, OH 43212 NP Limited Partnership 8800 Lyra Dr., Ste. 550 Columbus, OH 43240

ALSO NOTIFY:

Raif Webster VanTrust Real Estate, LLC 775 Yard St., Ste. 300 Columbus, OH 43212

Andy Weeks VanTrust Real Estate, LLC 775 Yard St., Ste. 300 Columbus, OH 43212

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Polaris Courtyard, LLC 8800 Lyra Dr., Ste. 550 Columbus, OH 43240

Mr. Franz Geiger NP Limited 8800 Lyra Drive, Suite 550 Columbus, OH 43240

Jennifer Knittle, PE The Kleingers Group 350 Worthington Road, Suite B Westerville, Ohio 43082

8886 Lyra Drive CV15-<u>0</u> Exhibit A, Public Notice Page 1 of 1, 3/25/15



GEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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 # CV 15-00

STATE OF OHIO COUNTY OF FRANKLIN

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.	Polaris 8900, LLC	^{2.} Polaris AL, LLC
	8800 Lyra Drive, Suite 550	8800 Lyra Drive, Suite 550
	Columbus, OH 43240	Columbus, OH 43240
	# Columbus based employees: 0	# Columbus based employees: 0
	Contact: Franz Geiger (614) 841-1000	Contact: Franz Geiger (614) 841-1000
3.	VanTrust Real Estate, LLC	4.
3.	775 Yard Street, Suite 300	4.
3.	775 Yard Street, Suite 300 Columbus, OH 43212	4.
3.	775 Yard Street, Suite 300	4.

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

SIGNATURE OF AFFIANT

Maria Sworn to before me and signed in my presence this <u>30tm</u> day of , in the year

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here

14

BARBARA A. PAINTER Notary Public, State of Ohio My Commission Expires (AUXUSE), 2015

This Project Disclosure 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

CV15-<u>D²</u> 8886 Lyra Drive Legal Description

21.196 ACRE TRACT

Situated in the City of Columbus, County of Delaware, State of Ohio; also being a part of Farm Lots 13 and 14, Quarter-Township 4, Township 3, Range 18, United States Military Lands; also being a 12.089 acre tract, the remainder of a 13.460 acre tract as conveyed to 8900, LLC as described in Official Record 1234 Page 2543, and 7.687 acre tract, the remainder of a 9.095 acre tract as conveyed to Polaris 8900, LLC as described in Official Record 861 Page 470, and a 1.420 acre portion of a 2.776 acre tract as conveyed to Polaris AL, LLC as described in Official Record 1243 Page 592; being more particularly described as follows:

Commencing at the intersection of the centerline of Lyra Drive (right-of-way varies) and the centerline of Gemini Place (right-of-way varies); thence,

Along the centerline of Lyra Drive, South 03° 19' 09" West, for a distance of 84.70' to a point; thence,

Along a line perpendicular to the centerline of Lyra Drive, **South 86° 40' 51" East, for a distance of 72.00'** to an iron pin set, said point being along the easterly right-of-way line of Lyra Drive at a point of curvature, said point also being a northwesterly corner of said 12.089 acre tract, said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the easterly right-of-way line of Lyra Drive, also being along a northwesterly line of said 12.089 acre tract, following a curve to the right having a *radius of 30.00', an arc length of* 42.11', a central angle of 80° 25' 10" and a chord that bears North 43° 31' 44" East for a distance of 38.74' to a 1" iron pipe found; thence the following four courses along southerly right-of-way lines of Gemini Place, also being along northerly lines of said 12.089 acre tract,

North 83° 44' 19" East, for a distance of 67.27' to a point; thence,

South 87° 03' 39" East, for a distance of 29.82' to a point; thence,

South 02° 56' 21" West, for a distance of 25.00' to a 5/8" iron pin found; thence,

South 82° 56' 41" East, for a distance of 623.42' to an iron pin set, said point being along the westerly right-of-way line of Interstate 71; thence,

Along the westerly right-of-way line of Interstate 71, also being along an easterly line of said 12.089 acre tract, *South 15° 18' 53'' East, for a distance of 295.81'* to a 5/8'' iron pin found, said point being a northeasterly corner of said 7.687 acre tract; thence the following three courses along westerly right-of-way lines of Interstate 71, also being along easterly lines of said 7.687 acre tract,

South 09° 30' 04" West, for a distance of 89.43' to a 5/8" iron pin found; thence,

South 18° 39' 55" East, for a distance of 296.98' to a 5/8" iron pin found; thence,

South 09° 16' 48" East, for a distance of 238.52' to a 5/8" iron pin found, said point being the northerly corner of a 1.035 acre tract as conveyed to N.P. Limited Partnership as described in Official Record 874 Page 1536; thence,

Along an easterly line of said 7.687 acre tract, also being along a westerly line of said 1.035 acre tract, **South 11° 34' 03'' West, for a distance of 169.69'** to a 1" iron pipe found, said point being the northeasterly corner of a 8.606 acre tract, the remainder of a 9.975 acre tract as conveyed to 8800 Lyra, LLC as described in Official Record 752 Page 1210; thence,

Along a southerly line of said 7.687 acre tract, also being along a northerly line of said 8.606 acre tract, and then along a line through said 2.776 acre tract, North 81° 58' 15" West, for a distance of 997.76' to a 1" iron pipe found, said point being along the easterly right-of-way line of Lyra Drive; thence,

Along the easterly right-of-way line of Lyra Drive, also being along a portion of a westerly line of said 2.776 acre tract, following a curve to the left, non-tangent to the previous course, having a radius of 1,550.00', an arc length of 127.34', a central angle of $4^{\circ} 42' 26''$, and a chord that bears North 05° 40' 22'' East for a distance of 127.31' to a 1'' iron pipe found at a point of tangency; thence,

Along the easterly right-of-way line of Lyra Drive, also being along a westerly line of said 2.776 acre tract and then along a westerly line of said 12.089 acre tract, *North 03° 19' 09'' East, for a distance of 411.68'* to a 1'' iron pipe found; thence the remaining courses along easterly right-of-way lines of Lyra Drive, also being along westerly lines of said 12.089 acre tract,

North 15° 43' 41" East, for a distance of 51.19' to a 1" iron pipe found; thence,

North 03° 19' 09" East, for a distance of 50.00' to a 1" iron pipe found; thence,

North 15° 43' 32" East, for a distance of 51.20' to a 1" iron pipe found; thence,

North 03° 19' 09" East, for a distance of 299.14" to the point of beginning, containing 21.196 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by The Kleingers Group in March, 2015.

Basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011), with a portion of the centerline of Lyra Drive being South 03° 19' 09" West as determined by a VRS-GPS survey incorporating CORS Station "COLB" and monuments "WEST 2A" and "FRANK 86 AZ MK".

Iron pins set are 5/8" diameter rebar, 30" in length, with plastic identifier caps stamped "Kleingers & Assoc".

Subject to any easements, restrictions, covenants, ordinances, or agreements of record.

Michael L. Keller Professional Surveyor, Ohio License No. 7978 Date





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: 31843101017000, PT.31843101013003

Zoning Number: 8886

Street Name: LYRA DR

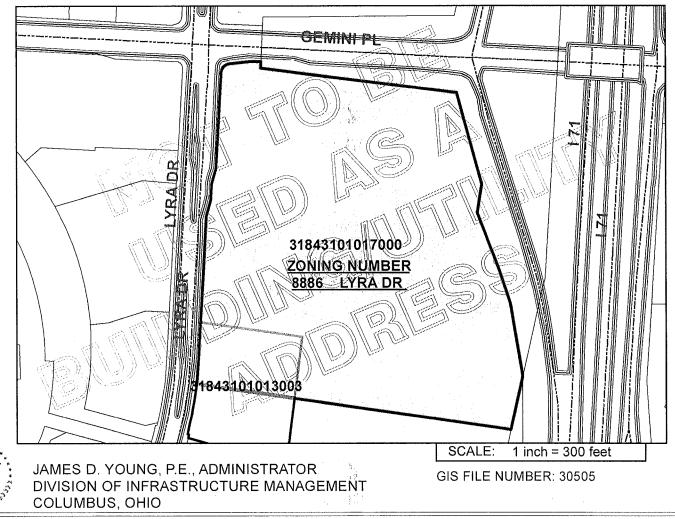
Lot Number: N/A

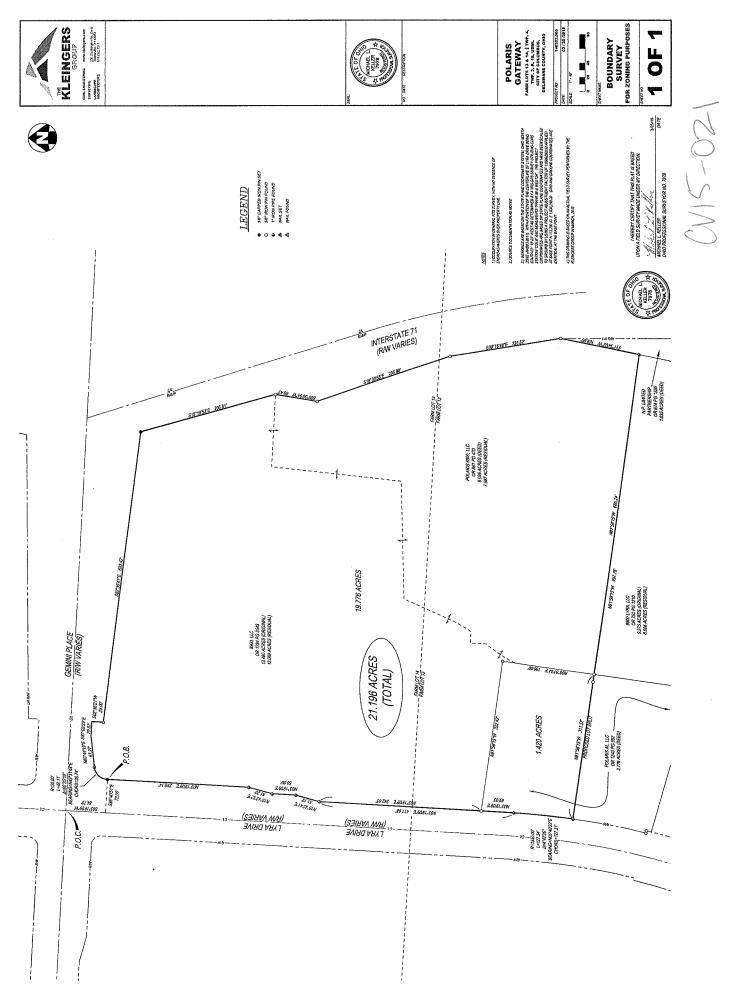
Subdivision: N/A

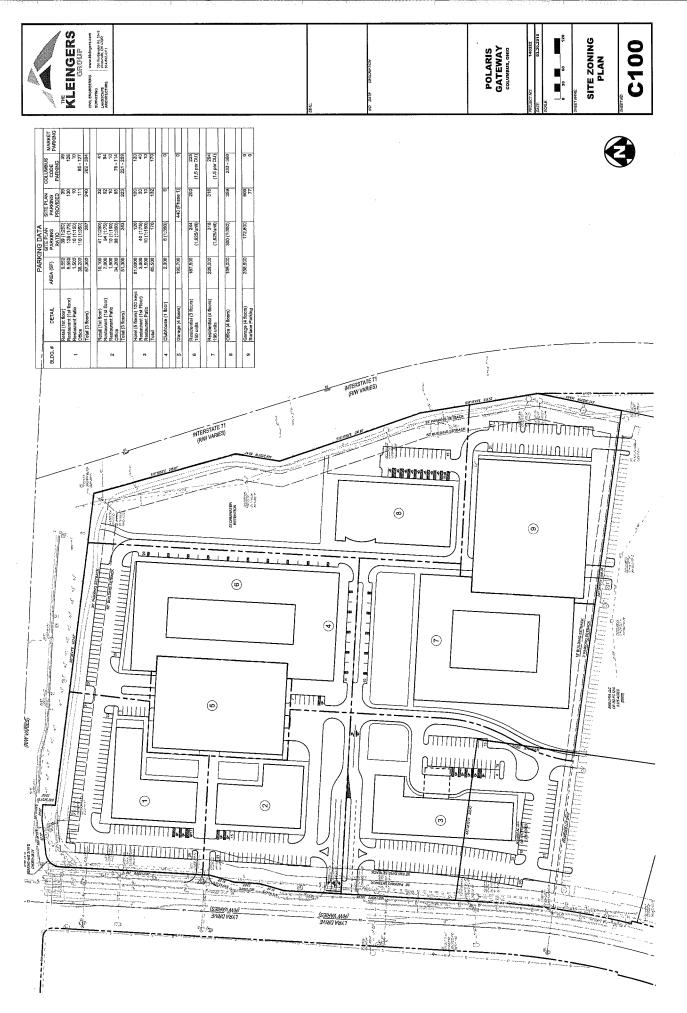
Requested By: DAVE PERRY CO., Inc. (DAVE PERRY)

Issued By: iduana umarian

_ Date: <u>3/26/2015</u>

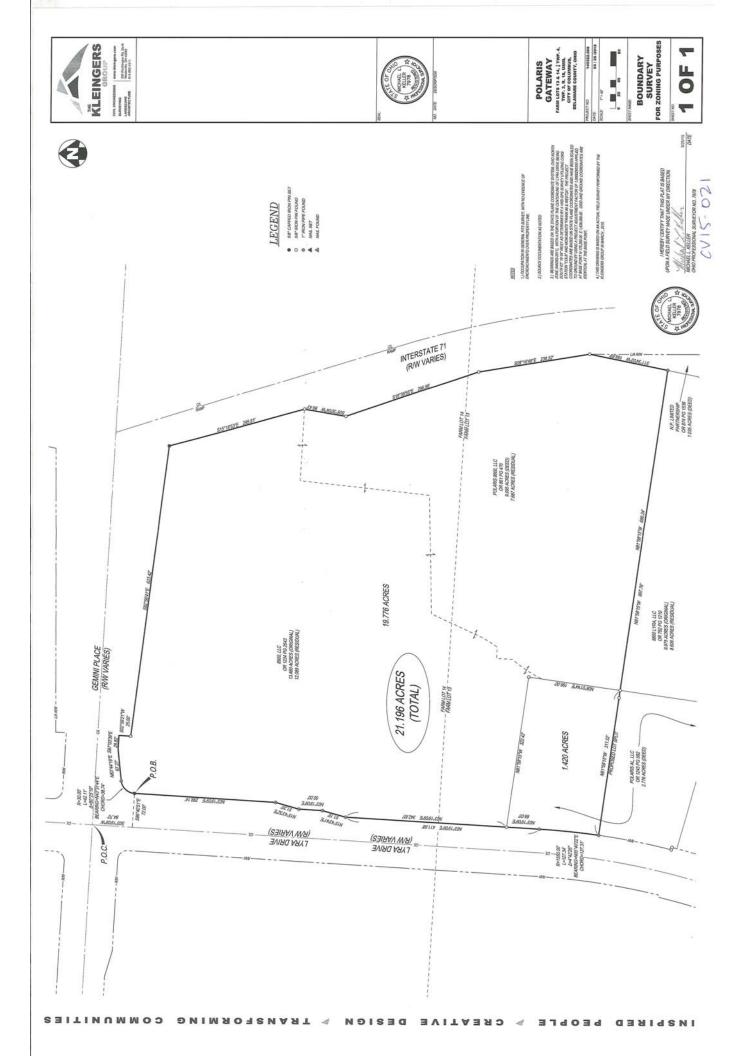


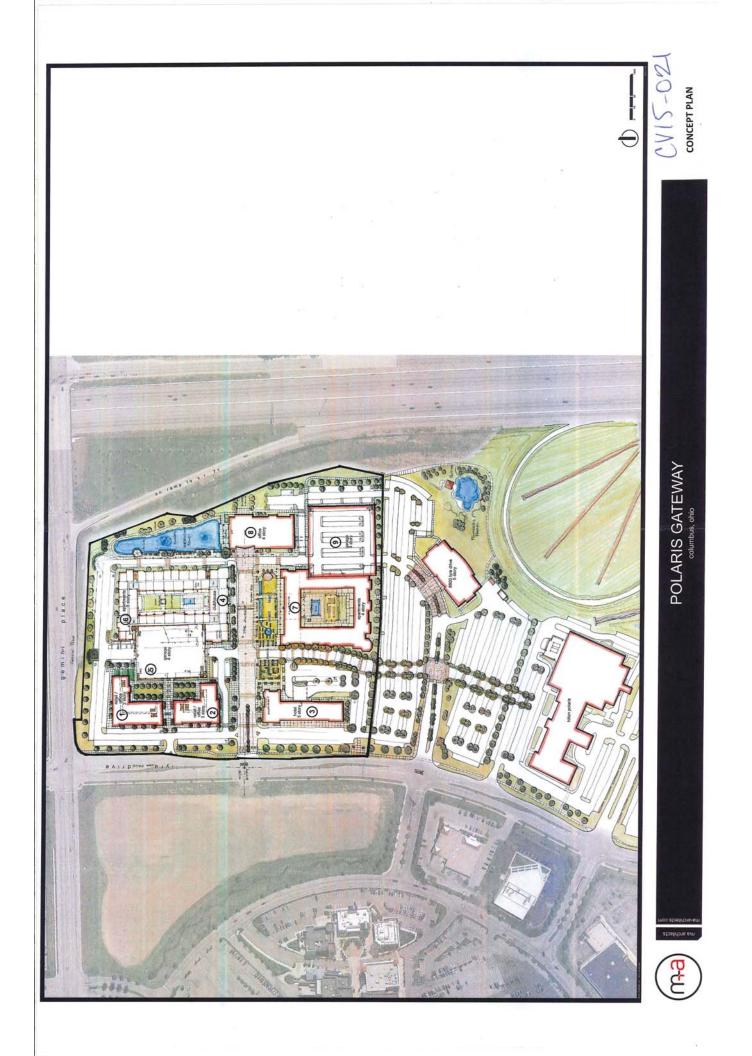


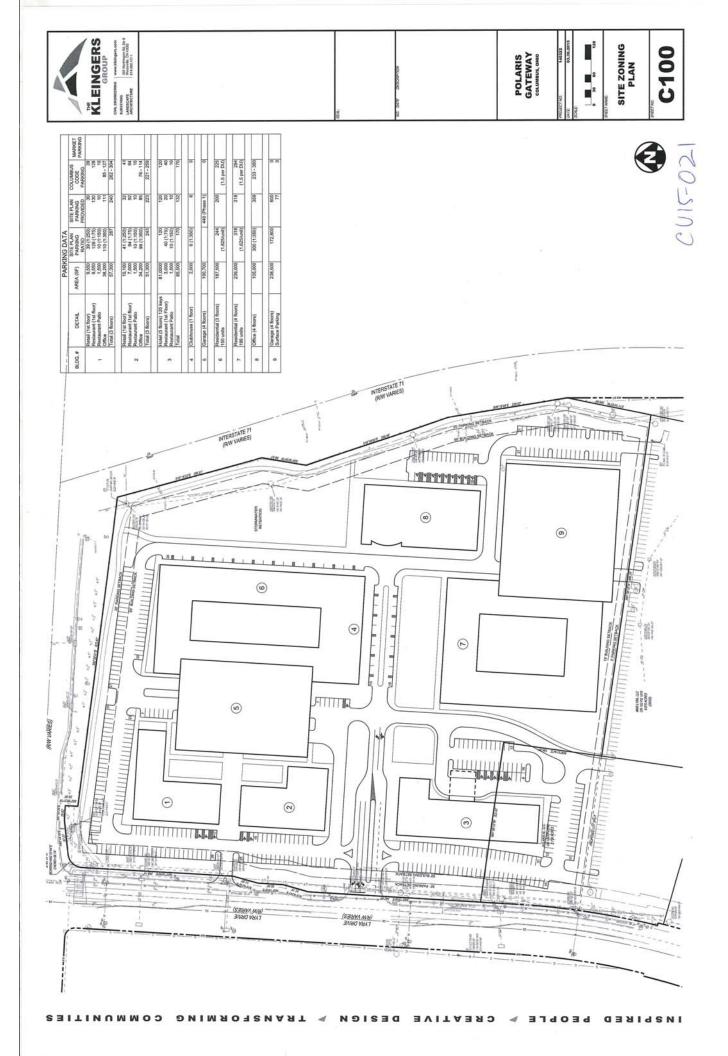


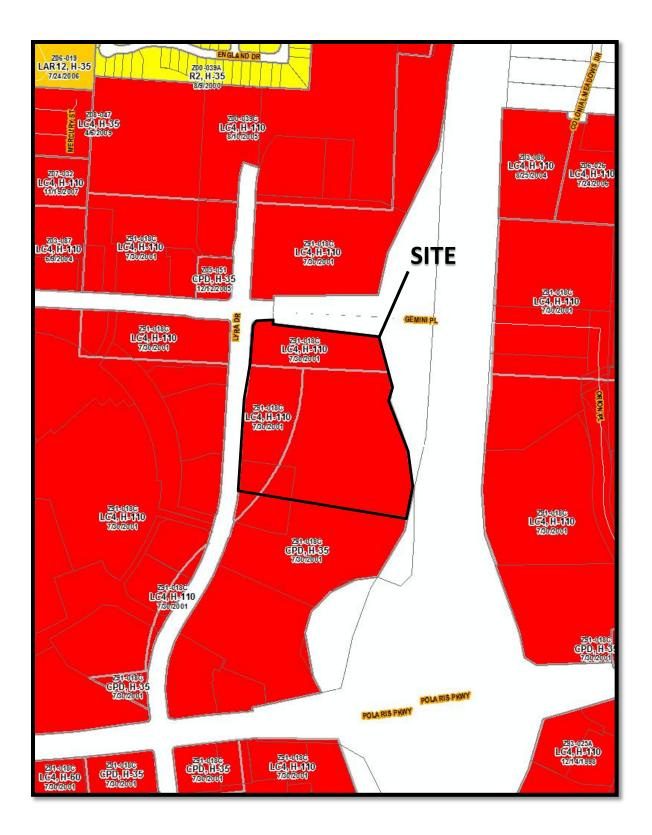
SVIC 62



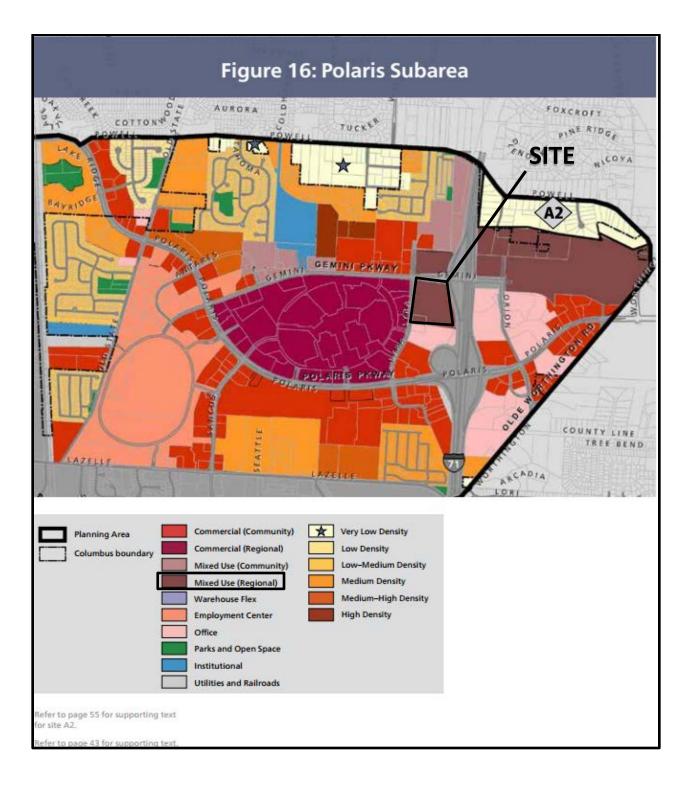








CV15-021 8886 Lyra Drive Approximately 21.20 acres



CV15-021 8886 Lyra Drive Approximately 21.20 acres Far North Area Plan (2014)



CV15-021 8886 Lyra Drive Approximately 21.20 acres