



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

Application Number: CV12-040 / 12315-00000-00505

Date Received: 8/29/12

Application Accepted By: S.P. Fee: \$1600

Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 697 N. ~~High~~ ^{Fourth} Street Zip 43215

Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No

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

Parcel Number for Certified Address: 010-008444

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

Current Zoning District(s): mixed use with a maximum of 56 units M/P1

Recognized Civic Association or Area Commission: Italian Village

Proposed use or reason for Council Variance request: mixed use with a maximum of 66 units
(restaurant/residential) - change of use

Acreage: _____

APPLICANT: Name Kevin Lykens

Address 1020 Dennison Ave Suite 102 City/State Columbus, OH Zip 43201

Phone # 614-565-4209 Fax # 614-421-1092 Email: kevin@lykenscompanies.com

PROPERTY OWNER(S): Name LS Development Systems LLC

Address 1020 Dennison Ave Suite 102 City/State Columbus, OH Zip 43201

Phone # 614-565-4209 Fax # 614-421-1092 Email: kevin@lykenscompanies.com

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

ATTORNEY / AGENT

☐ Attorney ☒ Agent

Name Juliet Bullock Architects - Juliet Bullock

Address ~~1020~~ 1020 Dennison Suite 102 City/State Columbus, OH Zip 43201

Phone # 935-0944 (614) Fax # _____ Email: bullock.juliet@gmail.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Kevin Lykens

PROPERTY OWNER SIGNATURE Kevin Lykens

ATTORNEY / AGENT SIGNATURE Juliet Bullock

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.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



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CV12-046

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:

See attached

Signature of Applicant

James Bullard

Date

8/29/12

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We are requesting to amend our council variance use variance to allow us to eliminate the venue space that was previously approved and instead have 10 additional residential units for a total of 66 residential units on both the first and second floors in lieu of the 56 residential units previously approved.

As part of any new development in our urban neighborhoods parking is always in question, and this development is no exception, based upon the Columbus Zoning Code (Section 3312.49C) we are required to provide 122 parking spaces in lieu of the 197 previously required, so this proposal results in a reduction of 75 required parking spaces. In total we are able to provide 71 onsite parking spaces, (including 10 stacked parking spots which were previously approved) and 44 adjacent parking spaces (immediately south of subject property, across Lincoln St) leaving us 6 spaces short of the code. In addition

The two uses now being proposed will be phased throughout the day and early evening, therefore spreading the parking demand out and lessening the need for overflow parking. The restaurant will primarily cater to the residents of the space, as well as the adjacent development, and therefore primarily walkup traffic and a lunch crowd are anticipated. In addition to vehicle parking we will be providing numerous bike racks around the property.

Two additional options for parking within the immediate vicinity of the property which are currently underutilized, are the street parking on the East side of Fourth street, on the new roads for the Jeffery development, which can accommodate approximately 150 vehicles parallel parked and the 2 parking lots owned by St Johns the Baptist church, to the South of our project, which can accommodate 100 vehicles. We have entered into a letter of intent with St. Johns the Baptist Church allowing us to lease 44 spots to the South of our building and they have verbally agreed that we will be able to use their secondary lot (accommodating 66 vehicles) whenever they are not using it. (They need it on Sunday mornings, Italian Festival and Funerals). In addition, the elimination of the loading zones and the multiple access points to the existing parking lot we will provide 16 additional parking spots along the north and east end of the property in addition to the existing on street parking.

The site is located in close proximity to several Cota bus routes in the city, increasing the chances of tenants, customers and users coming in on a bus to the project, it is also in close proximity to the Short North and its location within Italian Village makes it very convenient for local and neighborhood pedestrian traffic, which will further reduce the visitors and residents arriving by car. Additionally, due to the change of the functions of the building we have gained 3 on street parking spaces as a result of removing an existing curb cut. The city is also looking into adding metered spots on 4th street along the east side of the building, which would add 10 more parking spaces.

The project has recently received a grant from the State of Ohio, after being selected among 12 other projects from a total pool of 52 applicants. We have also received approval from National Parks Service for a Historic Preservation tax credit, for which this project is applicable as we are conserving and preserving the building with no substantial changes to the exterior and minimal structural changes to the interior to accommodate the new use, while maintaining the industrial character of the building. Based on all the information listed above, we believe that the Wonder Bread conversion would be a great asset to the local community. This would positively affect not only its immediate surrounding areas but also the city of Columbus and spur further growth and development along the 4th Street corridor.

We ask that the previously approved variances be maintained, this request is only for the additional residential units in lieu of the venue space.

PARKING SUMMARY

Existing use: Mixed use residential/restaurant 51,178 sf.

Existing parking: 71 spaces + one loading space on site.

Agreement with neighboring church for 44 adjacent spaces immediately south of site.

Proposed Use: Mixed Use Residential/Restaurant

Residential Residential Apartments (66 units, 48 one bedroom and 18 two bedroom) 1.5/unit parking spaces required

Restaurant Restaurant 2250 sf 1 space/75 sf. required

Parking Calculations:

Residential/Restaurant/Venue to Residential/Restaurant

Required spaces for existing mixed use = $84+23+90 = 197$ spaces

Required spaces for new mixed use = 122 spaces.

Difference between intensities = $122-197 = 75$ less spaces required with this proposal.

Proposed parking: 71 spaces + one loading space on site.

Agreement with neighboring church for 44 adjacent spaces immediately south of site.

DETAILED PARKING CALCULATIONS

Required parking

Residential use $1.5 * 66 = 99$ spaces.

Restaurant use - $2250 \text{ sf} / 75 = 30$ spaces

Total 30 spaces * 25% reduction for overlay = 23 spaces



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-040

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Kevin Lukens

of (1) MAILING ADDRESS 1020 Dennison Ave Suite 102 Columbus Ohio 43201

deposed 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 697 N. 4th Street

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/29/12

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) LS Development Systems LLC
1020 Dennison Ave Suite 102
Columbus, OH 43201

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

Kevin Lukens
614-565-4209

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

(5) Italian Village Commission
Rex Hagelberg
109 N. Front Street Columbus 43215

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.

SIGNATURE OF AFFIANT

(8) Kevin Lukens

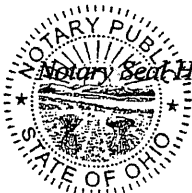
Subscribed to me in my presence and before me this 24 day of August, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8) Nicole Cecil

My Commission Expires:

12-1-2016



NICOLE M. CECIL
Notary Public, State of Ohio
My Comm. Expires Dec. 01, 2016
Recorded in Franklin County

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C12-040

LS Development Systems LLC
c/o Kevin Lykens
1020 Dennison Ave Suite 102
Columbus, OH 43201

LS Development Systems LLC
1020 Dennison Ave Suite 102
Columbus, OH 43201

Italian Village Commission
Randy Black
109 N Front Street
Columbus, OH 43215

Columbus Electrical Works
777 N 4th Street
Columbus Ohio 43215

Jennifer R Lombardi
687 Kerr St.
Columbus, OH 43215

Fredrick A Bennett TR
PO Box 471
Westerville OH, 43086

Sean Shafer
179 East Lincoln
Columbus Ohio 43215

David M Dilks
204 Warren St.
Columbus, OH 43215

Stephen Stout
188 Warren Street
Columbus Ohio 43215

French Mark A
1170 Grinnell Drive
Yellow Springs, Ohio 45387

Seeling Ryan J
206 Warren St.
Columbus, OH 43215

St John The Baptist Church
720 Hamlet St.
Columbus, OH 43215

729 Hamlet LLC
PO Box 954
Pickerington, OH 43147

Salamone Brandon J
208 Warren St.
Columbus, OH 43215

Amanda Leuenberger
202 Warren Street
Columbus Ohio 43215

Waterford LP
1349 E Broad St.
Columbus, OH 43205

Yates Adams E
210 Warren St.
Columbus, OH 43215

Thomas J Abernathy
194 Chaucer CT
Worthington, OH 43085

OGG Benjamin W
192 Warren St.
Columbus, OH 43215

Reed Suzanne M
182 Warren St.
Columbus, OH 43215

Wood Real Estate LLC
21 W Hubbard Ave. Ste D
Columbus, OH 43215

Ebright Jonathan M
194 Warren St.
Columbus, OH 43215

Albright Elizabeth
764 Hamlet Street
Columbus Ohio 43215

Eric P Rotondo
1276 Neil Ave
Columbus, OH 43201

Geiner Donald J
196 Warren St.
Columbus, OH 43215

Ayers Amanda A
186 Warren St.
Columbus, OH 43215

Albright Elizabeth G
764 Hamlet St.
Columbus, OH 43215

Brkic Suzi Brkic Josip
733-735 Hamlet St.
Columbus, OH 43215

Tabor Eric C
200 Warren St.
Columbus, OH 43215

Arthur James
157 Warren Street
Columbus Ohio 43215

Dresser Industries
Abbott Laboratories
100 Abbott Park Road
Abbot Park, Illinois 60064

Robert S Schilling
815 North High Street Suite R
Columbus Ohio 43215

Daniel Turi
694 Hamlet Street
Columbus Ohio 43215

Michael Gordon
169 Lincoln Street
Columbus Ohio 43215

Bishop James Griffin
198 East Broad Street
Columbus Ohio 43215

Kyle Bersnak
177 East Lincoln
Columbus Ohio 43215



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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 # CV12-040

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Kevin Lykens

Of [COMPLETE ADDRESS] 1020 Dennison Ave Suite 102, Columbus, Ohio 43201
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 formats

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. <u>Kevin Lykens</u> <u>1020 Dennison Suite 102</u> <u>Columbus, Ohio 43201</u> <u>5 employees 614.565.4209</u>	2. <u>Chris Schnetzler</u> <u>214 N. Liberty St.</u> <u>Powell, Ohio 43065</u> <u>614.760.0003</u>
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24th day of August, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



Nicole M. Cecil
Notary Public, State of Ohio
My Comm. Expires Dec. 01, 2016
Recorded in Franklin County

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

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CV12-040

LYKENS COMPANIES

1020 Dennison Ave Suite 101 Columbus, Ohio 43201 Phone 614.565.4209 Fax 614.421.1092

RE: Wonder Bread Development Parking

Signage will be installed on Lincoln Avenue at the entry to the 44 space parking lot indicating that the lot is reserved for patrons of the Wonder Bread restaurant and Venue, the signage will also direct patrons to the subsequent 66 space lot should this lot be full. Signage will also be installed within the lot to indicate that the lot is reserved and subject to towing. The signage will also indicate 24/7 availability.

Further west on Lincoln signage will be installed at the entry to the 66 space lot indicating that parking is available to patrons of the Wonder Bread restaurant and Venue. The signage will indicate no parking times of Sunday from 9:00 am to 12:30 pm. and during special events.



LYKENS COMPANIES

1020 Dennison Ave Suite 101 Columbus, Ohio 43201 Phone 614.565.4209 Fax 614.421.1092

CV12-040

January 18, 2012

RE: Wonder Bread Development Parking:

The Wonder Bread development has entered into an agreement to lease 44 parking spaces from St John's the Baptist church immediately adjacent to the south face of the 697 N 4th Street (subject property) and have entered into an unwritten agreement to utilize an additional 66 spaces to the West of this lot. The 44 space lot will be the primary lot utilized for the proposed venue and restaurant, with overflow traffic being directed to the 66 space lot. We will install and maintain proper signage directing patrons and customers of the property to these paved parking lots. We will also be installing signage for the residential lot on the West side of the property indicating that this parking is reserved for the residents of the property.

Kevin Lykens

November 7, 2011

Father Metzger
St John the Baptist Church
720 Hamlet Street
Columbus, OH 43215

RE: Proposed Parking lot lease at 189 E Lincoln Street, Columbus, OH 43215 (Paved parking lot containing 44+ parking spaces)

Dear Father Metzger:

Per our conversation, please find the proposal to lease your parking lot to LS Development Systems LLC at 189 E Lincoln Street, Columbus, OH 43215. Should the terms and conditions set forth below meet with your approval, please sign where indicated and let me know how to proceed with a lease agreement.

LANDLORD: Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus and St. John the Baptist Catholic Parish

TENANT: LS Development Systems LLC

BUILDING/SPACE: Tenant shall lease approximately 44 parking spaces located at 189 E Lincoln Street, Columbus, OH 43215

Landlord will consider granting requests for Tenant's use of the Church's additional parking lot when such use of the lot will not disrupt Church activities, or interfere with the Landlord's use of the lot

LEASE TERM: Three (3) years with three, three (3) year options with an increase of 10% per term

RENT COMMENCEMENT: Upon us receiving COA (Certificate of Occupancy) for Wonder Bread project estimated December 2012, We would also be open to a discounted rate from a period of January 2012 through the completion of our project.

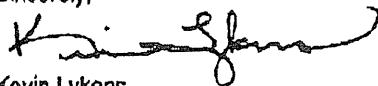
RENT:

- Year 1 \$800 per month
- Year 2 \$1,100 per month
- Year 3 \$1,400 per month
- St John the Baptist will have the right to use the banquet facility and surrounding exterior common areas at Wonder Bread for Friday, Saturday and Sunday of the Italian Festival
- LS Development Systems LLC will sign off on street closure permit for the Italian Festival
- St John the Baptist Church has the right to use our parking lot for the 2012 Italian Festival
- Tenant will provide snow plowing, trash removal and lawn maintenance for the lot
- Tenant shall be responsible for the payment of all real estate taxes, provided that the sum of the rent and Tenant's liability for taxes shall not exceed \$1,800

FIRST RIGHT OF REFUSAL We will be provided a first right of refusal to purchase the parking lot.


This proposal is not intended to create any legal rights or obligations, but rather to summarize the basic business terms which may interest LS Development Systems LLC. No rights or obligations shall be created or imposed upon either party until such time, if any, that a lease agreement has been fully executed by both parties.

Sincerely,

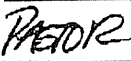

Kevin Lykens

Agreed and Accepted.

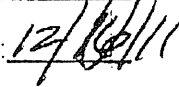
By:



Its:



Date:



CV12-040

ST. JOHN THE BAPTIST CHURCH

720 HAMLET STREET

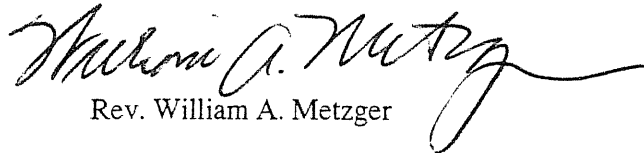
COLUMBUS, OHIO 43215

PHONE: 294-5319

Kevin Lykens
LS Development Systems LLC
kevin@lykenscompanies.com

Dear Kevin,

This letter will confirm that St. John the Baptist Church will allow LS Development Systems LLC and visitors of 691-694 N. Fourth Street to use the Church's parking lot located at the southwest corner of E. Lincoln St. and Hamlet St., consisting of approximately 66 parking spaces, at such times when the use of the lot will not disrupt Church activities, or interfere with the parish's use of the lot. The parish typically uses the parking lot during mass on Saturday evenings and Sunday mornings, during the Italian Festival, and for funerals and weddings. In order to coordinate scheduling of the lot, the Church will require prior written notice of the intent to use the lot.


Rev. William A. Metzger



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 8/23/12



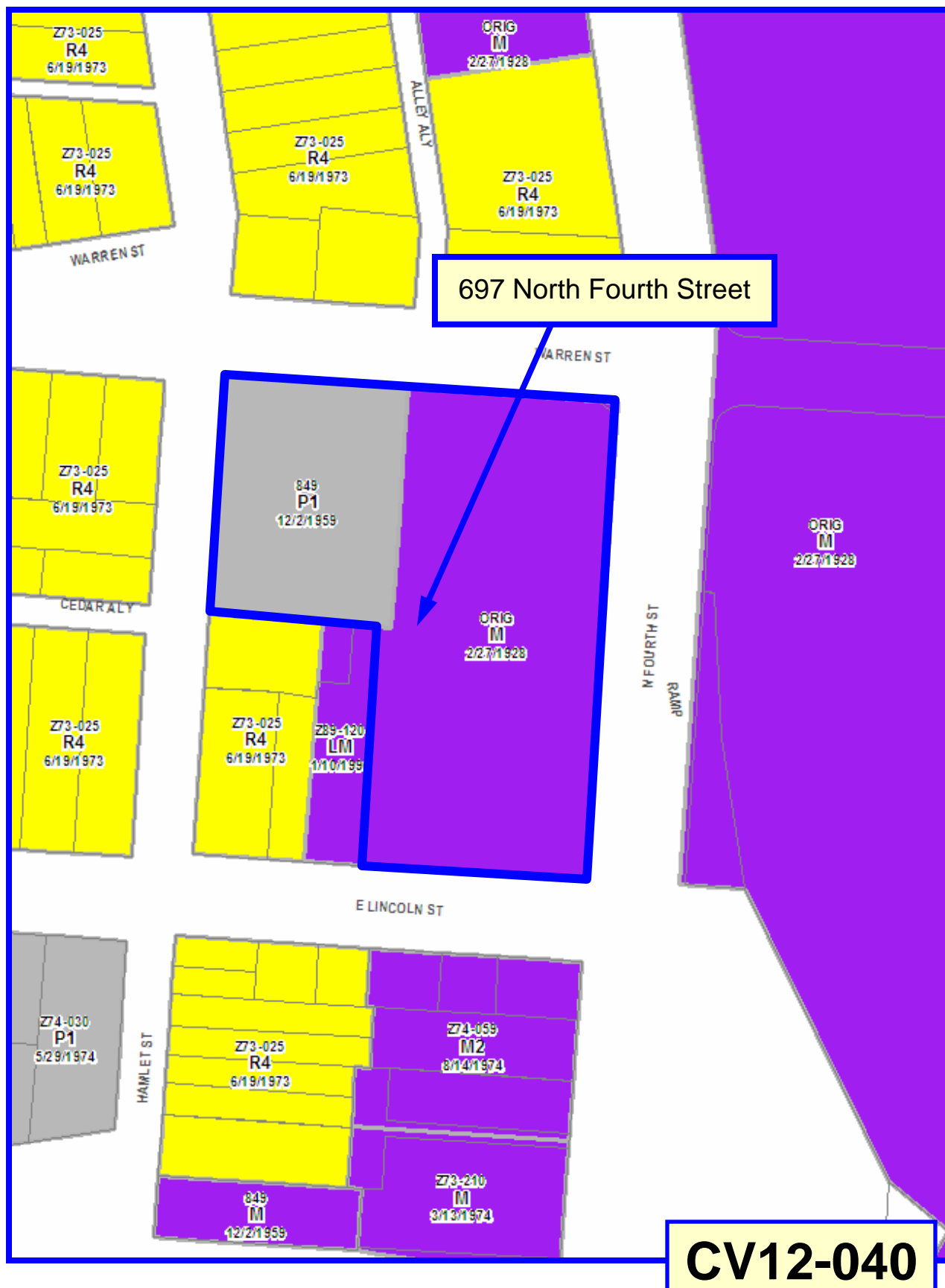
Disclaimer

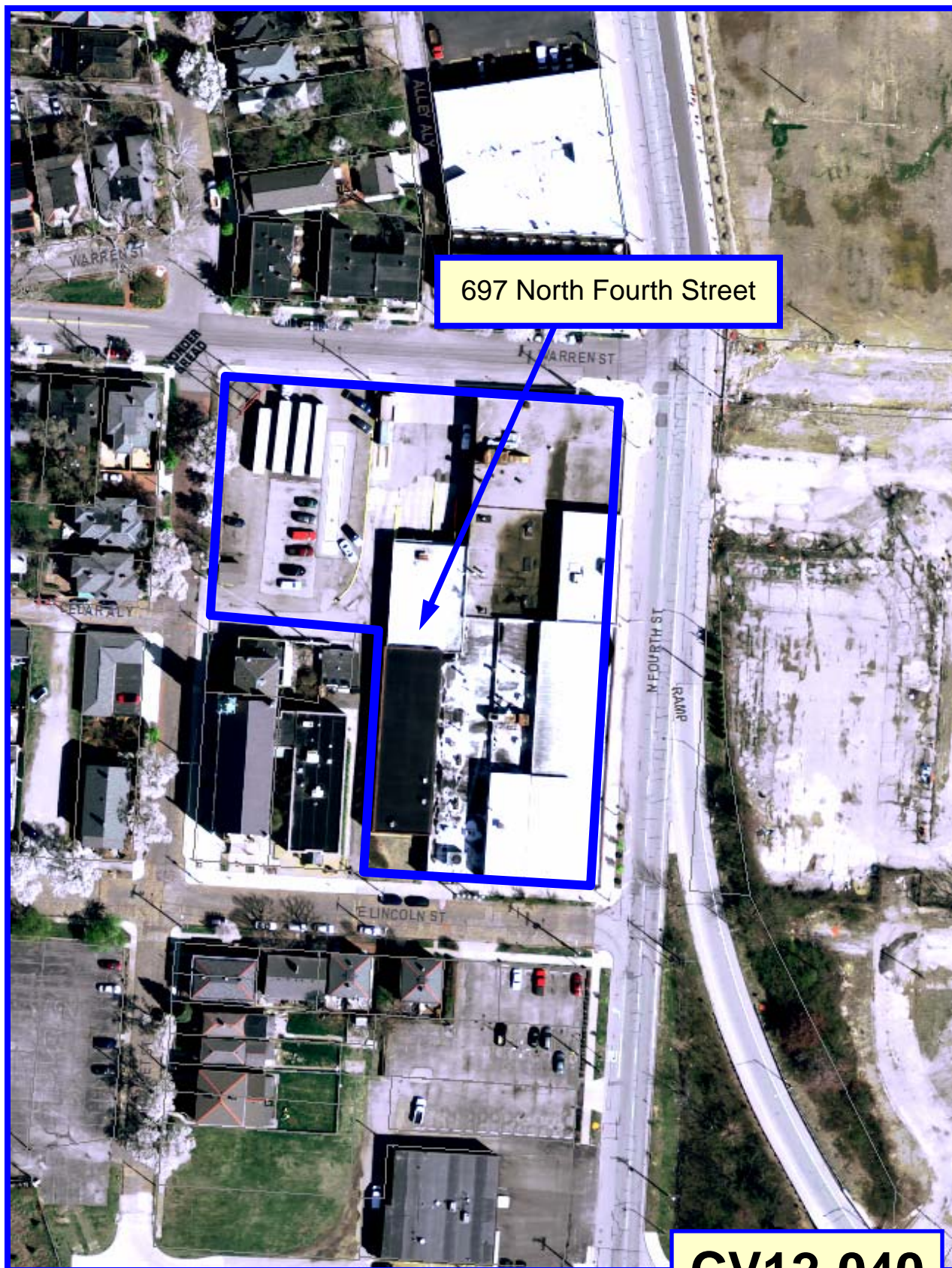
Scale = 100

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





CV12-040