

BZAP-23-23
2200 E. Main Street

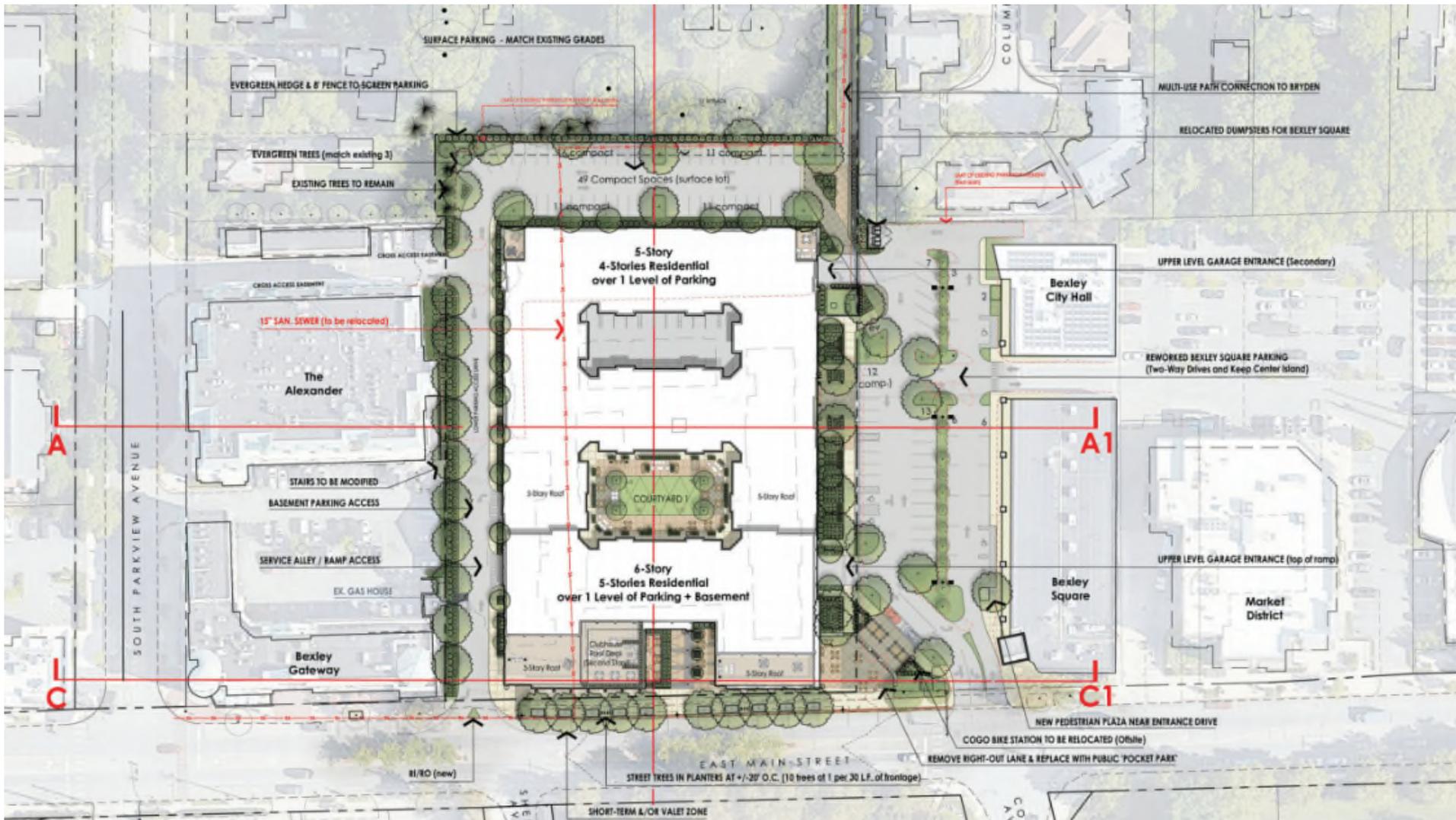
The City of Bexley, Ohio
Board of Zoning and Planning
December 18, 2023

2200 E. Main Street

- Parcels: 020-000836, 020-000217, & 020-000350
- Zoning: Mixed Use Commercial District and Main Street District
- Existing Buildings:
 - Previously student housing for the Trinity Lutheran Seminary
 - The buildings are unremarkable and lack historical significance
 - The structures do not address Main Street







The Development Is Aligned with the City's Goals and Is a Benefit to the Community

The development will bring additional taxes into the City:

- The property is currently tax-exempt
- The development expands the City's tax base, attracting new residents and businesses

The development advances the goal of a “double loaded” Main Street in the Land Use Strategy, i.e., **commercial uses on both sides of Main Street** create a **vibrant and viable corridor**.

The Development Is Aligned with the City's Goals and Is a Benefit to the Community

The proposed uses are **essential** to the future development of the City:

- There is a **high demand** for rental units in the City
- The development provides much-needed **medical office space**
- Residents requested **new “commercial opportunities”** on Main Street
- The City lacks large retail/restaurant spaces exceeding 1,500 square feet
- There is an unmet demand for parking.

The Applicant's Request

- (A) Approval of the demo and redevelopment of the vacant Trinity Lutheran apartment structures at 2160, 2188, and 2186 E. Main Street;
- (B) A certificate of appropriateness for a new 6-story mixed-use building to provide additional housing, commercial uses, and a parking garage; and
- (C) Three variances arising from amendments to address comments from the Architectural Review Board:
 - (1) A variance from Bexley Code Section 1254.10 to allow a 6-story building;
 - (2) A variance from Bexley Code Section 1254.13 f to allow a 55' setback for public-private space; and
 - (3) A variance from Bexley Code Section 1254.13 g to allow a building to be 75% of the lot width.

The ARB Unanimously Recommended Approval of the Certificate of Appropriateness with 9 Conditions

MOTION: The motion made by Ms. Strasser and seconded by Mr. Heyer for ARB to recommend to the Board of Zoning and Planning the issuance of a Certificate of Appropriateness for the proposed development at 2200 East Main Street subject to the following conditions:

1. The applicant returns to the ARB with material boards and samples.
2. Headlight screening be added to the parking lots where needed.
3. The west drive on the site be redesigned to enhance the green space and allow substantial tree planting.
4. The north and west elevations of the proposed building be reworked to lessen the massing, create better connection to the ground, screen the garage, and use more consistent materials.
5. The height on the west and north elevations toward the rear of the site be reduced.
6. The west elevation have more variation in the plane of the facade and the height.
7. The ARB supports the addition of the 6th story architecturally to allow flexibility in lessening the overall massing of the building.
8. Outdoor dining adjustments be reviewed by the ARB when a tenant is secured.
9. The application be remanded back to ARB for final design review and approval and issuance of a final Certificate of Appropriateness.

The Zoning Code Permits Variances to Allow Flexibility for Infill Development

On a particular property extraordinary circumstances may exist, making a strict enforcement of the applicable requirements of this Code unreasonable, and therefore, the variance procedure is provided to allow the flexibility necessary to adapt to changed or unusual conditions that meet the standards of review for variances.

City Code Section 1226.11(b)

The Requirements in the Zoning Code for Approval of the Variances Are Satisfied

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
5. Whether the property owner purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

1. Without the Variances, the Property Will Not Yield a Reasonable Return and Cannot Be Beneficially Used in a Manner That Aligns with the Desires of the City

- The location of the property and existing development poses unique challenges for this infill development, including:
 - Relocating utilities;
 - Appropriately addressing traffic with the existing neighboring uses and new proposed uses; and
 - Providing a parking structure that is essential to the Main Street corridor.
- Without the variances, it is impossible to develop the property in a manner that will meet the goals of the City.
 - Ohio law permits the City to regulate the aesthetics of development.
 - Here, there is a practical difficulty to develop the property while meeting the City's aesthetic standards.

2. The Variances Are Not Substantial

3. The Neighborhood and Adjoining Properties Will Benefit from the Variances

- **Building Height:** The MS District allows for a 5-story special exception. The variance to permit 6 stories is minimal. It improves the design of the building by adding height variation and reducing any “box” appearance.
- **Setbacks:** Relative to the size of the site and proposed building, the variance to the public private setback (from 20’ to 55’) is not substantial. The setback is a benefit the community, as it allows for “pocket parks” along East Main Street.
- **Building Frontage:** The Zoning Code allows for a minimum building frontage of 80%. The 5% decrease is minimal. It also allows for the applicant to relocate the curb cut near the traffic signal at Bexley Square to the west side of the site/building.

4. The Variances Do Not Impact Governmental Services

5. The Applicant Is Seeking to Purchase the Property and Comply with the City's Requirements and Goals for Development within the City.

- The Applicant seeks to purchase the property and comply with the Zoning Code *and* the City's goals for development, as set forth in the Bexley Strategic Plan, the Land Use Strategy, the Main Street District Design Standards, etc.
- As set forth in City Code Section 1226.11(b), variances are appropriate where "strict enforcement of the applicable requirements of this Code [is] unreasonable."
- Here, the three minimal variances are required to satisfy the remainder of the City's goals for development of this property.

6. The ARB's Requested Design Changes Cannot Be Implemented Without the Variances

The Applicant's predicament cannot be obviated through some method other than a variance:

- The sixth story is required to add the height variation, reduce any "box" appearance of the structure, and provide buffering;
- The distinct entryway and "pocket parks" along Main Street cannot be accomplished without the increased setback;
- The reduced building frontage reduces the size of the building, allows for safe entry onto the property, and allows for additional buffering.

7. The Spirit and Intent Behind the Zoning Requirement Will Be Observed and Substantial Justice Will Be Done By Granting the Variances

The Main Street District . . . is an overlay district, the purpose of which is to **facilitate the implementation of plans and vision for the revitalization of the City's main commercial corridor and business area on Main Street**. The MS District . . . is intended to permit a **diverse mix of land uses**. Main Street District development applications are reviewed according to section 1254.13 and Council approved Main Street Design Guidelines, to **promote redevelopment while protecting the unique character of Main Street**.

Zoning Code Section 1254.06 (emphasis added)