THE CITY OF COLUMBI ANDREW J. GINTHER, MAYOR

DEPARTMENT OF DEVELOPMENT

Zoning Report

Site Information

Address 1015 W FIFTH AV

Mailing Address 3363 TREMONT RD STE 305

COLUMBUS OH 43221-2110

CENTRO INC HIGHPEARL INC Owner

010061577 Parcel Number

Yes In Columbus?

FRANKLIN County

Zoning Information

Zoning ORIG, Manufacturing, M, 2/27/1928, H-60

Historic District None

CV13-028, Passed Council Variance

Board of Zoning Adjustment

(BZA) Variance

None

Commercial Overlay WEST FIFTH AVENUE UCO

Planning Overlay None Graphics Variance None

Area Commission 5th by Northwest Area Commission

Historic Site No Flood Zone Out Airport Overlay Environs None

Pending Zoning Action

Zoning None

Board of Zoning Adjustment

(BZA) Variance

None

Council Variance None

Graphics Variance None

THE CITY OF COLUMBUS

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

TO TO THE BEILL	1929					
Application Nu	ımber:	BZA16-16:	7	Date Recejved:	9 Dec	Zolk
Application Ac	cepted by:	护			UD -	•
Commission/C	Civie:	5"/N.W'		V		
Application Ac Commission/C Existing Zonin Comments:	g:	M-'	· · · · · · · · · · · · · · · · · · ·			
Comments:						
<u> </u>						
	-	O (Check all that apply):				
✓ Variance ☐ Spe	cial Permit					
		pplicable code sections:				_
				required, to allow a re space previously plan		
parming opaces o	oodinig do c	riodal of a rootaar	ant occupying a	opade previously plan	neu as re	tan.
OCATION						
Certified Address: 100	5 West Fifth	Avenue,	c	ity: Columbus, Ohio	Zip:	43212
arcel Number (only or	ne required):	010-061577				
APPLICANT (If diffe	erent from Own	er):			•	
Applicant Name: Spa	rtan Restaurar	nt Group	Phone Num	ber: <u>614.563.5590</u>	Ext.:	
Address: 5218 Bless	ing Court		City/State:_	Galena, Ohio	Zip:	43021
Email Address: <u>miwa</u>	szkiewicz.yo	urpie@gmail.com	F	ax Number:		
		heck here if listing addition				
				ber:	Ext.:	
Address: 3363 Trem	ont		City/State:	Columbus, Ohio	Zip:	43221
Email Address:				ax Number:		
		applicable): 📝 Attorne				
Name: David Hodge				ber: 614.335.9320	Ext.:	
Address: 8000 Walt	on Parkway,	Suite 260	City/State:	New Albany, Ohio	Zip:	43054
Email Address: david	d@uhlawfirm	.com		ax Number: 614.335932		
		e provided and signed in				
APPLICANT SIGNATU	_	المنا لنع	Rigation	<u> </u>		
PROPERTY OWNER S	ignature <u>By</u>	"Did K	XV- 5,	cultural		
ATTORNEY / AGENT S						
Charles Charles			~~			

THE CITY OF COLUMBUS

Board of Zoning Adjustment Application

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

<u>AFFIDAVIT</u>			
STATE OF OHIO COUNTY OF FRANKLIN			
Being first duly cautioned and sworn (1) NAME David Hodge			
of (1) MAILING ADDRESS Underhill & Hodge LLC, 8000 W	alton Parkway, Suite 260, New Albany, Ohio 43054		
deposes and states that (he/she) is the applicant, agent, or duly autho	orized 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 pro	operty located at		
(2) per ADDRESS CARD FOR PROPERTY 1005 West Fifth Av	enue, Columbus, Ohio 43212		
for which application for a rezoning, variance, special permit or graph	nics plan was filed with the Department of Building and		
Zoning Services, on (3)(THIS LINE TO BE FILLE	D. A.L. M. D.L. CHEN, CO.L. STO.		
(THIS LINE TO BE FILLE	D OUT BY CITY STAFF)		
SUBJECT PROPERTY OWNERS NAME (4) Centre	Centro, Inc./Highpearl, Inc.		
AND MAILING ADDRESS 3363	Tremont		
Colur	nbus, Ohio 43221		
APPLICANT'S NAME AND PHONE # Sparta	n Restaurant Group		
THE DICTION OF THE PROPERTY OF	614.563.5590		
AREA COMMISSION OR CIVIC GROUP	5th by Northwest Area Commission		
	Bruce McKibben		
OR CONTACT PERSON AND ADDRESS 1094	1094 Lincoln Road, Columbus, Ohio 43212		
and that the following is a list of the names and complete mailing Auditor's Current Tax List or the County Treasurer's Mailir feet of the exterior boundaries of the property for which the applicat feet of the applicant's or owner's property in the event the applicant of property:	ion was filed, and all of the owners of any property within 125		
(6a) PROPERTY OWNER NAME (6a) PROPERTY ADDRES	S (6b) PROPERTY OWNER MAILING ADDRESS		
Please see attached list.			
(7) Check here if listing additional property owners on a separate	e bage.		
)		
(8) SIGNATURE OF AFFIANT	/		
. ch.	Deci de ONIA		
Sworn to before me and signed in my presence this 1511 day of	f Dlumbly, in the year 2010		
Livelah Vallonger Dr.	1-11-2021 Notary Seal Here		
(8) SIGNATURE OF NOTARY PUBLIC	My Commission Expires		

PLEASE NOTE: Incomplete information will result in the rejection Applications must be submitted by appointment. Call 614-645-45270 Please make checks payable to the Columbus City Trans KIMBERLY R. GRAYSON Notary Public, State of Oklo My Commission Expires January 11, 2021

PROPERTY OWNER:

Centro, Inc. Highpearl, Inc.

3363 Tremont

Columbus, Ohio 43221

APPLICANT:

Spartan Restaurant Group

5218 Blessing Court Galena, Ohio 43021

ATTORNEY:

David Hodge

Underhill & Hodge LLC

8000 Walton Parkway, Suite 260 New Albany, Ohio 43054

AREA COMMISSION:

5th by Northwest Area Commission

Bruce McKibben, Zoning Chair

1094 Lincoln Road Columbus, Ohio 43212

SURROUNDING PROPERTY

OWNERS:

Shoppes LLC 1480 Dublin Road

Columbus, Ohio 43215

1020 Fifth II LLC 1480 Dublin Road

Columbus, Ohio 43215

Mary Joseph Properties 1132 West 3rd Avenue

Columbus, Ohio 43212

Fifth Avenue Design Center LLC

4844 Adele Court

Woodland Hills, California 91364

RTR of Columbus, Ltd.

1356 Norton Avenue Columbus, Ohio 43212

Holly Ave. Living LLC

470 Olde Worthington Road, Suite 200

Westerville, Ohio 43082

BET Investments I LLC

20 North Street

Dublin, Ohio 43017

1404 Holly Ltd.

7051 Coffman Road

Dublin, Ohio 43017

Grimesbach Properties Ltd.

1390 Holly Avenue

Columbus, Ohio 43212

1341 Norton WD LLC

536 South Wall Street, Suite 300

Columbus, Ohio 43215

THE CITY OF COLUMBUS ANDREW & GINTHER HAYDR

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

STATEMENT OF HARDSHIP

APPLICATION #

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
 - 1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
 - 2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
 - 3. The special circumstances or conditions make it necessary that a variance br granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 - 4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:				
Please see attached Statement of Hardship.	ic tonowing ways.			
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Signature of Applicant By: D: J H&		Date 12/15 116		

Statement of Hardship

The applicant, Spartan Restaurant Group, is a Your Pie franchisee opening a new restaurant in the building known at The View on Fifth. The tenant space that Your Pie will be occupying was originally planned as a retail use, which under the Zoning Code requires less parking spaces than a restaurant. After Your Pie goes into the space, there will remain 9,640 square feet of vacant retail space, and 4,305 square feet of vacant restaurant space. At full occupancy the expectation is that many retail and restaurant users will be in combined trips. The developer has also worked with the City, and neighborhood, to provide ample bicycle parking for this development.

The following variance is requested:

C.C. 3312.49, Minimum number of parking spaces required. To reduce the parking requirement for this development by 7 parking spaces.

The View on Fifth is an overlay compliant development still working on creating the right synergy in the commercial space. In terms of the current commercial vacancy, ample parking is provided on site. At full occupancy the development will have a 7 parking space shortfall under the parking code, it is unlikely that all of the commercial users will be in peak demand during the same times such that this parking reduction will not have either a detrimental effect on either The View on Fifth, or the neighborhood in general. There are 10 separate commercial tenant spaces in this building that will house different types of restaurant uses, different types of retailers, and currently an exercise facility. Demand on the provided parking will therefore be spread out throughout different times of day such that the parking allotted in this development for the commercial space will remain adequate.

These special circumstances do not apply generally to other M, Manufacturing zoned but commercially used properties, they are not the result of the action of the property owner or applicant, and they make it necessary and appropriate that a variance be granted to preserve the right to make reasonable use of the property with a reasonable mix of commercial tenants. The grant of this variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code.

10-afternes

The applicant respectfully requests that the variance be granted.

Spartan Restaurant Group

Signature of Applicant:

Date: 12 (15 (1)



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE:

12/13/16



ORTHOPHOTOGRAPHY DATE 2014

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

BZA16-167 A CONTROL OF THE STATE OF THE S THE VIEW ON FIFTH FINAL SITE COMPLIANCE PLAN COMPANIES 1005 W. FIFTH AVENUE COLUMBUS, OHIO 43201 GRAPHIC SCALE 1/4 FEBRUARY 7, 2014 (IN FET) 1 Inch = 40 ft. SW. HORIZONTAL WATER.

THE PROPESSO DECLORADIT WILL FE NTO THE EXISTING 8" WATER LIME
LIGUATED ON THE WEST SIZE OF NORTHON ARRANGE. SIZE OF DOMESTIC
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NOTING THE FACE/CURB FACE/BUILDING, PAVEMENT EDGE OR PROPERTY UNE UNLESS NOTED OTHERWISE. De-6 (GTV) PARAMA DA-203.08 (GTV) DESON AND CONFIDENCIANO, OF THIS STITL COMPUT. WITH SECTIONS NATION DUMPSTER, 3312.02 HOMENICAL STITLEN COMMENTER, 3312.03 STORENS, 3312.03 STORENS, 3312.03 STORENS, 3312.03 STORENS, 3312.03 STORENS, 3312.03 STORENS, 3312.04 WREEL STORENS, 3312.04 STORENS, 3312.04 WREEL STORENS THERE ARE NO LIGHT POLES MIGHER THAN 18' IN HEIGHT PROPOSED WITH THIS DEVELOPMENT. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLODD INSURANCE FOR THE MAP INVESTED SHOULD BATE OF 67/17/2005, THE SUBJECT TRACT LIES WITHIN ZONE X, (AREAS DETERMINED BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAN). LEGEND — PROPOSED TRAFFIC SIGNS: NOTES SIGNS TO BE UDUNTED ON NO. 3 POSTS (TEM 630) OF BUILDING BOTTOM OF SIGN TO BE A MINIMAM 7" FROM GROUND. CONNECTION TO SANITARY SEWER CANNOT BE MADE WHITHOUT OBTAINING A PERMIT FROM SEWER PERMIT OFFICE 910 DUBLIN ROAD, 3RD FLOOR (614) 645-7490 THE EXISTING WATER TAPS SERVING THE SITE WILL BE ABANDONED. OBTAIN ANY SEMER CAPOFFS PRIOR TO OBTAINING DEMOLITION PERMIT. PROPOSED UTILITY SERVICES (A) (B) (B) THIS IS TO CERTIFY THAT THE BUILDING AND SITE PLAN AS SHOWN MEET ALL REQUIRD TEXT STANDARDS PARKING AREAS WILL BE CURBED OR HAVE WHEEL STOPS CHENEVEY OHIO ENGINEER NO. 55846
SANITARY SEWER NOTE: DATE OF EXPIRATION PAVEMENT WILL BE ASPHALT AND/OR CONCRETE. Rich B PROVIDE PAVEMENT STRIPING PER ITEM 642. ERIC P. (B) PROPOSED POLE WOUNTED GENERAL LIGHT FIXTURE, MODEL. PATRIOT SMALL LED XPTS3, FINISH TO MATCH HOLLY AVENUE PARKING LOT LIGHTS COORDINATE, LOCATION AND NUMBER WITH ELECTRICAL PLAN. (3) PROPOSED RETAINING WALL WITH VEHICULAR AND PEDESTRIAN CUARDRAIL.
SEE CROSS—SECTION DETAIL ON SHEET 2. ∢ = 1 FOR EVERY 20 CAR PARRING SPACES = 335 / 20 = 18 SPACES (5 SPACES PROVICE) ALDNO W. FITH ARBUE, THE REMANDER IN THE SECOLE LOCKER ROOM) (S) PROFOSED 6" ALUMNUM FENCE IN ANDIZED FNSH WITH VERTICAL PROSTS AND 4"4" FOSTS AT 1"4" O.C. SCADEDED INTO 12" DIAMETER CONCETE FOOTINGS TO FROST UNK DEPTH MINIMUM PRODUCT NAME, SUPERIOR ALUMNAM PRICET FENCE, SERIES 7000. TOTAL REQ. PARKING SPACES - 216.00 + 18.00 + 28.33 + 90.02 + 7.55 = 360.24 DWELLING UNITS — 153 REQUIRED PARRIES — 15. / UNIT >> 14. X 15. — 216.00 SPACES REQUIRED PARRIES — 2.0 / UNIT >> 9 X 20. = 16.00 SPACES RETAIL — 1.401 S.F. — MODERE (S) CLEAR VISON TRIANGLE — KEEP AREA FREE OF LANDSCAPING AND OBJECTS GREATER THAN 2.5" IN HEIGHT.

(B) PROPOSED CURB CUT. (7) DIVISION OF POWER (DOP) PRIMARY & OVERHEAD STREET LIGHTING 802 S.F. - PALLE 775 S.F. - VACANT 1,577 S.F. REQUIRED PARKING = 1:150 \gg 1,577/150 = 10.51 SPACES WITH 254 Upo Reduction = 7.89 SPACES REQUIRED PARKING = 1:75 >> 9,002/75 = 120,03 SPACES WITH 25X UCO REDUCTION = 90,02 SPACES (4) PROPOSED ITEM 608 ~ CONCRETE WALK PER STD. DWC 2300 (2) APPROXIMATE LOCATION OF FIRE DEPARTMENT CONNECTION, LOCATION TO BE SHOWN ON THE SPRINKLER PLANS. DENSITY: - 153 DINELLING UNITS / L882 ACRE - 80 87 DINELLING UNITS / ACRE PROPOSED BUILDING HEIGHT - 69'-10" • 355 99AGS COUNCIL VARIANCE: CM3-C28 (PASSED BY COUNCIL 10-17-13) SEE SHEETS 3 & 4 proposed use: Apartaint direlling units, parang garage, retail and resta (B) PROPOSED THEE PLANTING AREA (TTP.)
(B) RESTAURANT PATIO SEATING AREA
(T) DIVISION OF POWER (DOP) OVERHEAD STREET LIGHTING REQUIRED PARKING = 1:250 >> 14,167/250 WITH SOX UCD REDUCTION = 28.33 SPACES RESTALRANT + 2,492 S.F. - PALLE 2,205 S.F. - YOUR PIE 4,305 S.F. - VACANT 9,002 S.F. (8) DIVISION OF POWER (DOP) OVERHEAD SECONDARY SCTBACKS. PANONG — 5" BALLONG — FROMT, SDE AND REAR YARDS = 0" TO 10" restaurant (pato scatng) » SITE DATA (1) PROPOSED TRASH COLLECTION ROOM. (3) ЕхіSТІNС СИРВ СОТ ТО ВЕ РЕМОУЕВ ZONNE: M. WITH LIBBAN COLARGIAL, OVERLAY (UCO) STE AREA TOTAL STE = 1.092 AC = 82,416 S.F. Ę 775190-010 1005 W. STH AVENUE reguired handicap parking spaces proviced handicap parking spaces reguired biotole parking spaces (3) PROPOSED BIKE RACKS. ∢ REQUIRED PARKING SPACES: PROVIDED PARKING SPACES required Loading Spaces Loading Spaces Promised PROPOSED BUILDING AREA: **⊚** SUITE 1600
AUSTIN, TEXAS 78701
CONTACT. BRETT RHODE
PONTE. (\$12) 473–0923
FAX: (\$13) 473–0923
BRHODE@RHODEPARTNERS.COM ARCHITECT: RHODE PARTNERS 515 CONGRESS AVE. ₫₫ 0 **a** WESTERVILLE, OHIO 43081 CONTACT: ERIC CHENEVEY PHONE: (614) 818—4900 FAX: (614) 818—4901 ERIC CHENEVEYORIGENOUP.COM ENGINEER: M•E/IBI GROUP 635 BROOKSEOGE BOULEVARG 0 (9) O wo Conference Confer SCPJ (4) APPLICANT / DE/ELOPER.
2030 FIN AV ASSOURTS, LLC
7520 FED BAY COURT.
10 BAY COURT.
10 BAY ASSOURTSHAW
PHONE: (814) 326–9800
FAX: (814) 326–9800
MINGORELMARY COM I GROUND FLOOR SHOWN) 3MAR, 9U TOTAL DISTURBED AREA: 2.2 AC.± PRE-DEVELOPED IMPERVIOUS AREA: 1.882 AC. POST-DEVELOPED IMPERVIOUS AREA: 1.752 AC. 1.892 AC. (RP-963) OWER: JEH HOLLY AVENUE ASSOCIATES, ILC POCOTO-OCZEGO 1,104 APREZ ZOWING IL SITE DATA TABLE TOTAL STE AREA: OMER GRUESALCH PROPERES, LTD. PD 010-033452 1.025.4085 20NIO: M OWER HOLY LTD. PRO DID-DISSO 0.241 AGES ZANNE: M EX 10" SAN (RP-98. 100 Miles (S) (PALLE) (PALLE) (PALLE) ⊕ ⊕ €, NENNE 20,

KEYED NOTES

THE CITY OF COLUMBUS

Board of Zoning Adjustment 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 #
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (NA	AME) David Hodge
of (COMPLETE ADDRESS) <u>Undernill</u>	& Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
deposes and states that (he/she) is the A is a list of all persons, other partnerships this application and their mailing addres	PPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following s, corporations or entities having a 5% or more interest in the project which is the subject of isses:
NAME	COMPLETE MAILING ADDRESS
Centro, Inc.	3363 Tremont, Columbus, Ohio 43221
Highpearl, Inc.	3363 Tremont, Columbus, Ohio 43221
Spartan Restaurant Group	5218 Blessing Court, Galena, Ohio 43021
SIGNATURE OF AFFIANT	1 HJO
Sworn to before me and signed in my prese	ence this 15th day of December, in the year 2010
SIGNATURE OF NOTARY PUBLIC	My Commission Expires Notary Seal Here
<i>O</i>	AND A COMPANY OF THE PARTY OF T

KIMBERLY R. GRAYSON Notary Public, State of Ohlo My Commission Expires January 11, 2021