



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: 14310-0-00801
Date Received: 11/5/14
Commission/Civic: FNCCC
Existing Zoning: LM Application Accepted by: D. Reiss Fee: \$1,900.00
Comments: 1/27/15

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

Variance Special Permit

Indicate what the proposal is and list applicable code sections.

See Exhibit B, Statement of Hardship

LOCATION

1. Certified Address Number and Street Name 1069 Polaris Parkway
City Columbus State OH Zip 43240
Parcel Number (only one required) Delaware County: 31843201013000 and 31843301023000
(Combined 10-22-2014)

APPLICANT: (IF DIFFERENT FROM OWNER)

Name TC Restaurant Enterprise LLC c/o Donald Plank, Plank Law Firm
Address 145 E Rich Street, FL 3 City/State Columbus, OH Zip 43215
Phone # 614-947-8600 Fax # 614-228-1790 Email dplank@planklaw.com

PROPERTY OWNER(S):

Name Ravid Polaris, LLC c/o Colliers International/Kevin Shoup, Agent
Address 8800 Lyra Drive, Suite 650 City/State Columbus, OH Zip 43240
Phone # 614-437-4657 Fax # 614-436-9700 Email Kevin.Shoup@colliers.com
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney Agent For Applicant

Name Donald Plank, Plank Law Firm
Address 145 East Rich Street, FL 3 City/State Columbus, OH Zip 43215
Phone # 614-947-8600 Fax # 614-228-1790 Email: dplank@planklaw.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Donald Plank, attorney
PROPERTY OWNER SIGNATURE RAVID POLARIS, LLC BY COLLIERS INTERNATIONAL Kevin Shoup,
ATTORNEY / AGENT SIGNATURE Donald Plank PROPERTY MGR / AGENT
for applicant FOR OWNER

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 all checks payable to the Columbus City Treasurer



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AFFIDAVIT

14320-00801
1069 Polaris Pkwy.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215-5240
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 ADDRESS CARD FOR PROPERTY 1069 Polaris Parkway
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) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) Ravid Polaris LLC
AND MAILING ADDRESS c/o Keith Shoup, Colliers International
8800 Lyra Drive, Suite 650
Columbus, OH 43240
APPLICANT'S NAME AND PHONE # (5) TC Restaurant Enterprise LLC
(same as listed on front of application) c/o Donald Plank, (614) 947-8600

AREA COMMISSION OR CIVIC GROUP (5) FNCCC
AREA COMMISSION ZONING CHAIR OR c/o Mr. Jim Palmisano, President
CONTACT PERSON AND ADDRESS 7894 Brookpoint Place
Westerville, OH 43081

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See Exhibit A

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

SIGNATURE OF AFFIANT

(8) Donald Plank

Subscribed to me in my presence and before me this 24th day of OCTOBER, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter

My Commission Expires

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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APPLICANT

TC Restaurant Enterprise LLC
c/o Donald Plank
Plank Law Firm
145 E Rich Street, FL 3
Columbus, OH 43215

COMMUNITY GROUP:

FNCCC
c/o Jim Palmisano
7894 Brookpoint Place
Westerville, OH 43081

Gemini Limited PTR
Attn: Peter Doyle
5811 Olentangy River Road
Columbus, OH 43235

Wallace Enterprises Limited
Partnership
8999 Gemini Parkway
Columbus, OH 43240

Polaris BP LLC
c/o Englefield Oil Company
447 James Parkway
Heath, OH 43056

ALSO NOTIFY:

David B. Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Floor
Columbus, OH 43215

PROPERTY OWNER

Ravid Polaris, LLC
c/o Keith Shoup
Colliers International
8800 Lyra Drive, Suite 650
Columbus, OH 43240

Ravid Polaris, LLC
c/o Teddy Chattah
675 3rd Avenue, Suite 2400
New York, New York 10017

PROPERTY OWNERS WITHIN 125 FEET

Banc One Management Corp.
1111 Polaris Parkway
Columbus, OH 43240

Gemini Limited PTR
9009 Gemini Parkway
Columbus, OH 43240

Rockford Offices LTD
c/o Mark F. Taggart Co.
942A Freeway Drive
Columbus, OH 43229

Polaris Medical Ltd
1120 Polaris Parkway
Columbus, OH 43240

TC Restaurant Enterprise LLC
c/o Adam Hesler
PO Box 485
Marion, OH 43301

ATTORNEY FOR APPLICANT

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

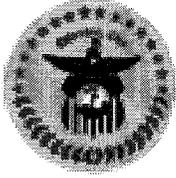
Formsma Gottlieb Rentals Ltd
8949 Antares Avenue
Columbus, OH 43240

Rockford Offices Ltd
999 Polaris Parkway
Columbus, OH 43240

Gay Street Polaris LLC
P O Box 06189
Columbus, OH 43206

William James Briggs, Trustee
1443 Montero Avenue
Burlingame, CA 94010

CCS Construction, LLC
c/o Paul Butler
6724 Perimeter Loop, Suite 215
Dublin, OH 43017



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

14320-00801
1069 Polaris Pkwy.

One Stop Shop Zoning Report Date: Mon Nov 10 2014

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1069 POLARIS PKWY COLUMBUS, OH 43240

Mailing Address: P O BOX 167928
IRVING TX 75016-7928

Owner: JPMCC 2005 LDP2 POLARIS COMMON

Parcel Number: 31843201013000

ZONING INFORMATION

Zoning: Z97-033A, Manufacturing, LM
effective 7/16/2001, Height District H-60

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: N/A

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A

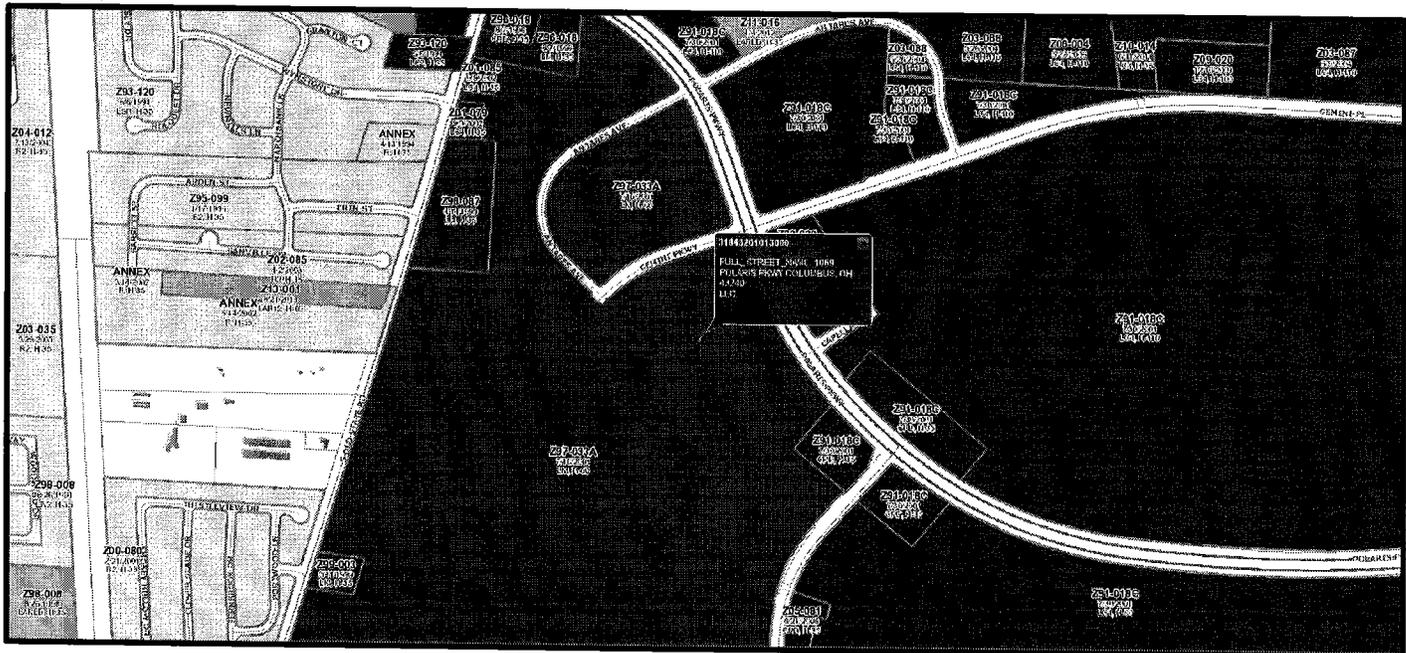


EXHIBIT B
Statement of Hardship

1069 Polaris Parkway, Columbus, OH 43240

BZA14310-00000-_____

The 9.85 +/- acre site is located generally at the southeast corner of Polaris Parkway and Gemini Parkway, except the outlot at the corner is not part of the site. The site extends east to McCoy Center Lane (Private). The property is zoned L-M, Limited Manufacturing and commercial uses are permitted. The site is developed with five (5) multi-tenant commercial buildings with various retail, office and restaurant tenants, except Building "D". Building "D", 21,801 SF, including mezzanine area, was formerly occupied by Lifestyle Fitness, but is vacant. Applicant has obtained a permit for use of part of the building to proceed with interior remodeling.

The shopping center presently has 520 parking spaces. Applicant proposes to build an additional 44 spaces, to provide total parking of 564 parking spaces, which is an 8.5% increase in on-site parking. Applicant proposes to change Building "D" to three (3) uses: 1) Tequila Cowboy, 2) Wanna B's and 3) Luigi's Pizza. Tequila Cowboy is a restaurant/bar with live music or DJ and dancing. Wannabe's is a karaoke bar. Luigi's Pizza is a pizza and other Italian food restaurant that will provide food service independently and to Tequila Cowboy/Wanna B's. All three (3) uses are charged parking at the 1 space per 75 square feet rate, so there is an increase in code required parking for the proposed uses.

Applicant proposes to provide an additional 44 parking spaces on-site through construction of new parking (36 spaces) and restriping (8 spaces), thereby increasing parking by 44 spaces and increasing total on-site parking from 520 spaces to 564 spaces. Total required parking for the sum of all uses is 647 spaces, which is 83 more than provided. A variance to the additional 83 spaces is requested, which is a 15% variance to required parking. The percent variance to required parking is small and is within the range of many approved parking variances. Applicant proposes two (2) outside patio areas for which 16 parking spaces are required, even though outside seating is a seasonal use and limited to about 5- 6 months of the year in Columbus, OH. The 16 spaces are included in the 83 space variance, but, in terms of year round change in parking, the variance is 67 spaces or only a 12% reduction. There are numerous commercial tenants at this property. Tequila Cowboy and Wanna B's hours will be 4pm - 2:30am. Luigi's Pizza hours will be 11am - 2:30 am.

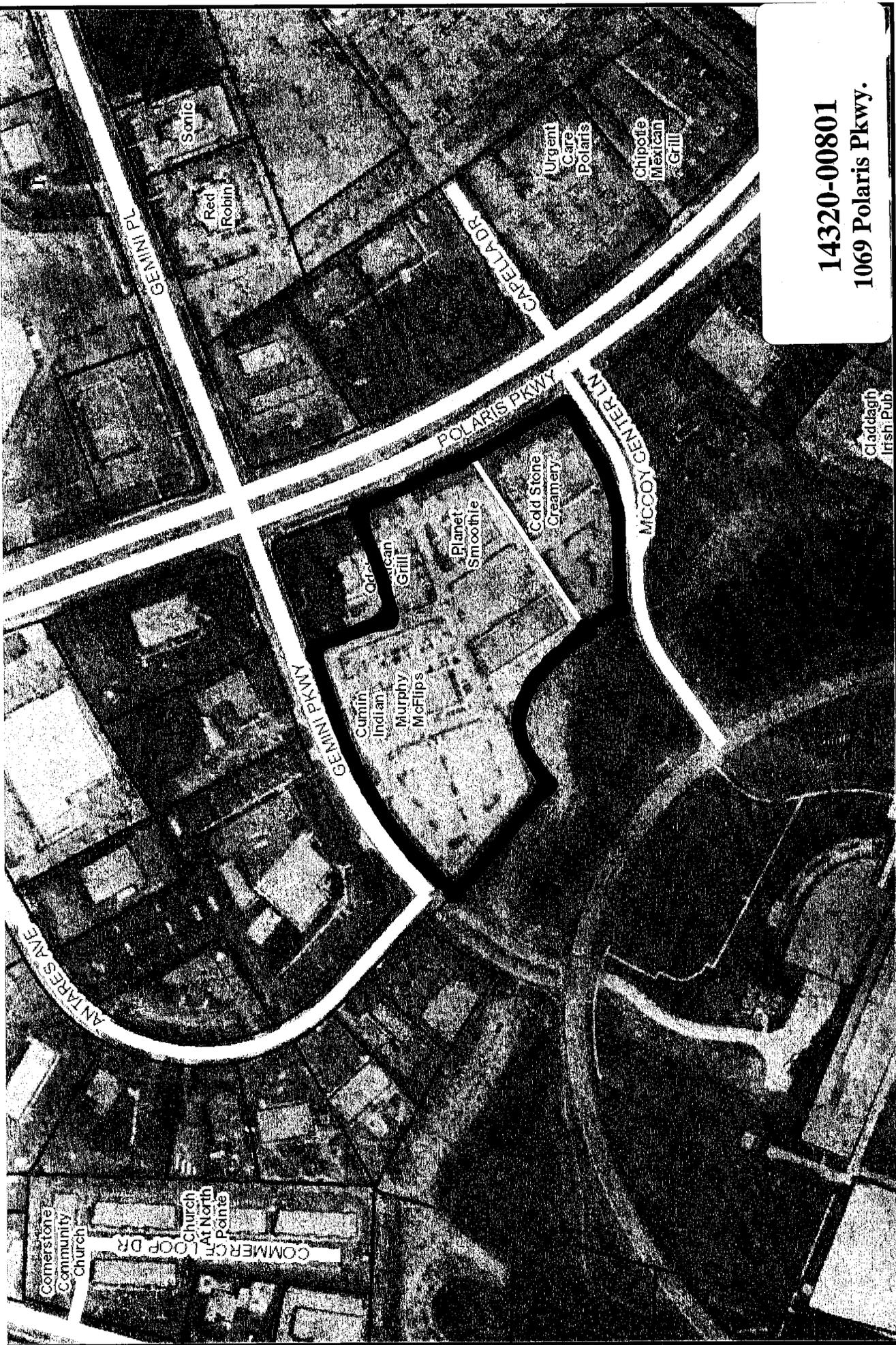
A minor reduction in required parking is requested. Applicant has a hardship and practical difficulty with literal compliance with code required parking. The variety of tenants and the hours of operation support shared parking.

Applicant request the following variances:

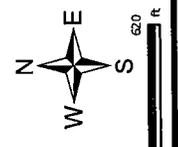
1. 3312.49, Minimum Numbers of Parking Spaces Required, to reduce code required parking from 647 to 564, a variance of 83 parking spaces (15% of code required parking), including 16 spaces for seasonal outside patio seating, to permit the change of use of Building "D", 21,801 SF, from a fitness center to restaurant/bar use.

10-24-2014

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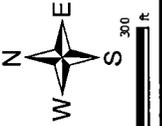
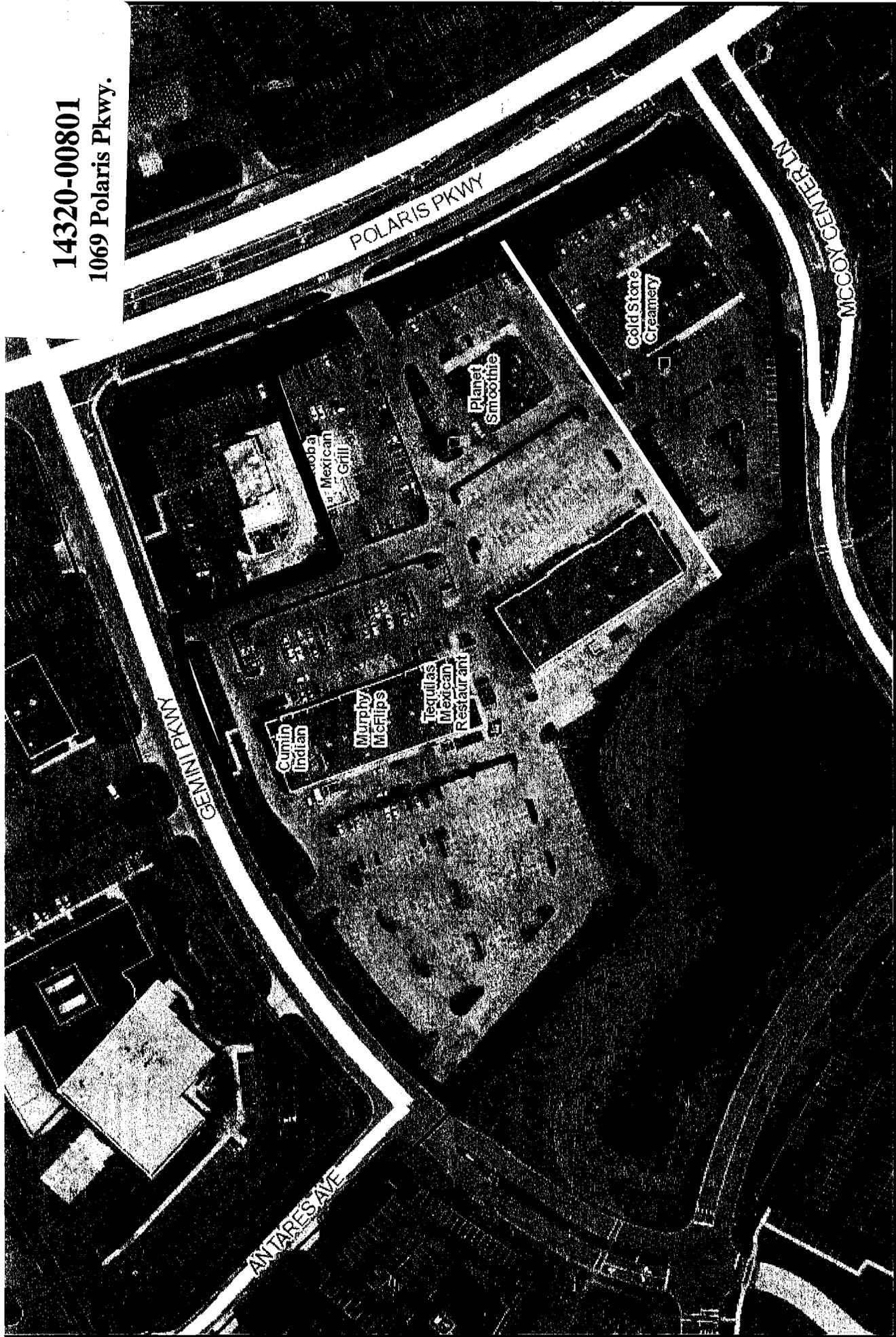


Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and its information cannot be constructed or used as a "legal description" of a parcel. Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201). Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.oh.us. Prepared by: Delaware County Auditor's GIS Office



Delaware County Auditor
 George Kaitza

14320-00801
1069 Polaris Pkwy.



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Delaware County Auditor
George Kaltsa

Printed on 10/22/2014

COMBINATION REQUEST OF TAX PARCELS

MAP & PAGE _____

DATE OCT. 22, 2014

I, KEITH SHOUP as the owner, owner's representative do hereby authorize request the Delaware County Auditor to combine the following parcels located in the taxing district of (45) CITY OF COLUMBUS

PARCEL NUMBERS:

318 - 432 - 01 - 013 - 000
318 - 433 - 01 - 023 - 000

Buildings: Yes No

Current Owner RAVID POLARIS, LLC

REASON FOR COMBINATION REQUEST:

- Planning Commission Requirement
- Building Permit
- Personal Convenience
- Other CITY OF COLUMBUS ZONING - PARKING REQUIREMENTS

* I understand that the parcels must be contiguous (touching) and that title must be held identically in each parcel to be combined.

Signed Keith Shoup

Phone # (614) 437-4657

** Since taxes are assessed on each parcel according to its status on January 1 of the current year, your tax bills for this year will not reflect the combination.

*** Once combination form has been filed, you must seek Planning Commission approval to split properties.

AUDITOR'S COMMENTS

GIS MAP VERIFIED:

OWNERSHIP VERIFIED:

PARCEL SHEET VERIFIED:

PARCEL NUMBER RETAINED: 318-432-01-013-000

DEPUTY AUDITOR: Tracy Hedges

14320-00801
1069 Polaris Pkwy.



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: 31843201013000

Zoning Number: 1069

Street Name: POLARIS PKWY

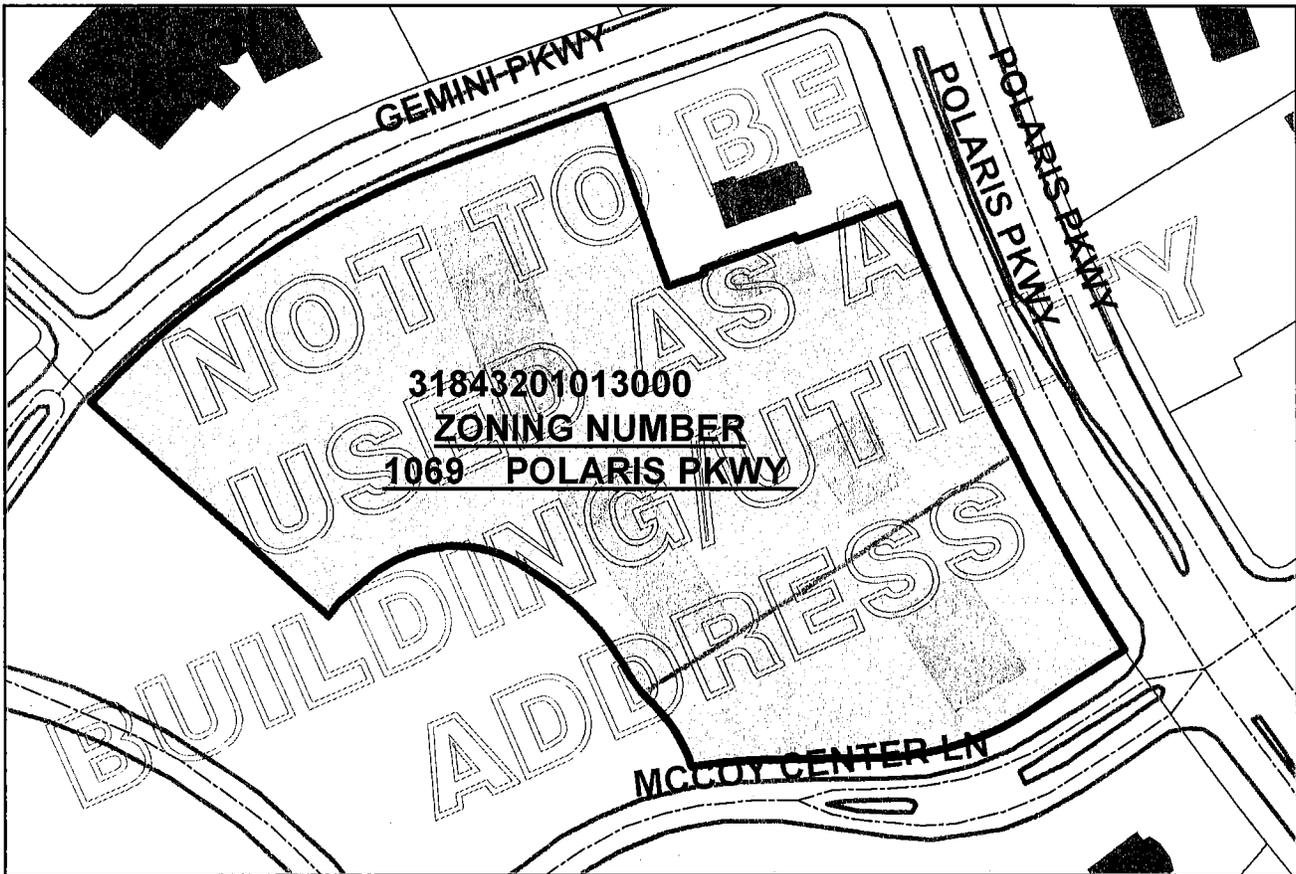
Lot Number : N/A

Subdivision: N/A

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

Issued By: *Adyana Chisriam*

Date: 10/23/2014



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 24102

JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO





BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.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 #

14320-00801
1069 Polaris Pkwy.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215-5240
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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
TC Restaurant Enterprise LLC c/o Mr. Adam Hesler	676 Bellefontaine Avenue Marion, OH 43302
Ravid Polaris LLC c/o Mr. Teddy Chattah	675 3rd Avenue, Suite 2400 New York, NY 10017

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 24th day of OCTOBER, in the year 2014

SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PANTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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