



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: #12310-00000-00261
Date Received: 14 MAY 2012
Commission/Group: Fifth City Northmont
Existing Zoning: M & G-4 Application Accepted by: HF Fee: \$1900-
Comments: 7/24/12

TYPE(S) OF ACTION REQUESTED (Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.
See Statement of Hardship, Exhibit B

LOCATION

1. Certified Address Number and Street Name 1189 Olentangy River Road
City Columbus State OH Zip 43212
Parcel Number (only one required) 010-027755, 010-061836, 010-061837

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Glimcher Properties Limited Partnership c/o Donald Plank, Plank Law Firm
Address 145 East Rich Street, 3rd Flr. City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com

PROPERTY OWNER(S):

Name CAB Holding Company LLC c/o Alan T. Rudy, CEO/Managing Member
Address 1177 Olentangy River Road City/State Columbus, OH Zip 43212
Phone # _____ Fax # _____ Email _____
☒ Check here if listing additional property owners on a separate page.

ATTORNEY/AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Donald Plank, Plank Law Firm (Attorney for Applicant)
Address 145 East Rich Street, 3rd Flr. 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 _____
PROPERTY OWNER SIGNATURE _____
ATTORNEY/AGENT SIGNATURE Donald Plank

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

BUILDING & ZONING SERVICES

\$1900

Revised 02/01/11



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

AFFIDAVIT

12310-00261
1189 Olentangy River Rd.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DONALD PLANK
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, 3rd Flr., Columbus, OH 43215
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
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) 1189 Olentangy River Road

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME *
AND MAILING ADDRESS

(4) CAB Holding Company LLC c/o Alan T. Rudy, CEO/Managing Member
1177 Olentangy River Road
Columbus, OH 43212

*SEE SUPPLEMENTAL PROPERTY
OWNER FORM

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

Glimcher Properties Limited Partnership c/o Donald Plank, Plank Law Firm
(614) 947-8600

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

(5) Fifth by Northwest Area Commission c/o Bruce Shalter
1635 B Grandview Avenue
Columbus, OH 43212

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

Subscribed to me in my presence and before me this 11th day of May, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



(8) David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 147.03

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For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer

APPLICANT

Glimcher Properties Limited Partnership
c/o Donald Plank, Plank law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

PROPERTY OWNER

CAB Holding Company LLC
c/o Alan T. Rudy
1177 Olentangy River Road
Columbus, OH 43212

Olentangy TKT LLC
c/o Thomas Brigdon
Northstar Development
150 East Broad Street, Suite 100
Columbus, OH 43215

Olentangy TKT LLC
c/o Tyler Lucks
Northstar Development
150 East Broad Street, Suite 100
Columbus, OH 43215

ATTORNEY

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

COMMUNITY GROUP

Fifth By Northwest Commission
c/o Mr. Bruce Shalter
1635 B Grandview Avenue
Columbus, OH 43212

PROPERTY OWNERS WITHIN 125 FEET

Cole FM Grandview OH LLC
2555 East Camelback Road, Suite 400
Phoenix, AZ 85016

Edwards Tribeca LLC
495 South High Street, Suite 150
Columbus, OH 43215

City of Columbus
Real Estate Management
90 West Broad Street, Room 425
Columbus, OH 43215

Gowdy Partners III LLC
1533 Lake Shore Drive
Columbus, OH 43204

12310-00261
1189 Olentangy River Rd.

ALSO NOTIFY

George A, Schmidt
Glimcher Properties Limited Partnership
180 East Broad Street, 21st Floor
Columbus, OH 43215

Ted Hathaway
Glimcher Properties Limited Partnership
180 East Broad Street, 21st Floor
Columbus, OH 43215

Steve Bruch
Glimcher Properties Limited Partnership
180 East Broad Street, 21st Floor
Columbus, OH 43215

Ryan Friedberg
Glimcher Properties Limited Partnership
180 East Broad Street, 21st Floor
Columbus, OH 43215

Tom Warner
Advanced Civil Design
422 Beecher Road
Gahanna, Ohio 43230

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



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00261
1189 Olentangy River Rd.

One Stop Shop Zoning Report Date: Wed May 16 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1201 OLENTANGY RIVER RD COLUMBUS OH 43212

Mailing Address: 150 E BROAD ST STE 100
COLUMBUS OH 43215

Owner: OLENTANGY TKT LLC

Parcel Number: 010061836

ZONING INFORMATION

Zoning: Z11-007, Commercial, C4
effective 8/24/2011, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: OLENTANGY RIVER ROAD SOUTH CCO

Graphic Commission: N/A

Area Commission: 5th by Northwest Area Commission

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

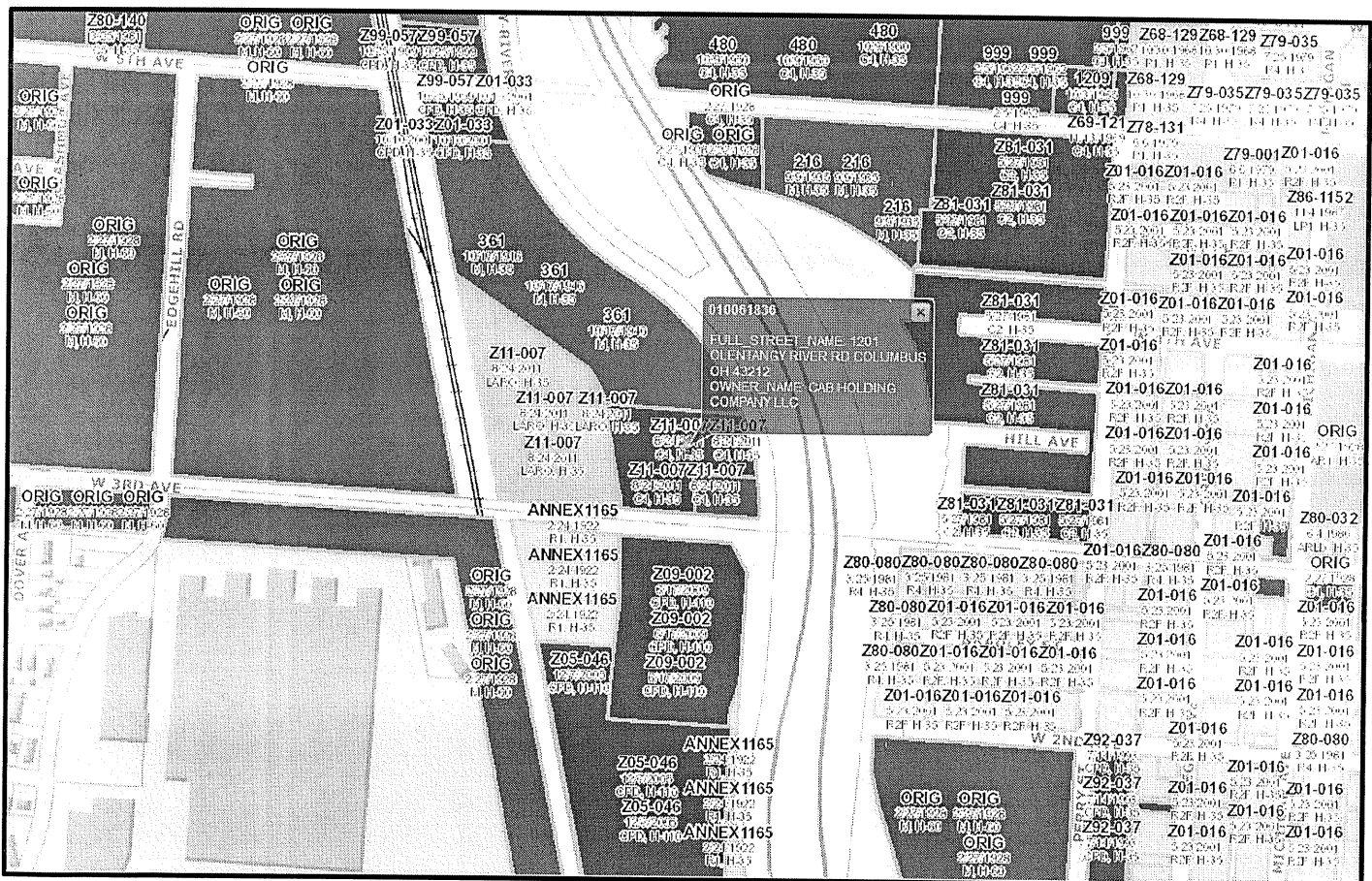


Exhibit B
1189 Olentangy River Road
BZA12-_____

Statement of Hardship

The site is located at the northwest corner of Olentangy River Road and West Third Avenue and consists of 3.147 +/- acres. Of the 3.147 +/- acres, 0.574 acres is zoned M, Manufacturing and 2.573 +/- acres is zoned C-4, Commercial. The site is presently developed with two (2) buildings, both of which will be razed with the proposed development. Applicant proposes to redevelop the site with two (2) separate commercial buildings for restaurants, generally as depicted on the submitted site plan. Many commercial uses, including restaurants, are permitted uses at the site. Applicant intends to split the real estate generally as depicted on the submitted site plan, subject to survey. Certain requested variances relate solely to splitting the parcel, such as 3312.09, Aisle, and 3312.25, Maneuvering, due to the proposed property line splitting a parking space maneuvering aisle. The full aisle width and maneuvering area will be provided and cross easements between the two parcels will be provided executed and recorded to insure common maneuvering and circulation throughout the parking lot.

The site is also located in the Olentangy River Road Community Commercial Overlay (ORRCCO). The ORRCCO was passed (Ord. 0216-2010) May 10, 2010 and is applicable to the west side of Olentangy River Road between West Third Avenue on the south and Chambers Road on the north. Most, if not all, of the existing site development/buildings within the ORRCCO area predate Ordinance 0216-2010 and don't comply with the ORRCCO. Applicant requests certain variances to the ORRCCO due to a practical difficulty with the development of the site. Concept building elevations are provided with this application to illustrate compliance with building design standards of 3372.705 (A, C, D, E, F), Building Design Standards.

Applicant has a practical difficulty with compliance with the following code sections and requests the following variances:

- 1) 3312.09, Aisle, which Section requires a minimum aisle width of twenty (20) feet for 90 degree parking spaces with two-way travel, while applicant proposes an aisle divided by an internal property line thereby providing an aisle less than twenty (20) feet wide on each side of the proposed property line but easements will be provided for common use of the aisle by both parcels, so the aisle will function as being compliant with the required width.
- 2) 3312.21(C), Landscaping and Screening, which Section requires parking lot screening to screen a parking lot located within eighty (80) feet of a residentially zoned property,

while part of the west side of the proposed parking lot is within eighty (80) feet of property to the west that was recently zoned L-ARO, Limited Apartment Residential Office, but there is a thirty (30) foot private drive easement that provides vehicular access and circulation to several properties between the subject site and the L-ARO property and the adjacent L-ARO property is proposed to be developed with the parking lot for the multi-family use and applicant proposes no screening on the west side of the parking lot of the subject site.

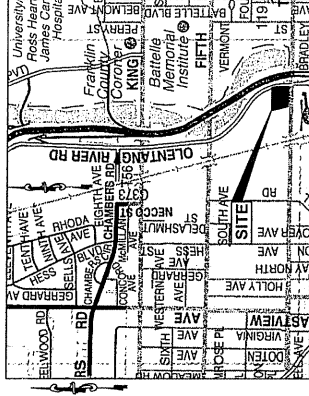
- 3) 3312.25, Maneuvering, which Section requires every parking space to have sufficient maneuvering area on the parcel on which the parking space is located, while applicant proposes a property line following the centerline of a maneuvering aisle, thereby providing 12 +/- feet of maneuvering area on each side of the property line, but a total of 20 feet or more maneuvering area for 90 degree parking will be provided with easements for mutual use of the aisle for maneuvering.
- 4) 3372.704 (A), Setback Requirements, which Section establishes a building setback line of 25 feet for the majority of the building with exceptions for part of a building to be located closer than 25 feet and part to be located at up to a forty foot setback, while a private deed restriction exists that requires a minimum forty (40) foot building and structure setback, applicant must comply with the private deed restriction and therefore a building setback of forty (40) feet is required regardless of the requirements of 3372.704 (A), and part of the setback of both proposed buildings will be greater than forty (40) feet because of the curvature of the east property line adjacent to Olentangy River Road, as depicted on the submitted site plan.
- 5) 3372.704 (C), Setback Requirements, which Section establishes a maximum fifty (50) foot building setback from an interior property line, while applicant has a practical difficulty with compliance due to the location of vehicular access to Olentangy River Road and proposes a 125 +/- foot building setback from the north property line due to the location of vehicular access to Olentangy River Road, applicant does not want a driveway cut between the buildings and a common patio area between the two (2) proposed restaurants.
- 6) 3372.705 (B), Building Design Standards, which Section requires the width of a principal building along a primary building frontage to be a minimum of sixty (60) percent of the lot width, while the proposed north building on the proposed north parcel (1.51 +/- acres) is approximately thirty (30) percent of the lot width and applicant has a practical difficulty with compliance due to the vehicular access to Olentangy River Road and the standard requiring a building exceeding 140 feet wide.
- 7) 3372.707 (D), Landscaping and Screening, which Section requires screening along a lot line that borders a residentially zoned or used property, while the west property line borders, as defined, property to the west that is zoned L-ARO, Limited Apartment Residential Office, but there is a thirty (30) foot private drive easement that provides

vehicular access and circulation to several properties between the subject site and the L-ARO property and the adjacent L-ARO property is proposed to be developed with the parking lot for the multi-family use and applicant proposes no screening on the west side of the parking lot of the subject site.

- 8) 3372.707 (F), Landscaping and Screening, which Section requires a dumpster to be located behind the principal building, while applicant proposes the dumpster for the north building to be located on the north side of the building, rather than the west side, with 100% opaque screening on three (3) sides to a minimum height of eight (8) feet and a wood gate on the west side of the enclosure to fully screen from view the dumpster area.

05-11-12

CITY OF COLUMBUS, OHIO
DEPARTMENT OF PUBLIC SERVICE
TRANSPORTATION DIVISION
PRELIMINARY COMMERCIAL SITE PLAN



SITE LOCATION MAP
NOT TO SCALE

APPLICANT — DEVELOPER — CONSTRUCTION MANAGER

GLIMCHER
180 EAST BROAD STREET
COLUMBUS, OH 43215
TEL (614) 462-0600
FAX (614) 462-0321
CONTACT: FRANK STIEBLE
EMAIL: ESTH@GLIMCHER.COM

ENGINEER

ADVANCED CIVIL DESIGN, INC.
412 BECKER ROAD
CAMARCA, OH 43230
PHONE (614) 428-7750
FAX (614) 428-7752
CONTACT: MR. THOMAS WANNER
EMAIL: TWANNER@ADVANCEDCIVILDESIGN.COM

SITE INFORMATION

PROPOSED ADDRESS	DIC-027735-00	DIC-001836
ADDRESS	COMMERCIAL DEVELOPMENT (NEW RESTAURANT SPACE)	
PARCELS #	1177-1320 OLDLANDY RIVER ROAD	
PARCELS	DIC-027735 &	DIC-001836
ACRES	137.046 S.	
ZONED	FOR PARCEL DIC-027735, ZONED M, CASE NO. 361 FOR PARCEL DIC-001836, ZONED C-4, CASE NO. 211-007	

SITE STATIONS		
PROPERTY AREA	3,147 ACRES	
TOTAL BUILDING AREA	14,500 SF	
PARKING REQUIREMENTS PER CITY OF COLUMBUS COMFED ORDINANCES		
PARKING REQUIRED:		
RESTAURANT A	1.51 +/- ACRES	
RESTAURANT B	1.85 +/- ACRES	
PARCEL AREA		

BUILDING AREA (+/-)	8,000 SQ. FT.	6,500 SQ. FT.
PAVED AREA (+/-)	1,250 SQ. FT.	1,400 SQ. FT.
PARKING		
BUILDING	107 (1 SPACE/75 SQ. FT.)	87 (1 SPACE/75 SQ. FT.)
PATIO	116 (1 SPACE/150 SQ. FT.)	117 (1 SPACE/150 SQ. FT.)
TOTAL	223	204
LESS:		
25% REDUCTION OF CODE REQUIRED PARKING PROVIDED BY		
CLINTANSY RIVER ROAD COMMUNITY COMMERCIAL OVERLAY		
REQUIRE	87 SPACES	71 SPACES


BIKE/PARKING REQUIRED:	216 SPACES
PROVIDED:	55 SPACES
TOTAL PARKING SPACES = 216 SPACES	
BIKE/PARKING AT 2 SPACE FOR 1ST 20 SPACES + 1 SPACE/ 20 ADDITIONAL SPACES	
212 VEHICLE SPACES = 10.6 SPACES ROUNDED UP TO 11 BICYCLE SPACES	
MINIMUM BICYCLE SPACES REQUIRED	12
BIKE SPACES PROVIDED	12 (6 u TYPE RACKS)
(11) - PROPOSED PARKING	

CITY OF COLUMBUS APPROVALS

SUBMITTER, BELOW SIGNIFY ONLY CONCURRENCE WITH THE FEDERAL PURPOSES AND GENERAL LOCATION OF THE PROJECT AND TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE ENGINEER PREPARING THE PLANS

DATE _____

CHEF PLANS OFFICIAL, BUILDING AND ZONING SERVICES DEPARTMENT _____



ADVANCED

422 Breckner Road
Columbus, Ohio 43230
PH 614/428-7750

CIVIL DESIGN ENGINEERS, INC. 606 614 4283/7255

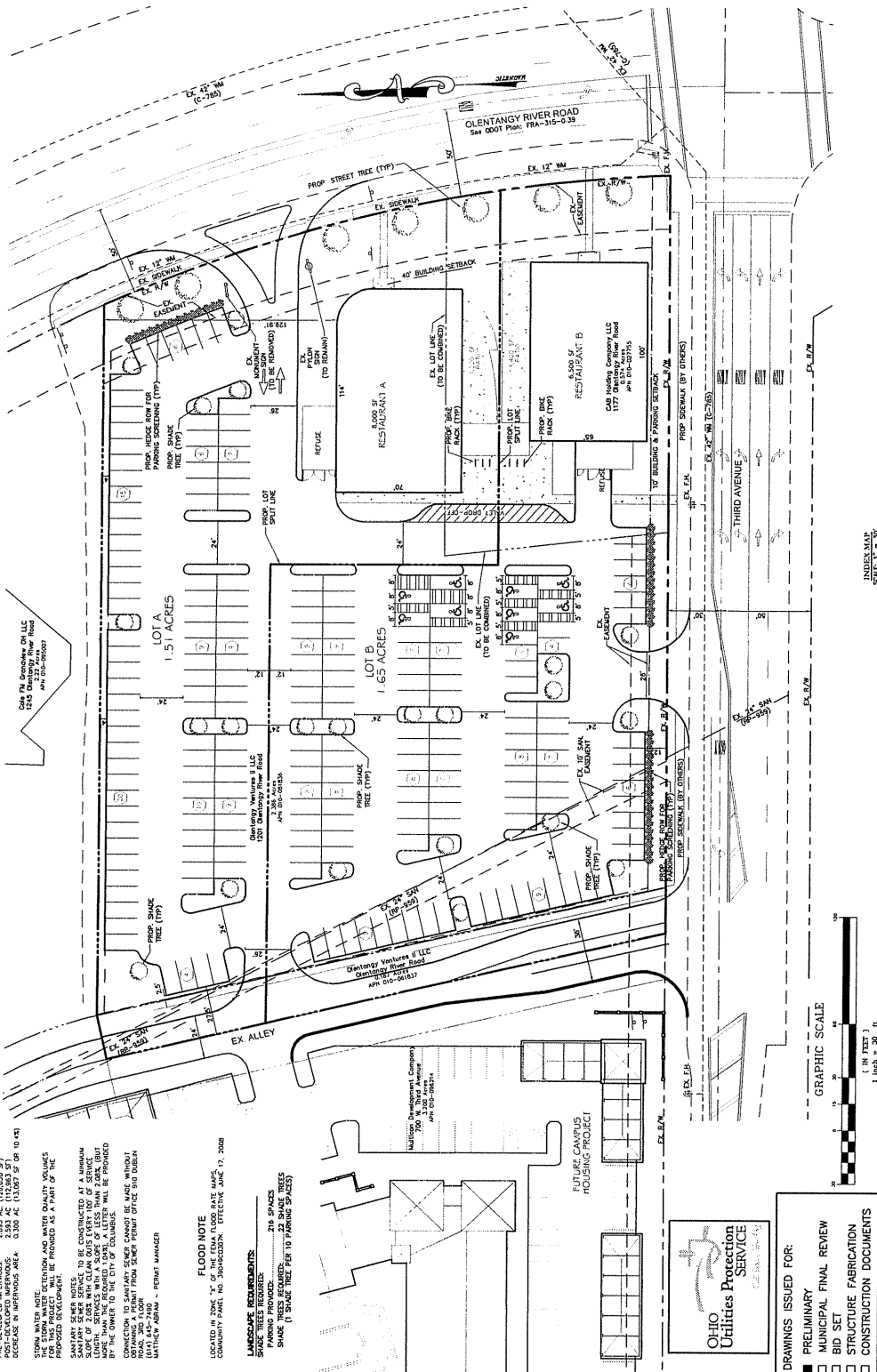
REGISTERED PROFESSIONAL ENGINEER

DATE

MAP # _____ DEPARTMENT OF PUBLIC SERVICE DIVISION DESIGN PLAN COMMERCIAL SITE PLAN FOR _____ _____ RIVER BOARD	ACCELA TRACKING #	
	DATE 05/11/12	JOB CODE 11--0001--
	SCALE	SHEET

310-00261

Antangy River Rd.



REVENUE DESCRIPTION	SHEET NUMBERS		DATE

A

CITY OF COLUMBUS, OHIO

ADVANCED

 427 Barker Road
 Geneva, One 42330

PRELIMINARY SITE PLAN

TRANSPORTATION
 PRELIMINARY C

[illegible][illegible]

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1189 Ole

SUPPLEMENTAL PROPERTY OWNER FORM

1189 Olentangy River Road, Columbus, OH 43212


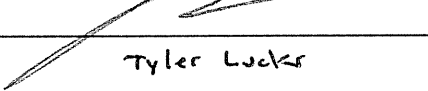
BZA Application #: _____

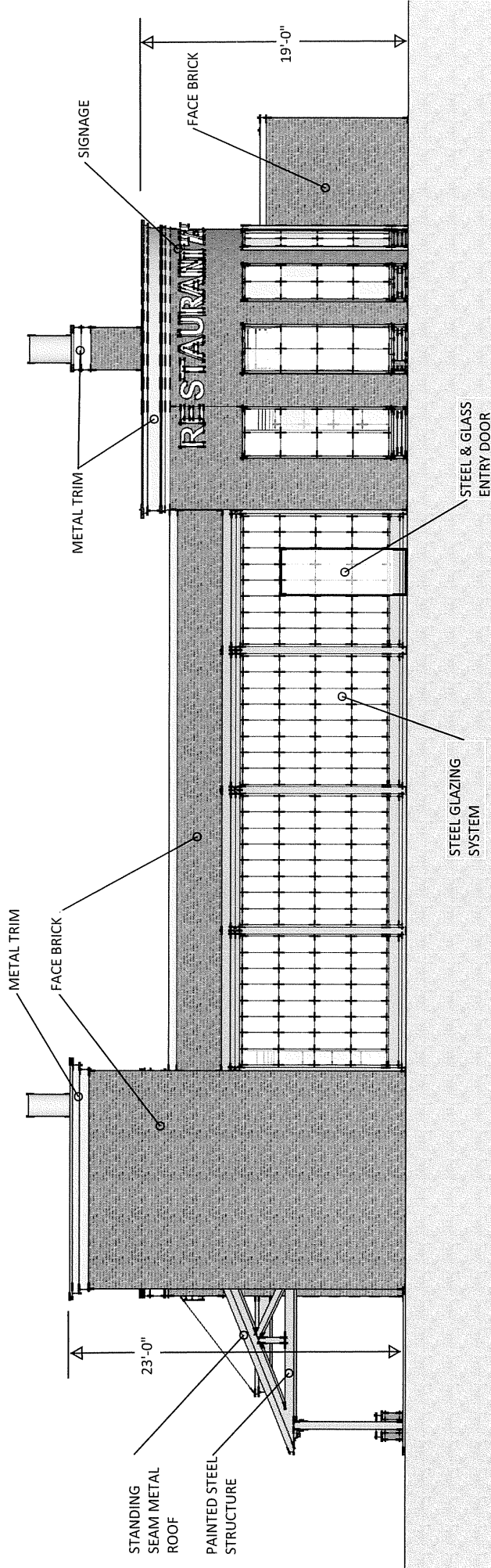
Olentangy TKT LLC
Thomas Brigdon and Tyler Lucks, Managers
c/o Northstar Development
150 East Broad Street, Suite 100
Columbus, OH 43215

Phone: 614-454-5000

Fax: 614-454-5001

E-mail: TBrigdon@nsrealty.net

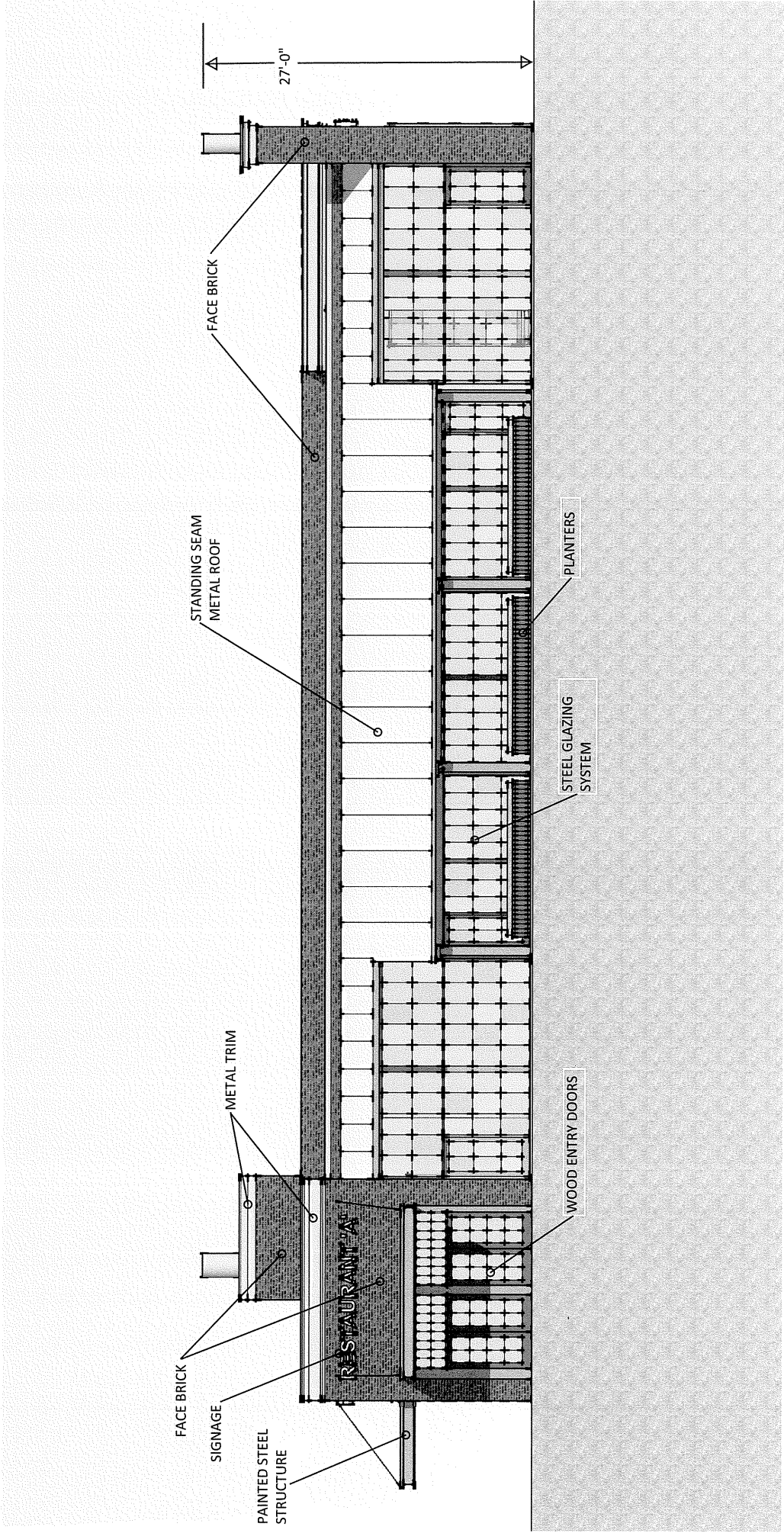
Signature: _____
 Thomas Brigdon
 Tyler Lucks



EAST ELEVATION

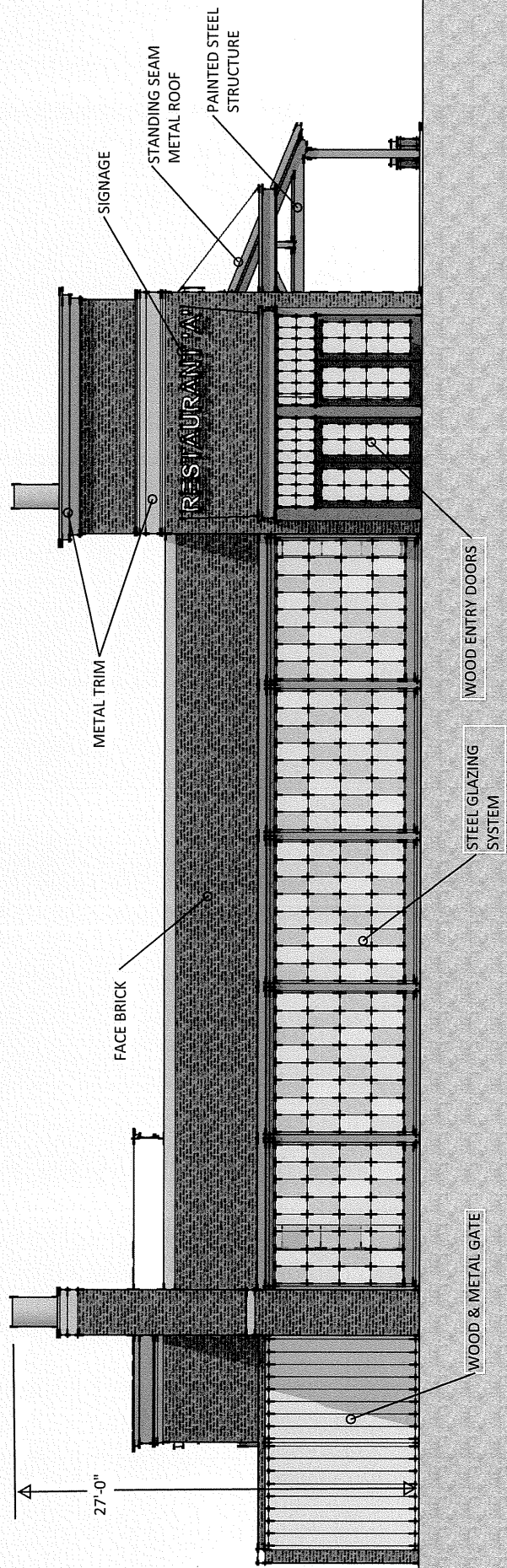
RESTAURANT - A

12310-00261
1189 Olentangy River Rd.



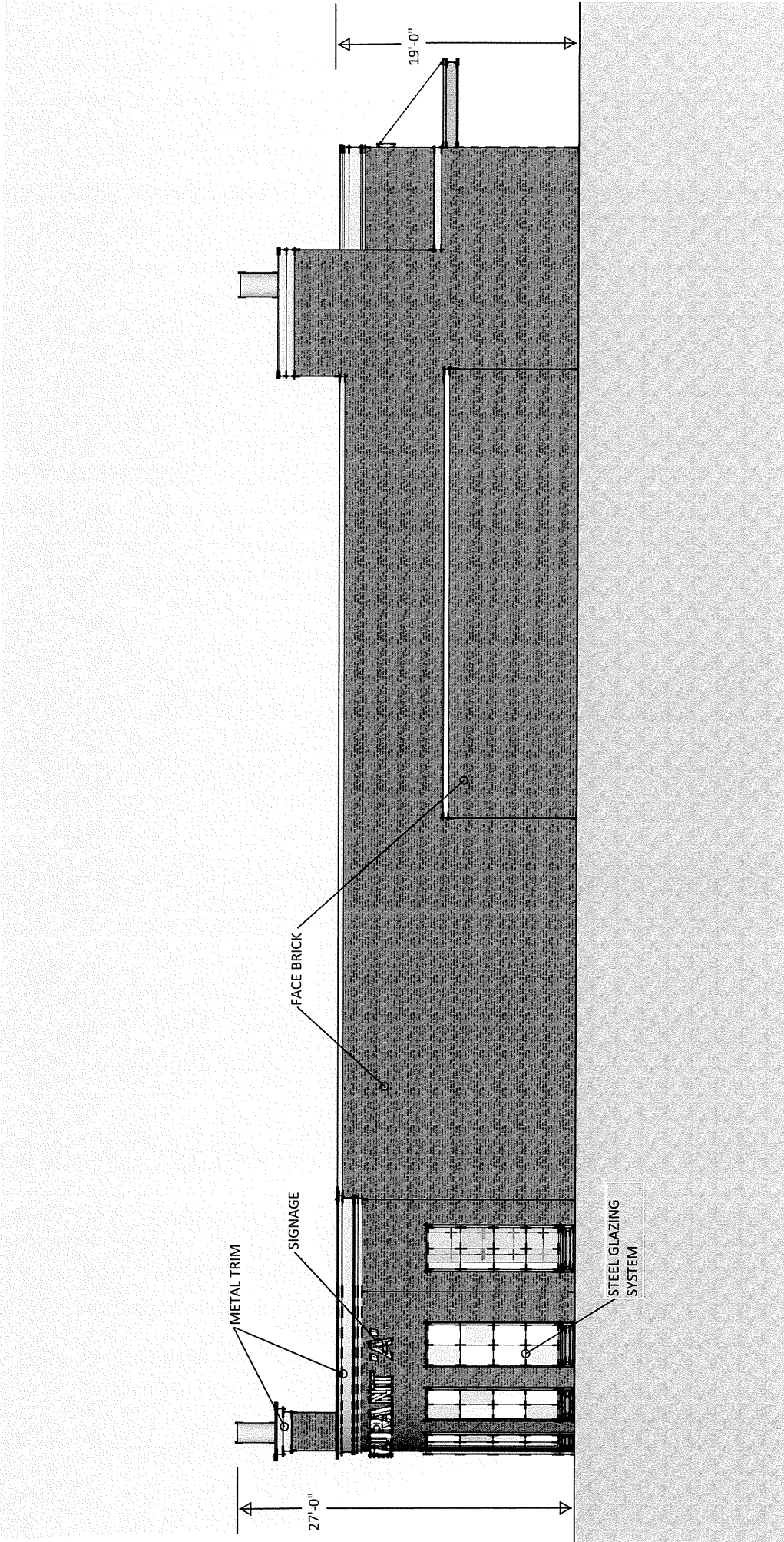
RESTAURANT - A

SOUTH ELEVATION



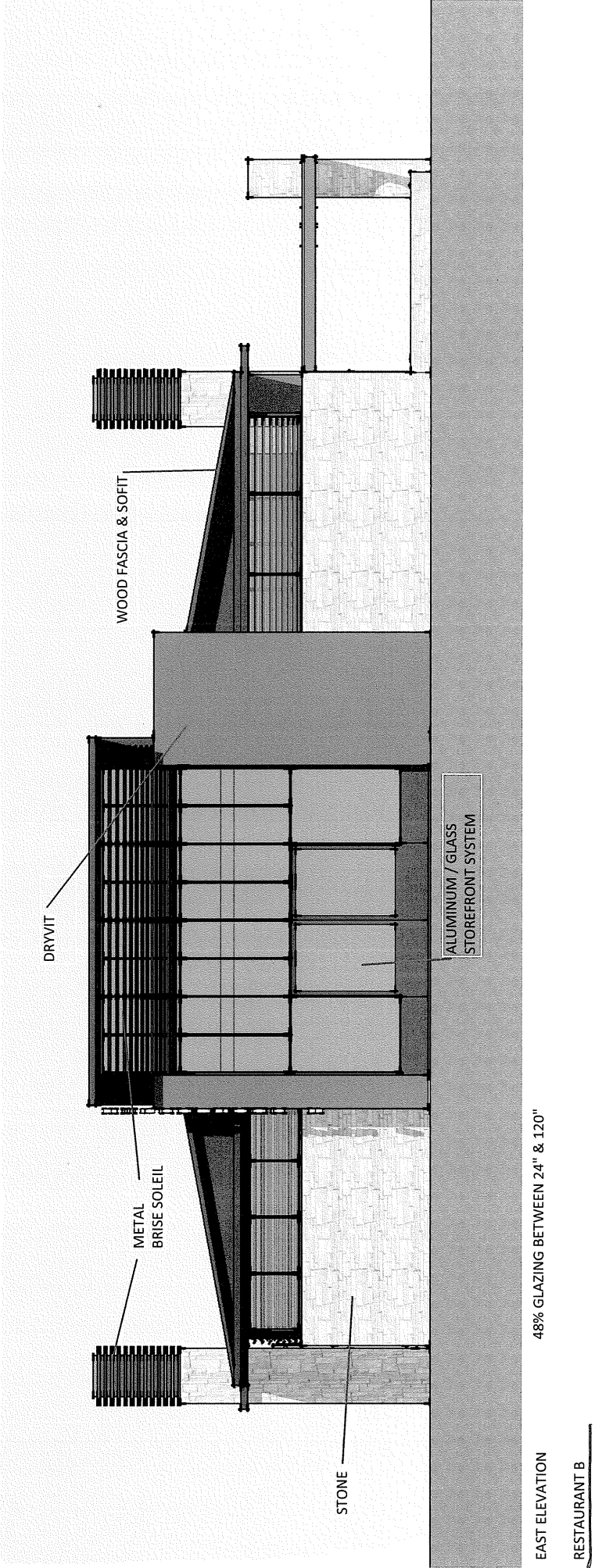
WEST ELEVATION

RESTAURANT - A

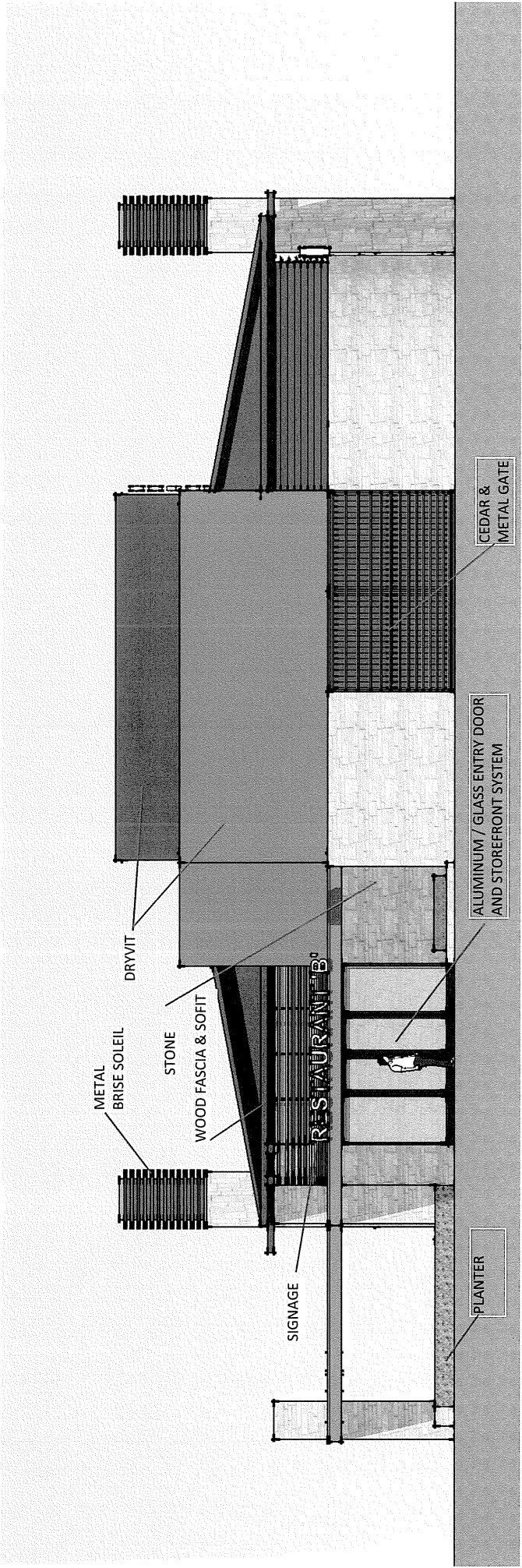


NORTH ELEVATION

RESTAURANT - A

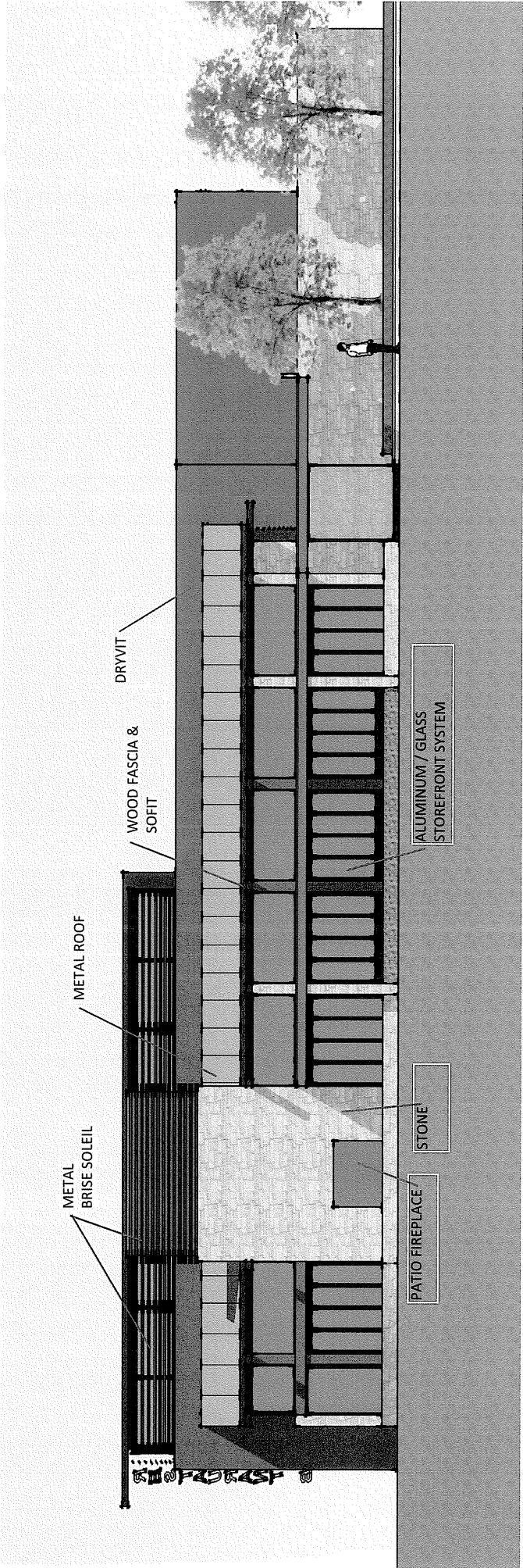


12310-00261
1189 Olentangy River Rd.



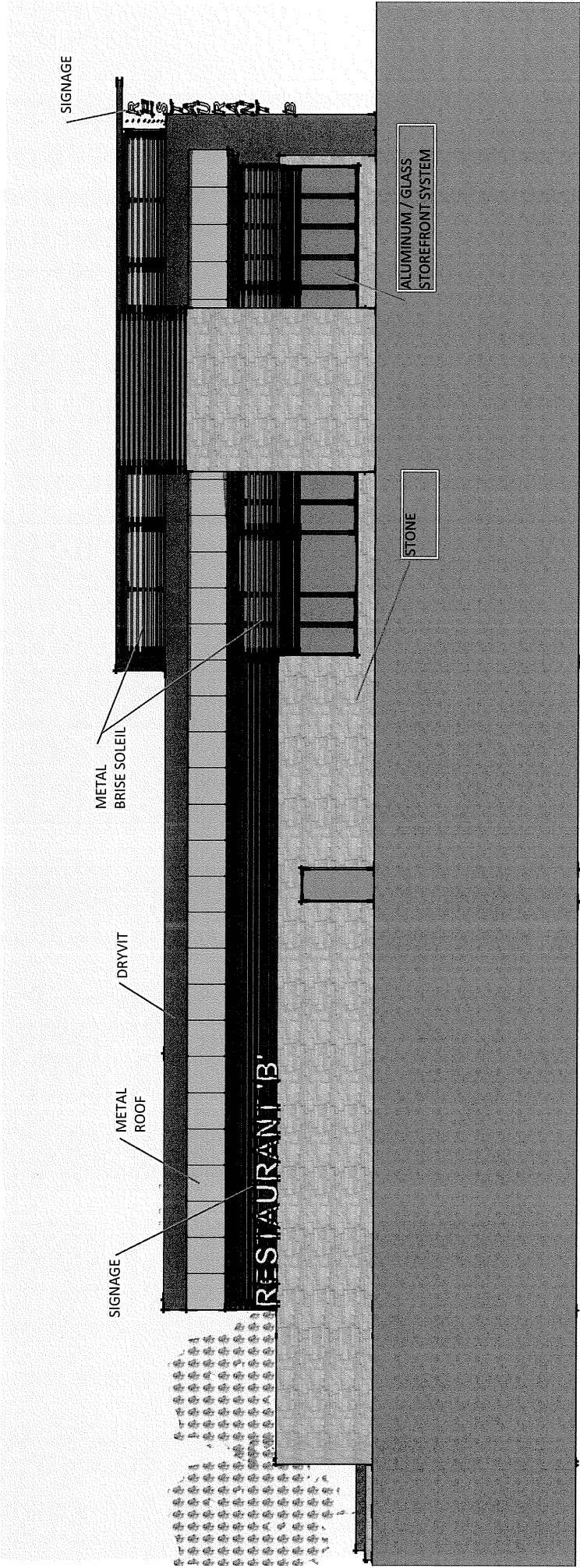
WEST ELEVATION

RESTAURANT B



NORTH ELEVATION

RESTAURANT B



SOUTH ELEVATION

RESTAURANT B

12310-00261
1189 Olentangy River Rd.



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 #

12310-00261

1189 Olentangy River Rd.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) DONALD PLANK
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, 3rd Flr., Columbus, OH 43215
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

CAB Holding Company LLC c/o Alan T. Rudy, CEO/Managing Member

1177 Olentangy River Road, Columbus, OH 43212

Olentangy TKT LLC c/o Thomas Brigdon and Tyler Lucks, Managers

c/o Northstar Development, 150 East Broad Street, Suite 100, Columbus, OH 43215

Glimcher Properties Limited Partnership c/o George A. Schmidt, Esq., General Counsel

180 East Broad Street, 21st Flr., Columbus, OH 43215

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this

11th

day of

May

, in the year

2012

SIGNATURE OF NOTARY PUBLIC

[Signature]
N/A

My Commission Expires:



Notary Seal Here

David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 147.03

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

Revised 02/01/11