

Date: 1/10/11

Application # 10310-0-00018

City of Columbus | Department of Building and Zoning Services | 757 Carolyn Avenue, Columbus, Ohio 43224



If you have questions about this form call 645-4522

Comments: _____ Commission/Group: Clintonville
80 to 0 additional Date Received: 1/10/11 Planning Area: _____
spaces. Date of Hearing: 3/22/11 Acreage: _____
 Zoning Fee: \$1,900.00 Address Fee _____
 Existing Zoning C-4 Accepted by W. Reiss

BOARD OF ZONING ADJUSTMENT APPLICATION

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.

A request to reduce the required number of on site parking spaces from 165 to

85 as required in Section 3312.49 (Table 2) off the Columbus City Code.

LOCATION

1. Certified Address Number and Street Name 4041 N. High Street
 City Columbus State Ohio Zip 43214

Parcel Number (only one required.)

0	1	0	-	0	0	4	4	0	0
---	---	---	---	---	---	---	---	---	---

APPLICANT (IF DIFFERENT FROM OWNER)

2. Name Metropolitan Partners
 3. Address 150 E. Broad Street City Columbus Zip 43215
 4. Phone# 883-1300 Fax # 221-1380
 5. Email Address _____

PROPERTY OWNER(S)

6. Name Metropolitan Clintonville III LLC
 7. Address 150 E. Broad Street City Columbus Zip 43215
 8. Phone# 883-1300 Fax # 221-1380
 9. Email Address _____

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CIRCLE ONE)

10. Name Jackson B. Reynolds III, c/o Smith & Hale LLC
 11. Address 37 W. Broad St., Ste. 725 City Columbus Zip 43215
 12. Phone# 221-4255 Fax # 221-4409
 13. Email Address jreynolds@smithandhale.com

SIGNATURES

14. Applicant Signature By: Jackson B. Reynolds III Metropolitan Partners
 15. Property Owner Signature By: Jackson B. Reynolds III Metropolitan Clintonville III LLC
 16. Attorney/Agent Signature Jackson B. Reynolds III

One Stop Shop Zoning Report

Building Services Division
Department of Development
 Report date: 1/12/2011 4:17:45 PM

Parcel Report

Parcel ID	Owner	Address
010004400	METROPOLITAN CLINTONVILLE III LLC	4041 N HIGH ST COLUMBUS OH 43214

Base Zoning Report

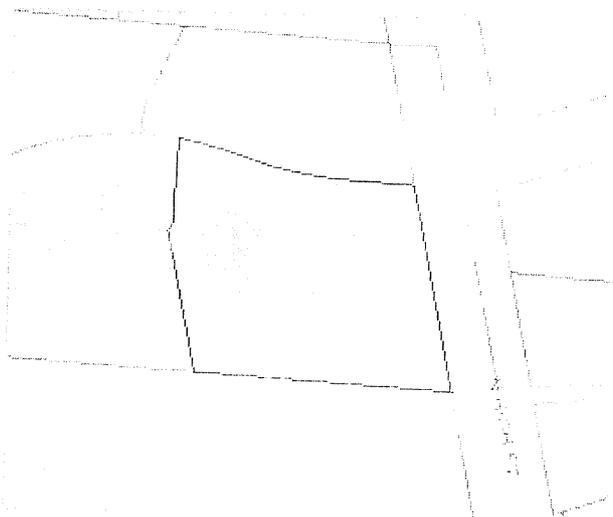
Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
521	C4	H-35	19	Commercial	<i>(View Document)</i>

Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

Area Commissions

Area Name	INFObase URL
Clintonville Area Commission	INFObase Page



This map is intended to locate the property in question and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

VARIANCE STATEMENT
4041 N. HIGH STREET
METROPOLITAN PARTNERS

The owner/applicant is seeking a variance to reduce the required number of parking spaces from 165 to 85 or a reduction of 80 spaces. The rationale for the request is this particular property is located along the N. High Street corridor which is controlled by the urban commercial overlay (ccc 3372.681), however there was a small segment of the N. High Street corridor that was excluded from the overlay when it was adopted. This property was excluded from jurisdiction of the overlay (from Torrence north to Deland) even though it is developed commercially and within reasonable compliance with the overlay requirements. Therefore, the requested parking space reduction is in compliance with the allowed parking space reduction contained in the overlay (ccc 3372.609 (s) (1) & (2)). Those sections allow for a 50% reduction of retail uses and 25% reduction of restaurant uses and in this case we have 29,431 sq. ft. of office space, 4,700 sq. ft. of restaurant space and 750 sq. ft. of patio area. Under the overlay scenario we would need 48 parking spaces for the office space and 54 spaces for the restaurant space. The site currently contains 85 spaces and the requirement under the overlay is 102 spaces.

The special circumstance in this request is that the urban commercial overlay extends for miles north and south of this property and the exclusion of this area was done to preserve the green space along High Street and the subject property does not fit the residential nor park characteristics south of the site. The granting of the requested variance would preserve a substantial property right that other commercial properties north and south of the site are currently granted under the overlay. The exclusion of the property from the overlay was not a result of the property owner as it was done when the overlay was crafted and adopted by the city. Further, the granting of the variance would not be injurious to neighboring properties and is not contrary to the public interest not the intent and purpose of the Zoning Code. Further, the owners have entered into a parking agreement with the abutting property owner that provides for the use of the 18 existing parking spaces on that lot thereby creating additional after hours parking for the facility.



AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jackson B. Reynolds, III of
(1) MAILING ADDRESS 37 W. Broad Street, Suite 725, 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)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME (4) Metropolitan Clintonville III LLC

AND MAILING ADDRESS 150 E. Broad St.

Columbus, OH 43215

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Metropolitan Partners, 883-1300

AREA COMMISSION OR CIVIC GROUP (5) Clintonville Area Commission
AREA COMMISSION ZONING CHAIR OR c/o Sandy Simbro
CONTACT PERSON AND ADDRESS 65 Orchard Lane
Columbus, OH 43214

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 Attached Sheet

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

SIGNATURE OF AFFIANT (8) [Signature of Jackson B. Reynolds, III]
Subscribed to me in my presence and before me this 5th day of January, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) [Signature of Natalie C. Timmons]
My Commission Expires: 9/4/15



Notary Public, State of Ohio
My Commission Expires 09-04-2015



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

APPLICANT

Metropolitan Partners
150 E. Broad St., Ste 100
Columbus, OH 43215

PROPERTY OWNER

Metropolitan Clintonville III LLC
150 E. Broad St., Ste. 100
Columbus, OH 43215

ATTORNEY

Jackson B. Reynolds, III
Smith & Hale LLC
37 W. Broad St., Ste. 725
Columbus, OH 43215

AREA COMMISSION

Clintonville Area Commission
Sandy Simbro
65 Orchard Lane
Columbus, OH 43214

SURROUNDING PROPERTY OWNERS

Fifth Third Bank
MD 10ATA1 Corp FAC
Cincinnati, OH 45263

Ohio Academy of General Practice
4075 N. High St.
Columbus, OH 43214

Lifecare Alliance
1699 W. Mound St.
Columbus, OH 43223

City of Columbus
Real Estate Management
90 W. Broad St. Room 425
Columbus, OH 43215

4030 North High Street LLC
303 E. Wacker Dr., Ste. 850
Chicago, IL 60601-5222

A-Z Investment Properties
3790 S. Old 3C Rd.
Galena, OH 43021

Ohio High School Athletic Association
4080 Roselea Place
Columbus, OH 43214

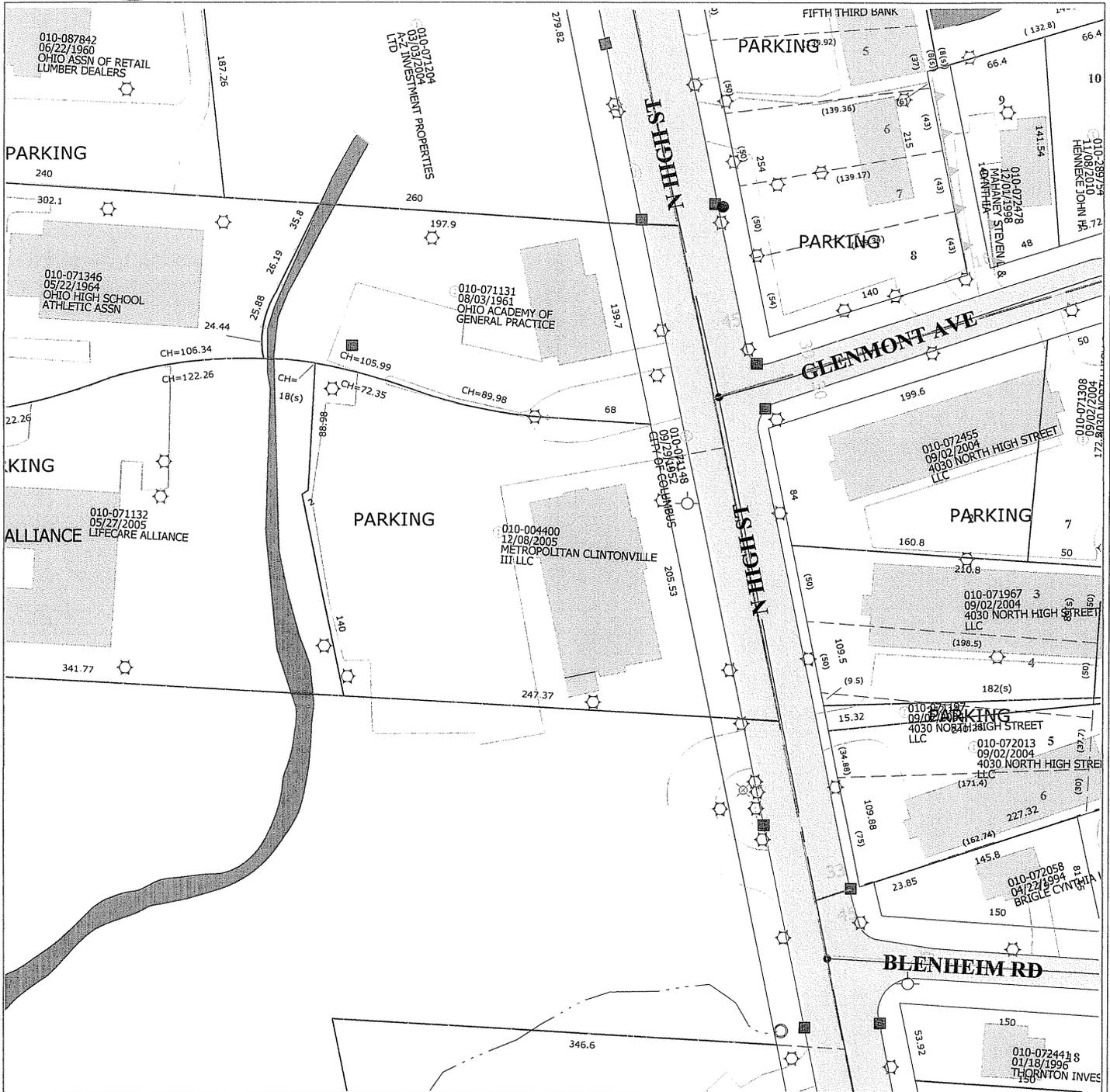
Ohio Assoc. of Retail
Lumber Dealers
41 Croswell Rd.
Columbus, OH 43214



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 1/4/11



Disclaimer

Scale = 100



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

PARKING LOT AGREEMENT

This Parking Lot Agreement (this "Agreement") is made and entered into effective as of September 25, 2007, by and between Metropolitan Clintonville III, LLC, an Ohio limited liability company ("Metropolitan"), and Ohio Academy of Family Physicians, an Ohio non-profit corporation ("OAFP");

RECITALS

WHEREAS, Metropolitan is the owner of certain real property located at 4041 North High Street, Columbus, Ohio;

WHEREAS, the OAFP is the owner of certain adjacent real property located at 4075 North High Street, Columbus, Ohio; and

WHEREAS, Metropolitan and the OAFP, for the mutual benefit of each other, desire to make their respective parking lots available to the other party for spillover parking;

AGREEMENT

In exchange for the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION ONE
CROSS-PARKING

Each of Metropolitan and the OAFP agree to make their respective parking lots available to the other party for spillover parking. Accordingly, the owners, employees, patients, clients, customers and other invitees of each party may park in the parking lot of the other party in the event that their respective parking lot is otherwise full. When using the other party's parking lot, the owners, employees, patients, clients, customers and other invitees of each party will park as close to their respective buildings as is possible.

SECTION TWO
TERM

The term of this Agreement shall be for a period of five (5) years. The term of this Agreement shall be extended for additional one (1) year terms after the expiration of the initial five (5) year term unless this Agreement is terminated by either party in writing thirty (30) days prior to the end of the then current term.

SECTION THREE
ASSIGNMENT

This Agreement shall run with the land of each of the respective parties. Accordingly, in the event of the sale by either party of its property, this Agreement shall be assigned by such selling party to the purchaser of its property and such purchaser shall assume the obligations of the assigning party hereunder. Otherwise, the rights and obligations of the parties under this Agreement may not be assigned by either party without the written consent of the other party.

SECTION FOUR
INDEMNITY

A. Metropolitan shall indemnify the OAFP against any and all loss, damage or expense resulting from personal injury or damage to or loss of property caused in any way by Metropolitan or its owners, employees, patients, clients, customers and other invitees.

B. The OAFP shall indemnify Metropolitan against any and all loss, damage or expense resulting from personal injury or damage to or loss of property caused in any way by the OAFP or its owners, employees, patients, clients, customers and other invitees.

SECTION FIVE
MISCELLANEOUS

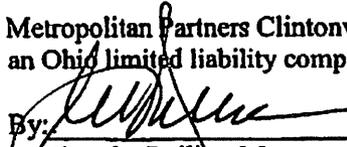
This Agreement shall be governed by Ohio law. This Agreement shall be binding upon the successors and permitted assigns of the parties hereto. This Agreement may be executed in two or more counterparts, each of which shall constitute an original, but all of which, when taken together, shall constitute one Agreement. A facsimile signature shall have the same effect as an original signature.

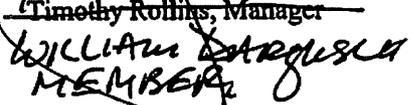
IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed effective as of the date indicated above.

METROPOLITAN:

METROPOLITAN CLINTONVILLE III, LLC,
an Ohio limited liability company

By: Metropolitan Partners Clintonville III, LLC,
an Ohio limited liability company

By: 

Timothy Rollins, Manager

WILLIAM SARGUS
MEMBER

OAFP:

OHIO ACADEMY OF FAMILY PHYSICIANS,
an Ohio non-profit corporation

By: Ann M. Spicer, EVP
Printed Name: Ann M. Spicer
Title: Executive Vice President



Signature of Applicant _____ Date _____

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.

STATE OF OHIO APPLICATION # _____
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III
of (COMPLETE ADDRESS) 37 W. Broad St., Ste. 725, 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
Metropolitan Partners	150 E. Broad St. Columbus, OH 43215
Metropolitan Clintonville III LLC	150 E. Broad St. Columbus, OH 43215

SIGNATURE OF AFFIANT Jackson B. Reynolds III

Subscribed to me in my presence and before me this 15th day of January, in the year 2011

SIGNATURE OF NOTARY PUBLIC Natalie C. Timmons

My Commission Expires: 9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015