

Statement of Hardship

625 - 627 South Third Street

The applicant currently operates a Cup o' Joe coffee shop at 627 South Third Street. The applicant is proposing an expansion into the building space previously occupied by Caterina. Both buildings occupy parcel 010-000319, which is zoned in the R2F, Residential District, zoning classification.

The proposed expansion is to accommodate introduction of the MoJoe Lounge concept to the German Village store. Currently MoJoe Lounge is successfully operating on "The Cap" south of the Short North, as well as at the Easton Town Center.

Expansion into this space requires a Council Variance to permit a change of use from retail and coffee shop, as permitted by previous Council Variances, to coffee shop and restaurant uses in the R2F, Residential District, Columbus City Code Section 3332.037.

The change of use from coffee shop / retail to coffee shop / restaurant also requires a variance from Columbus City Code Section 3342.28, Minimum number of parking spaces. City of Columbus policy mandates that, because the existing Cup O' Joe and the proposed expansion area are on the same tax parcel, the entire property encompassing both use be addressed. The existing Cup O' Joe space is 1512 square feet, the new space is approximately 1572 square feet, with additional floor area resulting in the conversion of a non-conforming parking lot area to a terrace providing outdoor seating to both Cup o' Joe and MoJoe Lounge consisting of 728 square feet. This space conversion and terrace seating area would require that 23 parking spaces be provided. Notable is the fact that 10 of these parking spaces are for the terrace area, solely a seasonal use, thereby minimizing the parking impact.

Additionally, due to the closure of the curb-cut, approximately 40 linear feet of on street parking will be provided, amounting to 4 parking spaces and providing a streetscape at this location much more in accordance with the German Village neighborhood than the existing curb-cut and parking area. The walkability and pedestrian oriented nature of the location are also factors in the consideration of a parking reduction variance.

The applicant is excited at the prospect of introducing this concept in the German Village neighborhood, and looks forward to working with neighbors, the German Village Society, and the German Village Commission to address concerns ensuring that the MoJoe Lounge addition is an amenity to the neighborhood. The applicant, through such a collaborative effort, is confident that the proposed use is an appropriate and compatible use along the South Third Street German Village corridor.

The grant of the requested variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the City of Columbus. Use of the property

as proposed will not adversely affect the surrounding property or surrounding neighborhood, but rather will be a welcome addition for the vast majority of German Village residents.

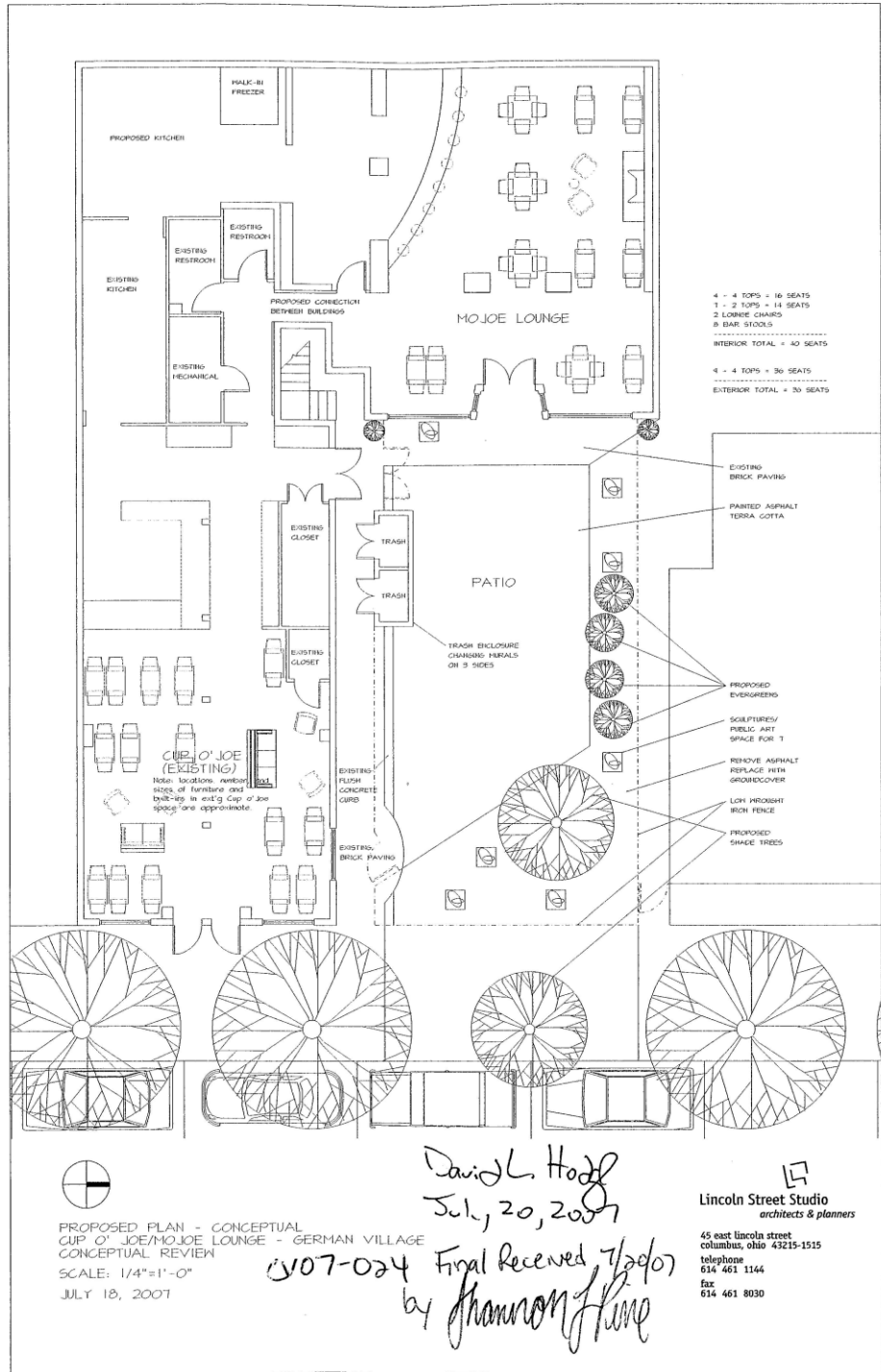
Signature of Applicant: David L. Haag
Date: 6/28/07

TERMS AND CONDITIONS OF COUNCIL VARIANCE

This Council Variance is further conditioned upon and shall remain in effect so long as the following conditions are met:

1. The physical layout shall include a traditional coffee house on one side and a small lounge / restaurant on the other, in substantial conformity with the floor plan attached hereto.
2. The businesses shall maintain one common kitchen and one common set of restrooms, in compliance with the floor plan attached hereto.
3. In consideration of the location within a mixed-use community, hours of operation shall be restricted as follows:
 - a. The patio shall close and be empty at midnight from Sunday through Thursday and at 1:00 a.m. Friday and Saturday.
 - b. The lounge interior shall close at midnight on Sunday, 1:00 a.m. Monday through Wednesday, and 2:00 a.m. Thursday through Saturday.
4. Refuse removal shall occur after 7:00 a.m.
5. Sound amplification shall be prohibited on the patio.
6. The applicant shall enter into an Agreement Creating Restrictive Covenants with the German Village Society, the terms of which shall include, but not be limited to, the provision of off-street parking spaces.

David L. Hodge
July 20, 2007



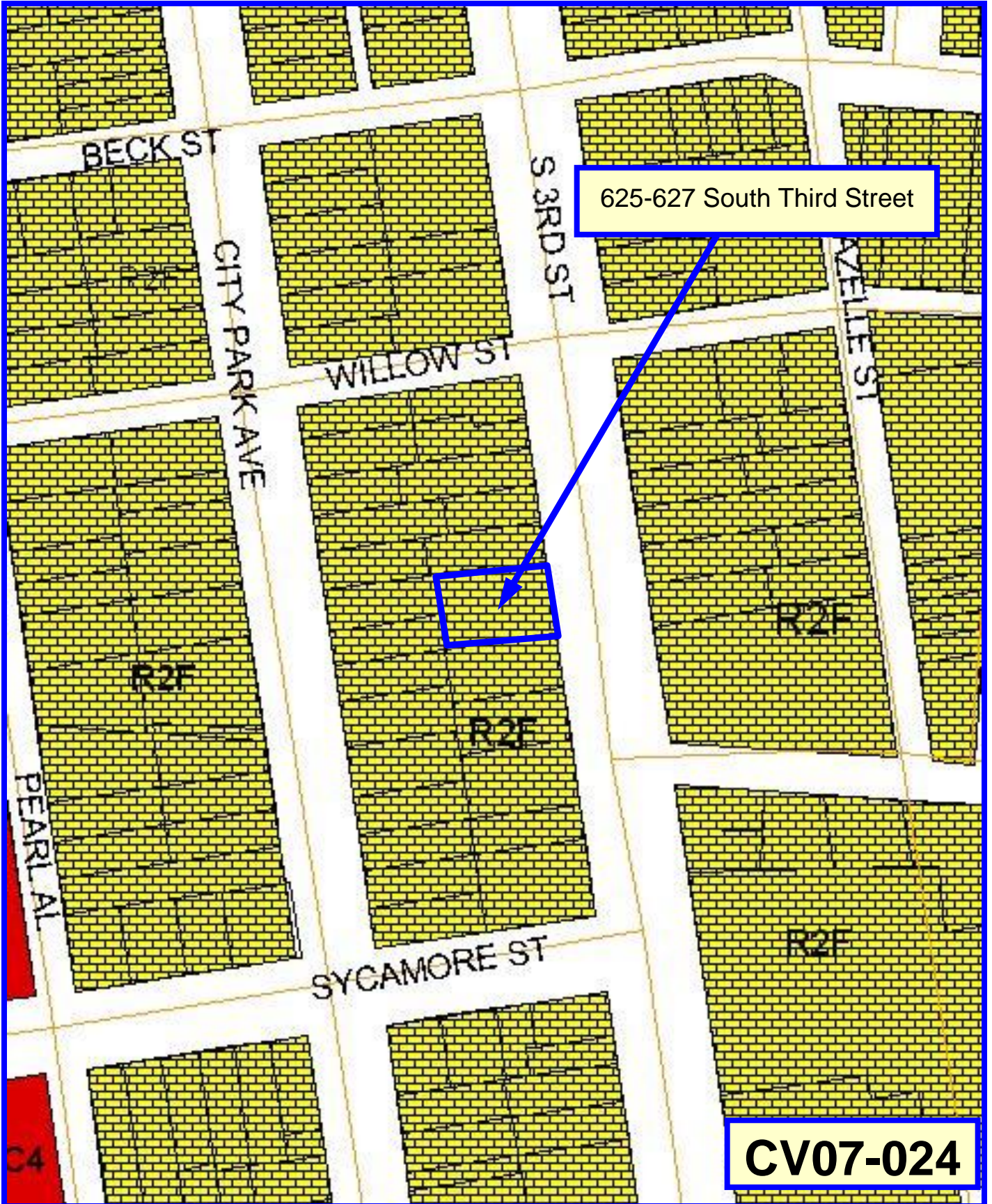
PROPOSED PLAN - CONCEPTUAL
 CUP O' JOE/MOJOE LOUNGE - GERMAN VILLAGE
 CONCEPTUAL REVIEW
 SCALE: 1/4"=1'-0"
 JULY 18, 2007

David L. Hood
 Jul, 20, 2007

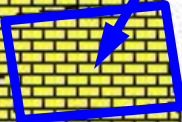
CV07-024 Final Received 7/20/07
 by Shannon Fine



Lincoln Street Studio
 architects & planners
 45 east lincoln street
 columbus, ohio 43215-1515
 telephone
 614 461 1144
 fax
 614 461 8030



625-627 South Third Street



CV07-024



625-627 South Third Street

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City of Columbus
Mayor Michael B. Coleman

Department of Development
Boyce Safford III, Director

Certificate of Appropriateness

GERMAN VILLAGE COMMISSION

This Certificate of Appropriateness is not a zoning clearance nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 627 S. Third Street

APPLICANT'S NAME: Cup O'Joe (Applicant)/

Med-Pro Properties Co., Ltd. (Owner)

APPLICATION NO.: 07-5-43

HEARING DATE: May 1, 2007

EXPIRATION: May 1, 2008

The German Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

- Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

The German Village Commission recommends approval of the variances in Application #07-5-43, 627 S. Third Street as presented, with the conditions as noted.

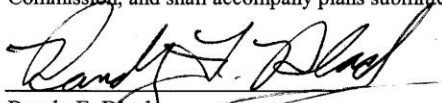
Variances Requested

- 3332.037: To permit a change of use from retail, as permitted by previous Council Variance, to a restaurant in the R2F Residential District.
- 3342.28: To reduce the required parking from 23 spaces to 0 spaces. The parking variance is recommended only with the accompanying limitation text regarding shared parking agreements.
- Variances recommended only as provided with the accompanying Terms and Conditions, with the following amendments:
- Regarding #6 Hours of Operation, a. The patio shall close at 12 AM from Sunday through Thursday, and take last orders for drinks at 12 AM on Friday and Saturday, and patio to be closed by 1 AM.
- Regarding #12 Valet Parking, text to read valet parking "may" be provided.
- Regarding #13 Food Odor, text to read "the applicant shall not install a grill, deep well frier, or broiler, and shall install a filter system."
- Applicant to provide an additional 3-5 off street parking spaces for employees.
- All approvals subject to an approved landscape plan designed to mitigate noise & impact to adjacent properties.
- Other details and conditions to be coordinated through a Good Neighbor agreement via the German Village Society.
- Trash should not be picked up before 8 AM.
- Any changes the Terms and Conditions with the above referenced amendments should return to the German Village Commission for review.

MOTION: Panzer/Colvin (5-0-1) [abstain: Rosen] RECOMMENDATION APPROVED.

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


 Randy F. Black
 Historic Preservation Officer

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

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
COUNTY OF FRANKLIN

APPLICATION # CW07-024

Being first duly cautioned and sworn (NAME) David L. Hodge / Smith & Hale LLC
of (COMPLETE ADDRESS) 37 W. Broad St., Suite 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 in the following format:

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

If applicable, check here if listing additional parties on a separate page (REQUIRED)

<p>1. Cup o' Joe 705 Hadley Dr. Columbus, OH 43228</p> <p>95 Columbus based employees</p>	<p>2. Med-Pro Properties Co., Ltd. 1480 Dublin Rd. Columbus, OH 43215</p>
<p>3.</p>	<p>4.</p>

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 30th day of April, in the year 2007

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

David L Hodge
Natalie C. Patrick
9/4/2010

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



NATALIE C. PATRICK
Notary Public, State of Ohio
My Commission Expires 09-04-10