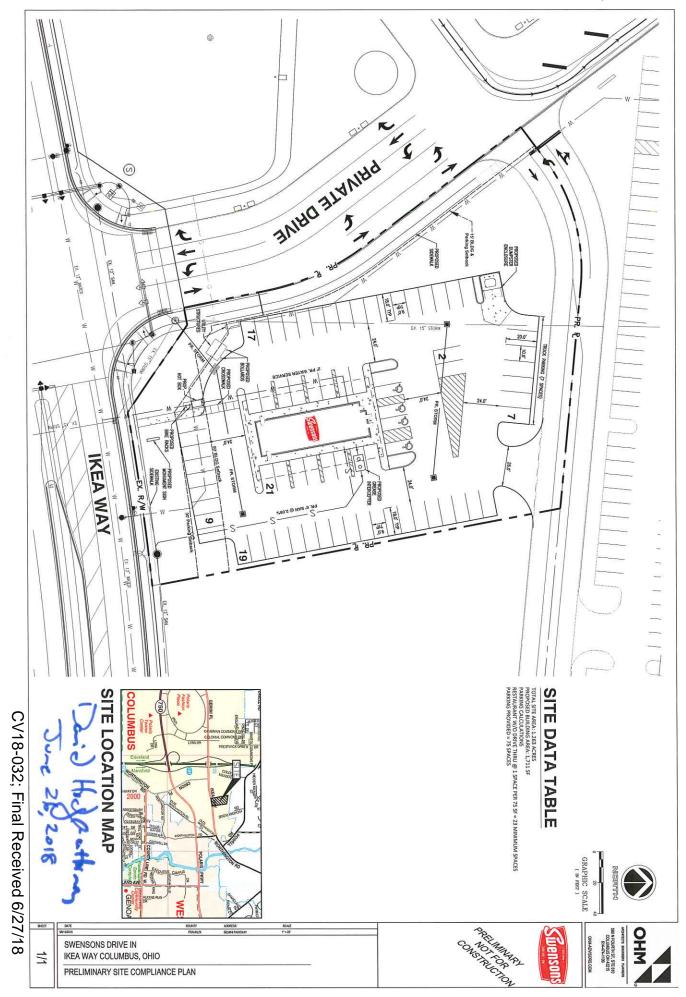
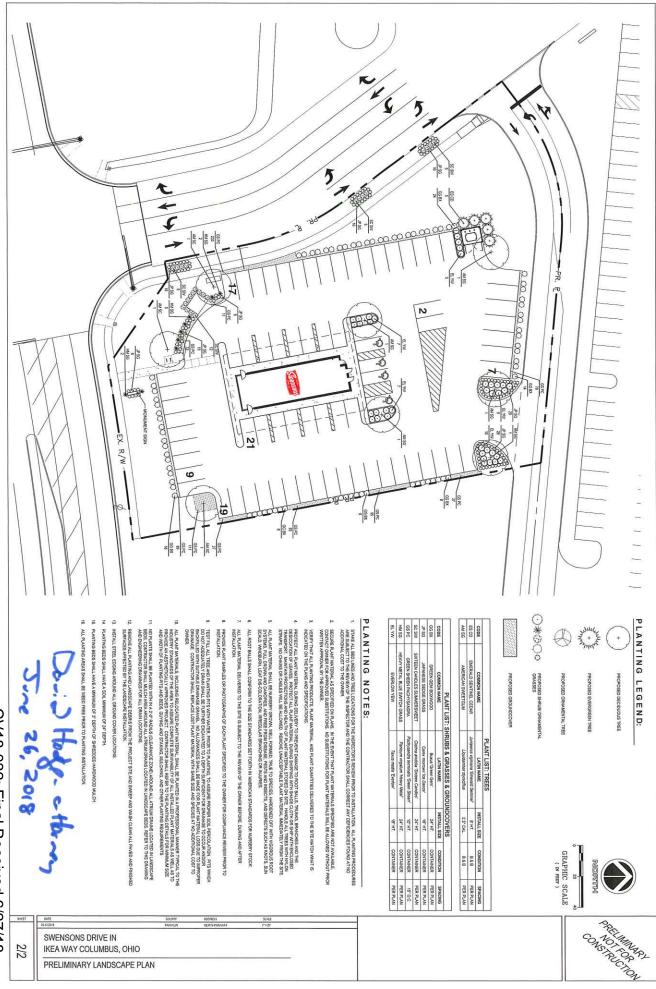
ORD # 1905-2018; CV18-032; Page 1 of 10



ORD # 1905-2018; CV18-032; Page 2 of 10



CV18-032; Final Received 6/27/18



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

Application #:

W18-032

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

- A. Permit a variance in the yard, height, or parking requirements of any district only in conjuction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- **B.** Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance 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 inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Please see attached Statement of Hardship.							
		2					
6							
Signature of Applicant <u>By</u> :	Don'd Holg		4 127 118 Date				

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 checks payable to the Columbus City Treasurer

CV18-032

Statement of Hardship

2200 Ikea Way

Swenson's

The applicant is seeking to entitle its second City of Columbus restaurant – the other was recently approved on a property on the east side of Sawmill Road, north of Hard Road, which location is currently in the permitting phase. The subject property was last rezoned in 2001 by Ordinance 1413 – 2001, Zoning Case Z91 – 018C. The property is located within Subarea 6D of that zoning, and is zoned in the L-C-4, Limited Regional Scale Commercial Development District – and will be located in close proximity to the new Top Golf facility presently under construction.

Where the Swenson's use fits into the Zoning Code is debatable, and the simplest was to address the issue is to request recognition of the appropriateness of the use at this location by submitting to the Council Variance process. The applicant requests the following use variance:

C.C. 3356.03 Regional Scale Commercial Development – Permitted Uses.

The section provides the list of permitted uses of the C-4 Regional Scale Commercial Development – which includes all of the permitted uses C-1 through C-3. Here there are some use limitations in place under Ordinance 1413-2001 and those use prohibitions will remain. The applicant seeks to operate its Swenson's restaurant on the property.

The property is located in the Polaris Subarea of the Far North Plan which designates the property as Mixed – Use (Regional), which is the same as Commercial (Regional), defined as, "[t]he Commercial Regional classification is reserved for large scale shopping centers and regional malls, big box retailers, entertainment centers and similar retail uses that have the potential to attract consumers from major portions of the city, as well as the Central Ohio region. Office or institutional uses may also be appropriate. Commercial (Regional) uses should be located at nodes on major arterials and at interstate highway systems.

The applicant argues – while the right fit under the Zoning Code may be debatable – it is not debatable that its use is appropriate on the property and is in accordance with the Land Use Recommendations of the Polaris Subarea – Far North Plan.

The application additionally requests a variance to allow it to exceed the maximum parking requirement. With this use, parking spaces are tables. Operationally a customer pulls onto the parking lot, turns on its headlights to indicate to the server that it needs service, the waiter takes the order in the car, then delivers the food to the car by tray to be hung on the window. The requested area variance is:

C.C. 3312.49 Minimum number of parking spaces required.

This section provides for the minimum number of parking spaces required, and also the maximum number allowed. The proposed building will be 1,711 square feet, which requires a minimum of 23 parking spaces and allows a maximum of 35 parking spaces. Because its tables are its parking spaces the applicant requests a variance to allow a maximum of 80 parking spaces.

Having such a parking space arrangement is necessary and critical to the success of the business, it seeks to provide the best possible service to its customers, accommodating them on their property, and minimizing conflicts in the public right-of-way. The Far North Plan Land Use designation further supports implicitly supports flexibility – since the use here is one that has the potential of attracting consumers from around the City, or will otherwise certainly serve as an added amenity to other regional attractions.

Swenson's is an appropriate use of this property, and its parking demand is justified due to the overall nature of the Polaris market and service area. Approval of these variances will not negatively affect any adjoining property owner, or the general welfare of residents of the City of Columbus, surrounding jurisdictions, or those travelling to the area. This property developing as proposed will not adversely affect the surrounding property or surrounding neighborhood. These variances will not impair and adequate supply of light and air to any 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 inhabitants of the City of Columbus – or anywhere.

The applicant respectfully requests approval of these variance requests.

Swenson's Drive-In Restaurants

By:

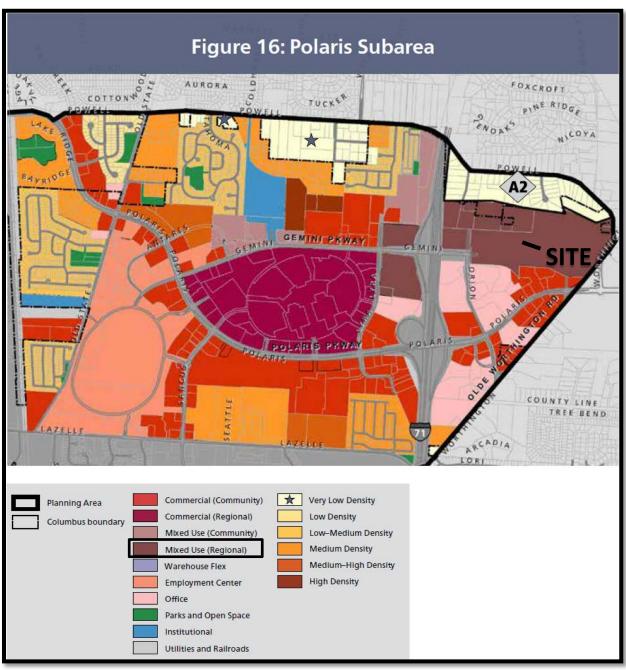
David Hoogy

Signature of Applicant:

Date: _____ April 27, 2018



CV18-032 2200 Ikea Way Approximately 1.07 acres



Far North Area Plan (2014)

CV18-032 2200 Ikea Way Approximately 1.&* acres



CV18-032 2200 Ikea Way Approximately 1.07 acres



SEPARTMENT OF BUILDING AND ZONING SERVICES

STANDARDIZED RECOMMENDATION FORM

Department of Building & Zoning Services

SP

Scott Messer, Director 757 Carolyn Avenue, Columbus, Ohio 43224-3218 Phone: 614-645-7433 www.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number:	CV18-032				
Address:	2200 IKEA Way				
Group Name:	2200 IKEA Way ar North Columbus Communition Coalition				
Meeting Date:	6/5/18				
Specify Case Type:	BZA Variance / Special Permit Council Variance Rezoning Graphics Variance / Plan / Special Permit				
Recommendation: (Check only one)	Approval Disapproval				
NOTES:					
Vote:	9-0				
Signature of Authorized Representative	SIGNATURE James Palmison Fucce Presid.				
	RECOMMENDING GROUP TITLE				

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, OH 43224.



Council Variance Application

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DEPARTMENT OF BUILDING AND ZONING SERVICES

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: (V(9-03

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge

of (COMPLETE ADDRESS) <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054</u> 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

1.	Swensons Drive-In Restaurants 680 East Cuyahoga Falls Avenue Akron, Ohio 44310	2.	NP FG LLC 8800 Lyra Drive Columbus, Ohio 43240
3.		4.	

Check here if listing additional parties on a separate page.

	\sum	u > a	
SIGNATURE OF AFFIANT	1 and	Feel	
Subscribed to me in my presence and before m	ne this 27th day of	April	, in the year <u>2018</u>
SIGNATURE OF NOTARY PUBLIC	Multre	ext.m	upen
My Commission Expires:	1-11-2021	0 0	0
THIS RY ALECEDISCL	osure Statement expires siz	x months after date of	notarization.

Notary Seal Here

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

Plan Approximation will result in the rejection of this submittal. Approximation will result in the rejection of this submittal. Approximation of the submitted by appointment. Call 614-645-4522 to schedule. Please make all checks payable to the Columbus City Treasurer