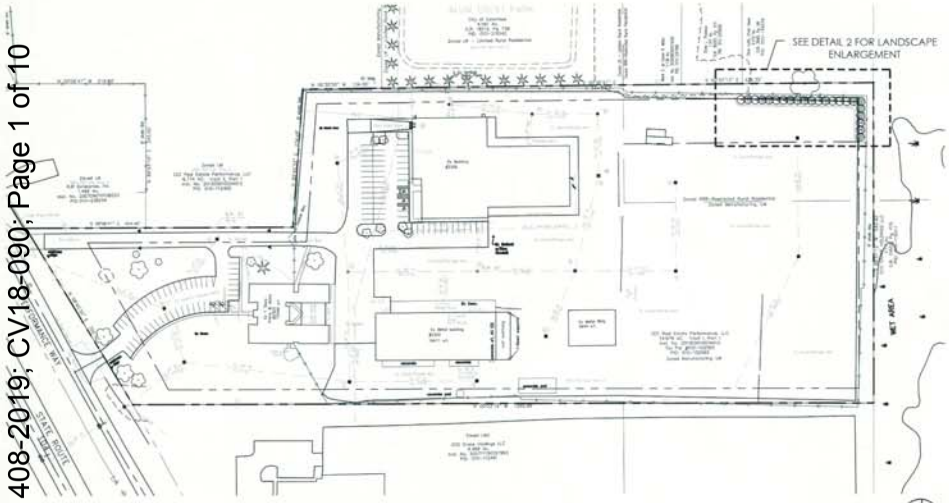
ORD # 1408-2019; CV18-090; Page 1 of 10



1 SITE PLAN
SCALE: 1" = 100'

PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

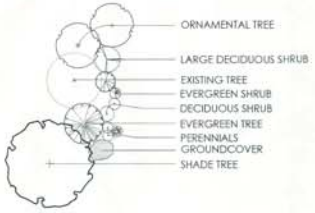
QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
13	PGL	PICEA GLAUCA	WHITE SPRUCE	8'-10' HGT.	B&B	
10	PPG	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE	8'-10' HGT.	B&B	

CONSTRUCTION NOTES:

1. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. EXISTING CHAIN LINK FENCE
3. EXISTING TREES
4. TUBE SLATS FOR CHAIN LINK FENCE - SEE DETAIL 3

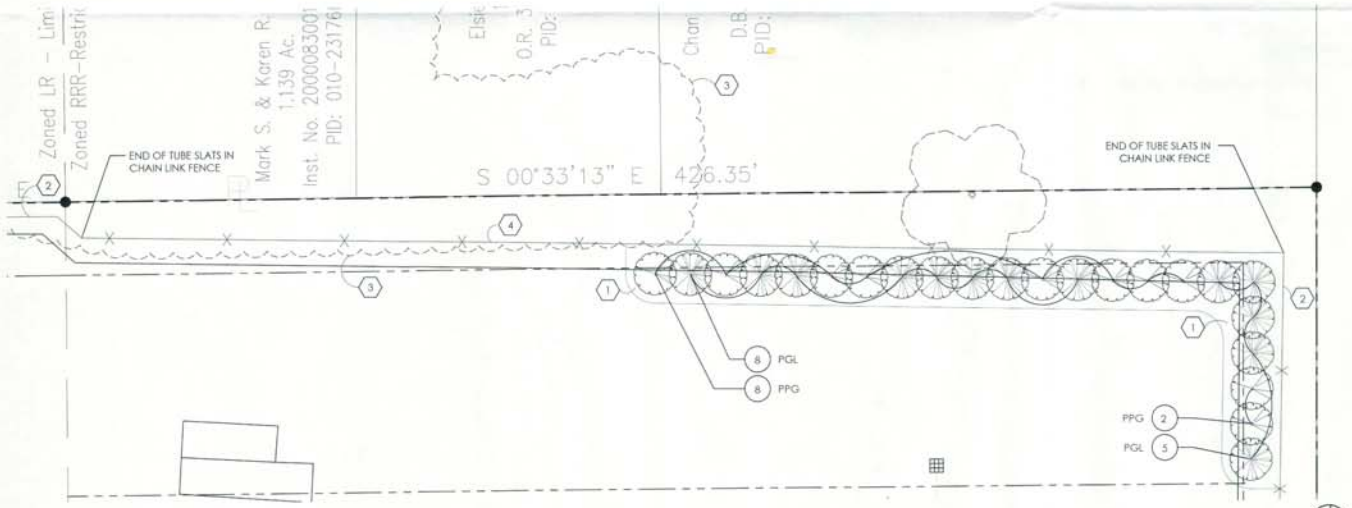
PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



3 TUBE SLATS FOR CHAIN LINK FENCE
SCALE: N.T.S.

*NOTE - TUBE SLATS TO RUN FROM PROPERTY LINE OF PARK TO NORTHEASTERN CORNER OF THE FENCE (SEE DETAIL 2)



2 LANDSCAPE ENLARGEMENT PLAN
SCALE: 1" = 20'

Submitted May 16, 2019
Robert D. Rosenthal
Robert D. Rosenthal
Attorney for Applicant

STATE OF OHIO
LANDSCAPE ARCHITECT
REGISTERED
DATE 5-15-2019

REVISIONS	

LANDSCAPE PLAN

2329 PERFORMANCE WAY
COLUMBUS EQUIPMENT COMPANY
PREPARED FOR
2329 PERFORMANCE WAY
COLUMBUS, OH 43207

Faris Planning & Design
LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com

DATE	5/2/19
PROJECT	19060
SHEET	L-1

CV18-090 FINAL RECEIVED 5/16/19 PAGE 1 OF 1

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

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

STATEMENT OF HARDSHIP

Application #: CV18-090

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):

(See Attachment A)

Signature of Applicant _____ **Date** 10/18/18

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

Attachment A

STATEMENT OF HARDSHIP
CITY COUNCIL VARIANCE REQUEST

Subject Property: 2323-2329 Performance Way, Columbus, Ohio 43207
Applicant: Jon St. Julian
Property Owner: CEC Real Estate Performance LLC
Parcel No. 010-102565
Current Zoning: LM, M1 and RRR
Rezoning Sought: M2
Area Commission: Far South Columbus Area Commission

A. Overview

The variances are sought by the Applicant in order to implement rezoning of the Property from current LM1, M1 and RRR to M2. The Applicant is applying for rezoning of the Property to provide a cohesive, single zoning classification consistent with neighboring properties, to replace the existing patchwork of three different and sometimes inconsistent zonings.

B. Description of Property

The Property consists of a single parcel (Parcel No. 010-102565) of approximately 14.685 acres. The Property is improved by four (4) buildings, paved parking, and unpaved storage areas.

C. Uses of Property

The Owner leases the entirety Property to Columbus Equipment Company, Inc., an affiliated entity, which conducts its business at the site. Columbus Equipment Company is engaged in the business of sales of heavy construction equipment to customers across the United States from the location (along with satellite facilities throughout Ohio) and the Property serves as the company's headquarters. The Property is improved by several buildings, including the company's offices, a maintenance facility, and storage facilities. In addition, Columbus Equipment Company conducts maintenance and repair activities inside the maintenance building, and stores its inventory of heavy construction equipment both inside the storage buildings and outside on the grounds of the Property. No changes to the current uses are planned or anticipated.

D. Variances Sought

Because M2 zoning requires different setbacks than those currently affecting the Property, and in order to continue the existing uses of the Property, the applicant requires and respectfully requests the following variances:

a. Code Section 3367.15(d) to permit existing parking to remain with a front yard setback of 36', a variance from the 50' requirement (on Performance Way frontage)

b. Code Section 3367.29(b) to permit storage of materials 25' from neighboring residential (RRR) district, a variance from the 100' requirement (southeast corner); to permit storage of materials 10' from other lot lines, a variance from the 25' requirement (south and west property lines); and to permit open storage in advance of the rear yard.

E. Need for Variances; Statement of Hardship

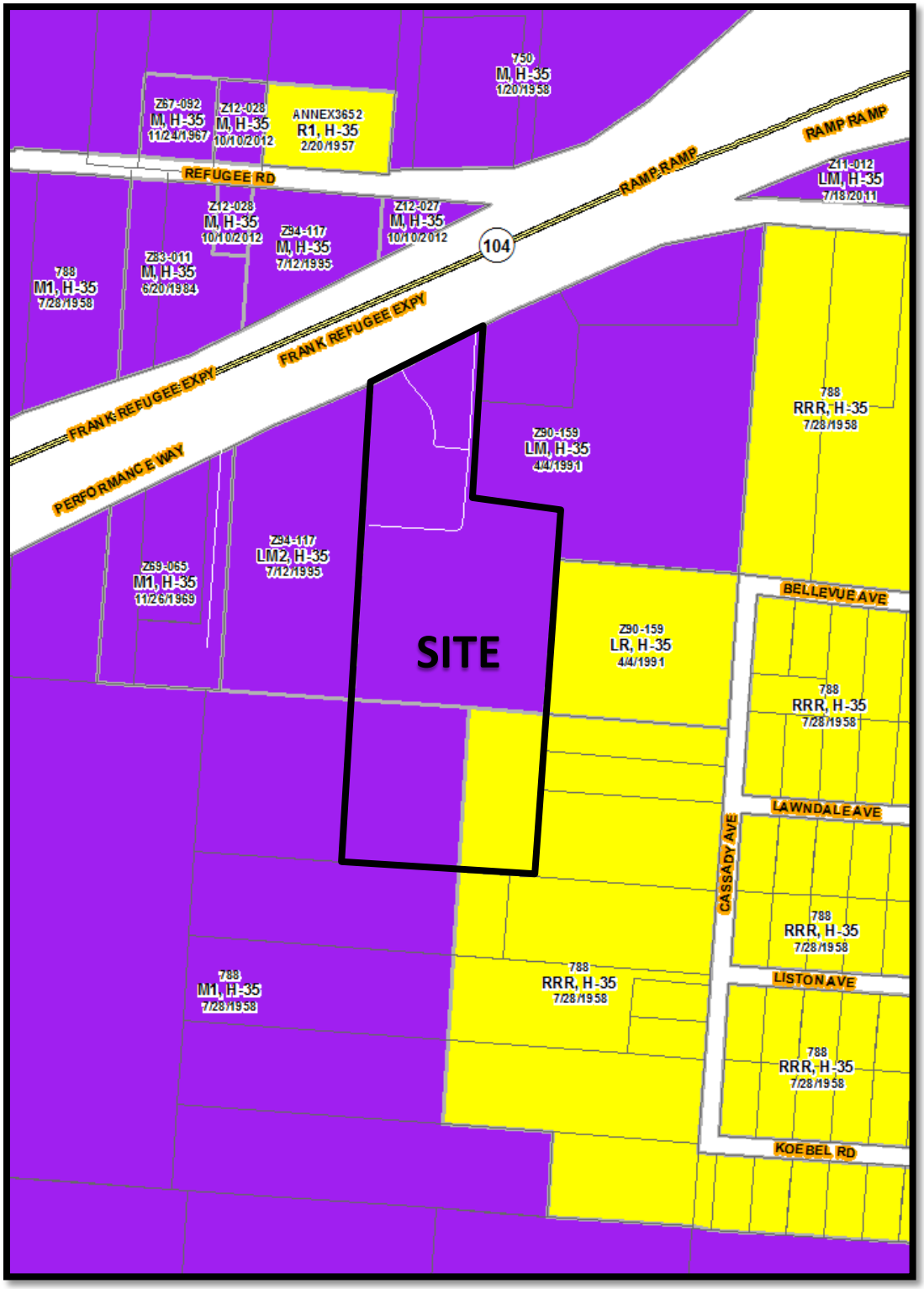
The variances are necessary to allow Columbus Equipment Company to continue to use the Property in the same manner it has since it acquired the Property and began its business operations at the site. The storage and parking spaces are absolutely critical to the operation of the business of Columbus Equipment Company and, without the variances, it would face significant business hardship due to inadequate storage space. Columbus Equipment Company would either have to reduce inventory or seek new storage space elsewhere, both of which would negatively impact the company's business. This would in turn result in reduced payroll and resultant taxes to the city. The current uses have not had, and the variance would have no, impact on the neighboring industrial properties, nor, on to the houses on the east due to the extensive tree buffering and approximately 300' or more from the property line to those houses. There are minimal or no emissions of dust or other particulates, noise or light from the use of the subject Property.

The granting of the variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. The requested variances will not result in any changes to the uses or improvement of the site. There will be no changes or increases in traffic patterns or congestion. There will be no emissions of light, noise, or particulates, nor any other impact upon any adjacent properties or the neighborhood. In that regard, the Applicant has entered into a Good Neighbor Agreement with the Alum Crest Acres Civic Association (a member of the Far South Columbus Area Commission) pursuant to which it has committed to erecting and maintaining buffering between the site and the three residential properties abutting the site on the southeast corner (which are the only residential uses adjacent to the site). Finally, the uses are consistent both with the current and past use of the property, as well as those of the neighborhood, which are primarily manufacturing and industrial.

F. Additional Considerations

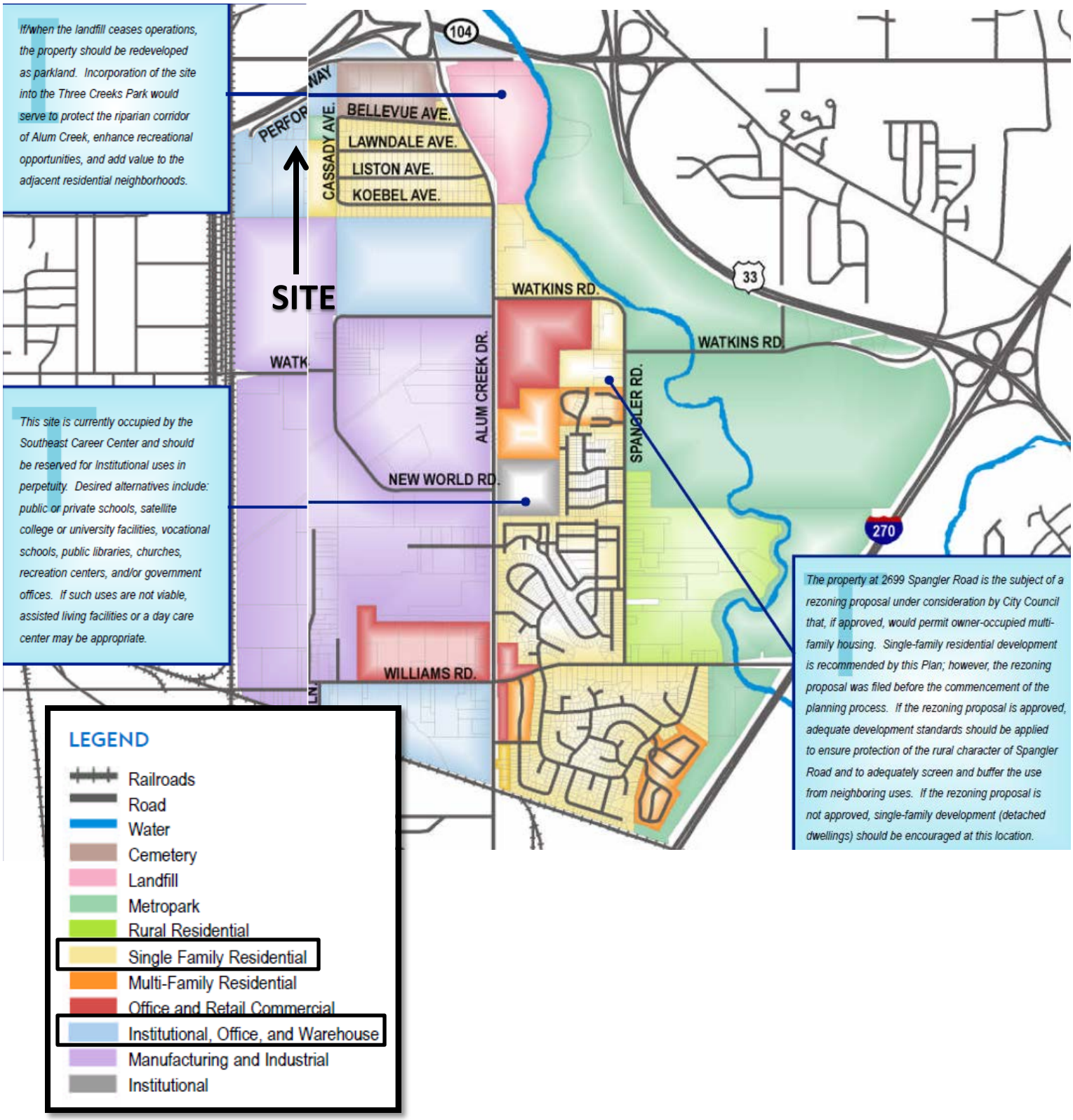
In 2013, Columbus Equipment Company was faced with the need to obtain new land to build its headquarters. After considering other cities, CEC decided to work with the City of Columbus to make a long term commitment to the City. CEC has invested over $7.4 million in the subject Property and added to its workforce. In consideration of that commitment, the Columbus City Council, acting on the recommendation of the Columbus Department of Development, granted Columbus Equipment a 10 year, 75% Enterprise

Zone Tax Abatement. Columbus Equipment Company is a prominent employer and major economic contributor to the Columbus economy. The company presently employs 238 people company wide, 47 in its Columbus headquarters at the Property. Its total payroll is more than $17.8 million, taxes on over $3.1 million of which is paid to the City of Columbus.



CV18-090
2323 Performance Way
Approximately 14.69 acres

South Alum Creek Neighborhood Plan
"Institutional, Office, and Warehouse" and "Single Family Residential" Recommended



CV18-090
2323 Performance Way
Approximately 14.69 acres

CV18-090
2323 Performance Way
Approximately 14.69 acres

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING AND ZONING SERVICES

Standardized Recommendation Form

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

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: Z18-066 / CV 18-090

Address: 2323 - 2329 Performance Way

Group Name: FSCAC

Meeting Date: Feb. 7, 2019

Specify Case Type:
- ☐ BZA Variance / Special Permit
- ☐ Council Variance
- ☒ Rezoning
- ☐ Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one and list basis for recommendation below)
- ☒ Approval
- ☐ Disapproval

NOTES: The Far South Cols Area Commission Voted on the Rezoning App. Z18-066/CV18-090 to approve.

10 Commissioners in attendance.

Vote: Yes 10 / No 0 / 0 0

Signature of Authorized Representative: Becky Walcott
SIGNATURE

FSCAC
RECOMMENDING GROUP TITLE

614-927-7040
DAYTIME PHONE NUMBER

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, 111 N. Front St,. Columbus, OH 43215.

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application
111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 ▪ www.columbus.gov ▪ zoninginfo@columbus.gov

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 #: CV18-090

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) **Brent D. Rosenthal**
of (COMPLETE ADDRESS) **366 East Broad Street, Columbus, Ohio 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

1. **CEC Real Estate Performance LLC** **Attn: Jon St. Julian** **2323 Performance Way** **Columbus, OH 43207-2473**	2.
3.	4.

☐ ***Check here if listing additional parties on a separate page.***

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 14th day of MAY, in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 11-21-2020

NOTARIAL SEAL STATE OF OHIO

DOROTHY M. CRAFT
Notary Public, State of Ohio
My Commission Expires 11-21-2020

Notary Seal Here

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

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