

Rezoning Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

OFFICE USE ONLY

Application #: Z20-060 Date Received: 7/28/2020
Application Accepted By: HF Fee: \$3,300
Assigned Planner: Kelsey Priebe; krpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Existing Address or Zoning Number: 2340 South High Street Zip: 43207

Is this application being annexed into the City of Columbus? YES NO (select one)

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Address or Zoning Number: 010007143

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): CPD Requested Zoning District(s): CPD

Area Commission or Civic Association: Far South Columbus Area Commission

Proposed Use or reason for rezoning request: To redevelop the property with a convenience store, retail fuel sales, and minimal outdoor display sales. (continue on separate page if necessary)

Proposed Height District: H-35 Acreage: 1.65 +/-

[Columbus City Code Section 3309.14]

APPLICANT:

Name: Thorntons LLC c/o Todd Smutz Phone #: 502.572.1294 Ext.: _____

Address: 2600 James Thornton Way City/State: Louisville, KY Zip: 40245

Email: todd.smutz@mythorntons.com Fax #: _____

PROPERTY OWNER(S): Check here if listing additional property owners on a separate page

Name: Muze Property Management LLC Phone #: _____ Ext.: _____

Address: P.O. Box 1461 City/State: Grove City, Ohio Zip: 43123

Email: _____ Fax #: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: Michael Shannon Phone #: 614.335.9320 Ext.: _____

Address: 8000 Walton Parkway, Suite 260 City/State: New Albany, OH Zip: 43054

Email: mike@uhlawfirm.com Fax #: _____

SIGNATURES (All signatures must be provided and signed in blue ink):

APPLICANT SIGNATURE: 

PROPERTY OWNER SIGNATURE: 

ATTORNEY / AGENT SIGNATURE: 

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

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AFFIDAVIT

(See instruction sheet)

APPLICATION #: Z20-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric Zartman
of (1) MAILING ADDRESS 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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) EXISTING ADDRESS OR ZONING NUMBER 2340 South High Street
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) 7/28/2020

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS
 Check here if listing additional property owners
on a separate page.

(4) Muze Property Management LLC
P.O. Box 1461
4519 Kenny Road
Grove City, Ohio 43123

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

Thorntons LLC c/o Todd Smutz
502.572.1294

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

(5) Far South Columbus Area Commission
Robert Patterson / Michael Walker
bobpatterson45@yahoo.com
mwalkersr@yahoo.com

and that the attached document (6) 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 (7)

SIGNATURE OF AFFIANT

(8)

Eric Zartman

Sworn to before me and signed in my presence this 28th day of July in the year 2020

SIGNATURE OF NOTARY PUBLIC

(8)

Aaron L. Underhill
N/A

My Commission Expires:

Notary Seal Here



AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

This Affidavit expires six (6) months after date of notarization.

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APPLICANT:

Thorntons, Inc.
2600 James Thornton Way
Louisville, KY 40245

Z20-060

PROPERTY OWNER:

Muze Property Management LLC
P.O. Box 1461
Grove City, OH 43123

ATTORNEY:

Michael Shannon
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

AREA COMMISSION/CIVIC ASSOCIATION:

Far South Area Commission
Robert Patterson
Bobpatterson45@yahoo.com

SURROUNDING PROPERTY OWNERS:

Dering Avenue Group LLC
218 Colonial Avenue
Worthington, OH 43085

Euceda Painting & More LLC
or current occupant
31 Dering Avenue
Columbus, OH 43207

Gregory Nemeth
P.O. Box 307
Rayland, OH 43943-0307

Lonnie Wallace, Beverly Steele and
Ronnie Wallace
or current occupant
2404 S. High Street
Columbus, OH 43207

DMSS Leasing Co. PLL
100 Fornoff Road
Columbus, OH 43207

Vuong and Nguyen Vo
1711 Harrington Drive
Columbus, OH 43229

Claudia Realty LLC
or current occupant
2385 S. High Street
Columbus, OH 43207

Frieland High LLC
2100 Integrity Drive S.
Columbus, OH 43209

Allora Properties LLC
13663 S. Duskywing Way
Riverton, UT 84096

Man S. and Man H. Leung
723 Westray Drive
Westerville, OH 43081

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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 #: Z20-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260 New Albany, Ohio 43054
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 (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

<p>1. Thorntons LLC 4600 James Thornton Way Louisville, KY 40245</p>	<p>2. Muze Property Management LLC P.O. Box 1461 Grove City, Ohio 43123</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Eric Zartman

Subscribed to me in my presence and before me this 28th day of July, in the year 2020

SIGNATURE OF NOTARY PUBLIC

Aaron L. Underhill

My Commission Expires:

N/A

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

Notary Seal Here



AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.63 R.C.

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Situate in Section 4, Town 4, Range 22, City of Columbus, Franklin County, Ohio and being part of Lot 2 and Lot 3 of Nathaniel Merion's Subdivision as recorded in P.B. 1, Pg. 331, and being part of the lands conveyed to Muze Property Management, LLC in O.R. 201212060187090, and being more particularly described as follows:

Beginning at a cross notch set at the intersection of the easterly right of way line of South High Street and the northerly right of way line of Dering Avenue, thence along the easterly right of way line of South High Street and the westerly line of said Muze Property Management, LLC lands, North 03°21'53" West a distance of 250.21 to a point in the easterly right of way line of South High Street, said point witnessed by a cross notch set South 86°38'07" West at a distance of 5.00 feet;

Thence, leaving the easterly right of way of South High Street and along a new division line through the lands of said Muze Property Management, LLC, North 86°38'07" East a distance of 286.23 feet to a 5/8 inch iron pin with cap set in the east line of said Muze Property Management, LLC lands and the west line of the lands conveyed to DMSS Leasing Company, PLL in O.R. 199808270218295;

Thence, along the east line of said Muze Property Management, LLC lands and the west line of said DMSS Leasing Company, PLL lands, South 00°01'32" East a distance of 267.58 feet to a 3/4 inch iron pipe found at a point in the northerly right of way line of Dering Avenue at the southeast corner of said Muze Property Management, LLC lands and the southwest corner of said DMSS Leasing Company, PLL lands;

Thence, along the northerly right of way line of Dering Avenue and the southerly line of said Muze Property Management, LLC lands, North 89°47'18" West a distance of 271.17 feet to the point of beginning;

Containing 1.6549 acres;

Subject to all existing easements and rights of way;

Bearings based on O.R. 201212060187090

Deed Reference of Grantor: O.R. 201212060187090

Prepared by: Baumann Land Survey, Inc., Thomas P. Baumann, PS, Ohio Surveyor #:S-7450

COMMERCIAL PLANNED DEVELOPMENT TEXT

Application: Z20 - 060

Address: 2340 South High Street

Parcels: 010-007143

Property Size: +/- 1.65 Acres

Current District: CPD

Proposed District: CPD

Area Commission: Far South Columbus Area Commission

Owners: Muze Property Management LLC

Applicant: Thorntons LLC

Attorney: Michael Shannon, Underhill & Hodge LLC

Date: July 27, 2020

I. Introduction.

The subject property ("Site") is approximately 1.65 +/- acres and located at the northeast corner of South High Street and Dering Avenue. The full 3.3 +/- acre property was rezoned by Ord. 0994-2010 from C-3 to CPD. The property currently operates with auto sales and auto repair establishments. This Site (the 1.65 +/- acre portion of the property) is pavement and was never developed.

To the north across Fornoff Road is a restaurant in the M, Manufacturing District. To the east is undeveloped property zoned in the L-M, Limited Manufacturing District. To the south across Dering Avenue are a single-unit dwelling in the C-4, Commercial District, and a three-unit dwelling in AR-1, Apartment Residential District. To the west across South High Street are a church and a fuel-sales facility in the C-4, Commercial District.

The Site is located within the Far South Columbus Area Commission. The Site is also located within the planning area of the Scioto Southland Plan (2007), which recommends commercial development for this location in accordance with the Community Commercial Overlay.

The Applicant will split the Site upon closing, and redevelop the property with a convenience store, retail fuel sales, and minimal outdoor display sales. The proposed convenience store is approximately 4,516 square feet with 10 double-sided fuel dispensers. The Applicant proposes rezoning the site to a Commercial Planned Development (CPD) to accommodate the new use.

II. Permitted Uses:

Those uses contained in Section 3356.03, C-4, Permitted Uses, and in Section 3357.01, C-5, Permitted Uses, shall be permitted.

III. Development Standards:

Unless otherwise indicated in this Text or on the submitted development plan (“CPD Site Plan”), the applicable development standards are contained in Chapter 3356 C-4 Commercial District and Chapter 3372 Planning Overlay of the Columbus City Code shall apply.

A. Density, Height, Lot and/or Setback Requirements:

1. The building and canopy setback shall from South High Street shall be 38 feet and from Dering Avenue shall be 55 feet.
2. The building maximum building setback from the north interior line is 60 feet.
2. The minimum parking setback shall be 5 feet from Dering Avenue.
3. Height shall be as permitted in Chapter 3356 C-4 Commercial District.

B. Access, Loading, Parking, and/or other Traffic Related Commitments:

1. Access points are shown on the submitted CPD Site Plan, which include curb cuts on South High Street and Dering Avenue, subject to review and approval of the City of Columbus, Public Service Department, Division of Traffic Management.
2. Parking, stacking, and circulation aisles are permitted between the principal building and street right-of-way lines.

C. Buffering, Landscaping, Open Space and/or Screening Commitments: N/A

D. Building, Design, and/or Interior-Exterior Treatment Commitments:

1. Primary and accessory structures will be developed with uniform design and finishes and shall primarily be comprised of brick and stone building materials. Canopy columns and dumpster materials shall match those used on the primary building.
2. The minimum allowed building width of the South High Street building frontage is 44% of the lot width.

E. Dumpsters, Lighting, Outdoor Areas, and/or other Environmental Commitments: N/A

F. Graphic and Signage Commitments:

Graphics on the Site will comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District for C-4 uses. Variances to the sign requirements shall be submitted to the Columbus Graphics Commission or master graphic plan for the Site may be submitted to the Columbus Graphics Commission for consideration.

G. CPD Criteria:

1. Natural Environment. The Site is approximately 1.65 acres and located at the northeast corner of South High Street and Dering Avenue. South High Street is a commercial corridor.
2. Existing Land Use. The property is zoned CPD and currently operates with auto sales and auto repair establishments. This Site (the 1.65 +/- acre portion of the property) is pavement and was never developed.
3. Transportation and Circulation. The Site is accessed via curb cuts on South High Street and Dering Avenue. The internal circuitry shall be as shown on the submitted CPD Site Plan.
4. Visual Form of the Environment. The neighborhood is generally developed with manufacturing, commercial and multifamily uses.
5. View and Visibility. The Site can be viewed from South High Street and Dering Avenue. Consideration shall be given to the visibility and safety of motorists in the development of the area and location of buildings and access points.
6. Proposed Development. To redevelop the property with a convenience store, retail fuel sales, and minimal outdoor display sales.
7. Behavior Patterns. The development and behavior pattern of this area supports commercial and manufacturing uses.
8. Emission. No adverse effect from emissions shall result from the proposed development.

H. Modification of Code Standards:

3372.704(A) – Building setback requirements from primary street. To increase the required building setback from 25 feet to 37 feet from South High Street.

3372.704(B) – Building setback from non-primary street. To increase the maximum building setback from 25 feet to 55 feet from Dering Avenue.

3372.704(C) – Building setback from interior lot line. To increase the maximum building setback from north interior lot line from 50 feet to 60 feet.

3372.705(B) – Building width. To reduce the minimum building width of the primary building frontage to 44% of the lot width.

3372.709(A) – Parking and circulation. To allow parking, stacking, and circulation aisles between the principal building and street right-of-way lines.

I. Miscellaneous:

1. A development plan titled “CPD Site Plan” showing lot lines, setbacks, and access is submitted for the development of the Site. The CPD Site Plan may be adjusted to reflect engineering,

topographical or other site data and changes developed at the time of development and engineering plans for all or a portion of the Site affected by said development. Any such adjustment may be reviewed and approved by the Director of the Department of Building and Zoning Services or his/her designee upon submission of the appropriate information regarding the adjustment.

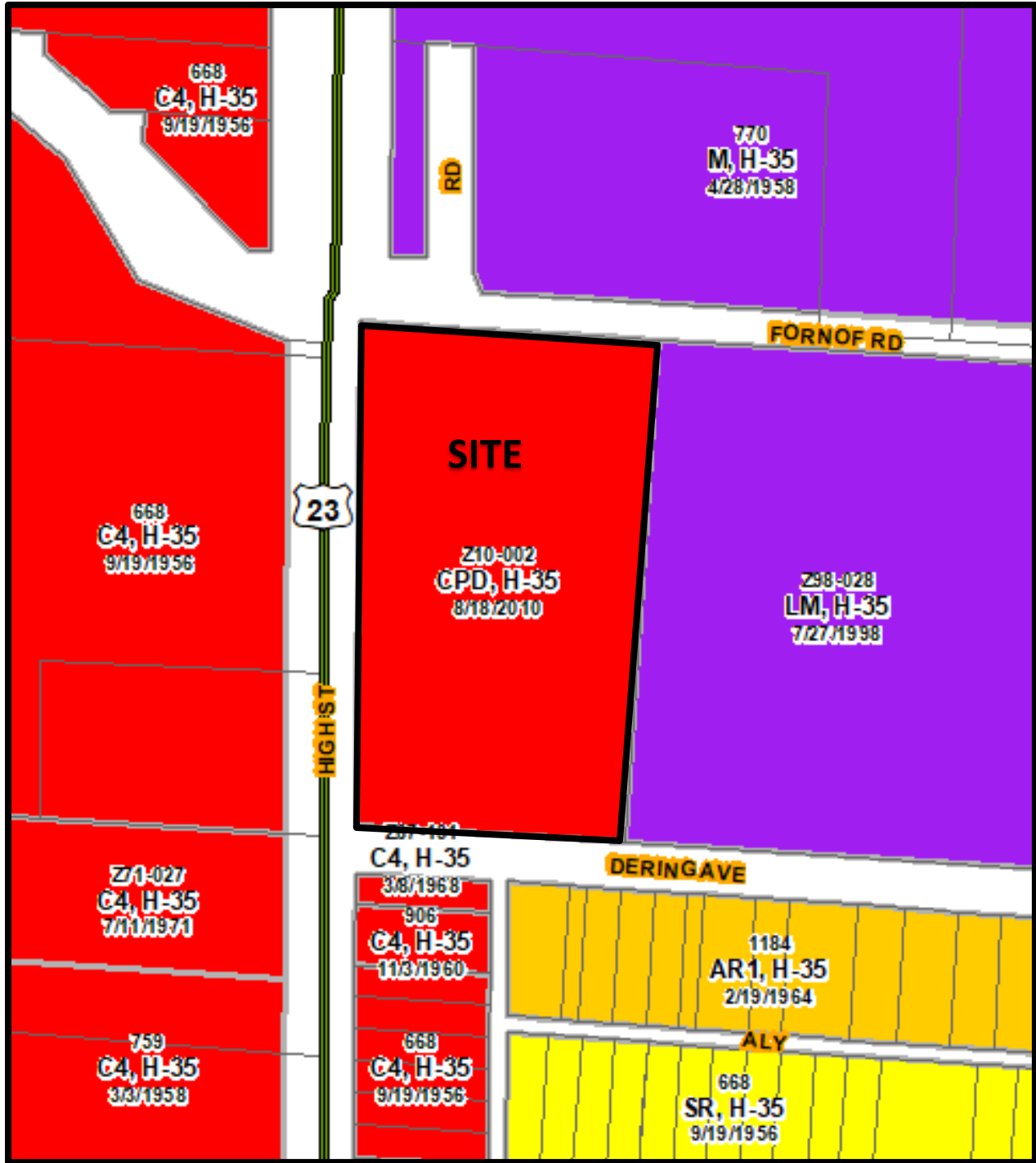
2. Abandoned service stations, filling stations or fuel sales establishments will be addressed in accordance with 3357.18 of the Columbus City Code.

The undersigned, being the owner of the subject property, together with the Applicant in the subject Application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions.

Respectfully Submitted,

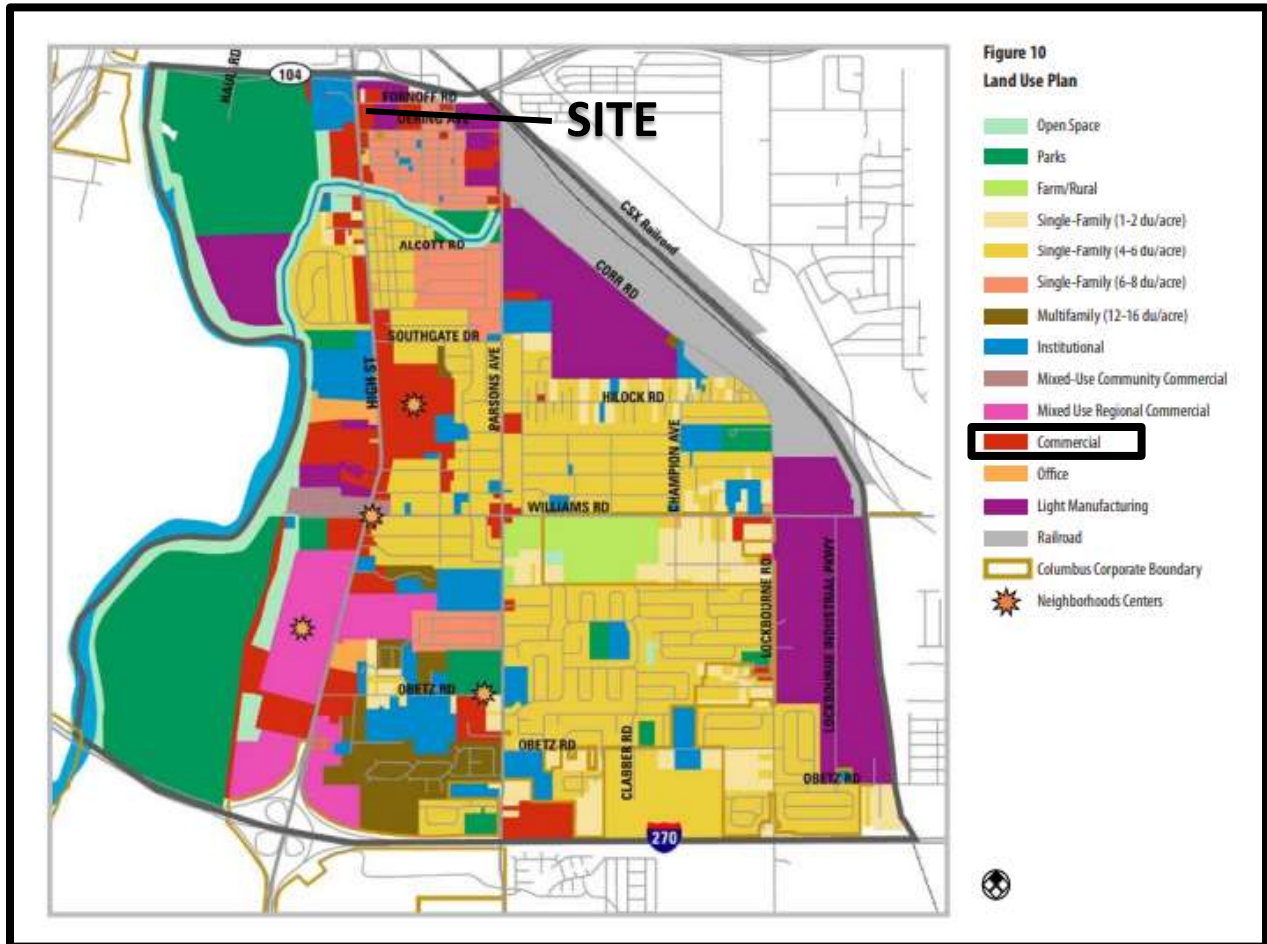


Michael Shannon
Attorney for Applicant



Z20-060
 2340 S. High St.
 Approximately 1.65 acres
 CPD to CPD

Scioto Southland Plan (2007)



Z20-060
2340 S. High St.
Approximately 1.65 acres
CPD to CPD



Z20-060
2340 S. High St.
Approximately 1.65 acres
CPD to CPD