THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

REZONING APPLICATION

Department of Building & Zoning Services
Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 216-056
Date Received: 8/30/16
Application Accepted By: TD Fee: $3,520
Comments: Assigned to Tim Dietrich; 614-645-6665; teodietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 3380 Morse Road, Columbus, Ohio Zip 43231
Is this application being annexed into the City of Columbus ☐ Yes ■ No (circle one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address 010-255453
☐ ***Check here if listing additional parcel numbers on a separate page.***

Current Zoning District(s) CPD Requested Zoning District(s) CPD
Area Commission Area Commission or Civic Association: Northland Community Council
Proposed Use or reason for rezoning request: Modify existing permitted uses of CPD (2000)
(continue on separate page if necessary)
Proposed Height District: H-35 Acreage 1.13 +/-
[Columbus City Code Section 3309.14]

APPLICANT:
Name KM22 Investment, LLC c/o Dave Perry (David Perry Company, Inc.)
Address 145 East Rich Street, 3rd Floor City/State Columbus, Ohio Zip 43215
Phone # 614-228-1727 Fax # 614-228-1790 Email dave@daveperryco.net

PROPERTY OWNER(S):
Name KM22 Investment, LLC c/o Dave Perry (David Perry Company, Inc.)
Address 145 East Rich Street, 3rd Floor City/State Columbus, Ohio Zip 43215
Phone # 614-228-1727 Fax # 614-228-1790 Email dave@daveperryco.net
☐ ***Check here if listing additional property owners on a separate page***

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) ■ Attorney ☐ Agent
Name Donald Plank (Plank Law Firm)
Address 145 East Rich Street, 3rd Floor City/State Columbus, Ohio Zip 43215
Phone # 614-947-8600 Fax # 614-228-1790 Email: dplank@planklaw.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)
APPLICANT SIGNATURE KM22 Investment LLC by David B. Perry, Agent
PROPERTY OWNER SIGNATURE KM22 Investment LLC by David B. Perry, Agent
ATTORNEY / AGENT SIGNATURE Donald Plank
~~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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Phone: 614-645-7433 www.columbus.gov

AFFIDAVIT

(See instruction sheet)

APPLICATION # Z16-056

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry (David Perry Company, Inc.)
of (1) MAILING ADDRESS 145 East Rich Street, 3rd Floor, Columbus, Ohio 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 3380 Morse Road, Columbus, Ohio 43231
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) 8/30/16
(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) KM22 Investment, LLC
c/o Dave Perry (David Perry Company, Inc.)
145 East Rich Street, 3rd Floor
Columbus, Ohio 43215

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

KM22 Investment, LLC
c/o Dave Perry (614) 228-1727

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

(5) Northland Community Council
c/o Dave Paul
PO Box 298836, Columbus, OH 43229

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) David B. Perry

Subscribed to me in my presence and before me this 29th day of August, in the year 2016

SIGNATURE OF NOTARY PUBLIC (8) Stacey L. Danza

My Commission Expires: 11-5-2018

This Affidavit expires six months after date of notarization.

Notary Seal Here

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Please make all checks payable to the Columbus City Treasurer

Revised 12/15slp

NOTARIAL SEAL STATE OF OHIO

Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

EXHIBIT A, Public Notice
3380 Morse Road
Z16-056
8/24/2016

APPLICANT

KM22 Investment, LLC
c/o Dave Perry
David Perry Company, Inc.
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

KM22 Investment, LLC
c/o Dave Perry
David Perry Company, Inc.
145 East Rich Street, FL 3
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

COMMUNITY GROUP

Northland Community Council
c/o Dave Paul
PO Box 298836
Columbus, Ohio 43229

PROPERTY OWNERS WITHIN 125 FEET

Cubesmart LP
PO Box 320099
Alexandria, VA 22320-4099

Sterling Collision Centers, LLC
c/o KE Andrews & Company
1900 Dalrock Road
Rowlett, TX 75088-5526

George J Evans
321 S Sunbury Road
Westerville, Ohio 43081

ALSO NOTIFY

KM22 Investment, LLC
c/o Steve Fenker
6877 N High Street, Suite 300
Worthington, Ohio 43085

THE CITY OF
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DEPARTMENT OF BUILDING
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Phone: 614-645-7433 www.columbus.gov

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.

APPLICATION # 216-056

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm) ----------
of (COMPLETE ADDRESS) 145 East Rich Street, 3rd Floor, 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, Sate, Zip
Number of Columbus based employees
Contact name and number

1. KM22 Investment, LLC 6877 N High Street, Suite 300 Worthington, Ohio 43085 # of Columbus Based Employees: 0 Contact: Steve Fenker (740) 972-1462	2.
3.	4.

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

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 29th day of August, in the year 2016

SIGNATURE OF NOTARY PUBLIC Stacey L. Danza

My Commission Expires: 11-5-2018

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

Notary Seal Here

NOTARIAL SEAL STATE OF OHIO

Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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Revised 12/15 slp

City of Columbus
Zoning Plat

N
W E
S

ZONING NUMBER

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

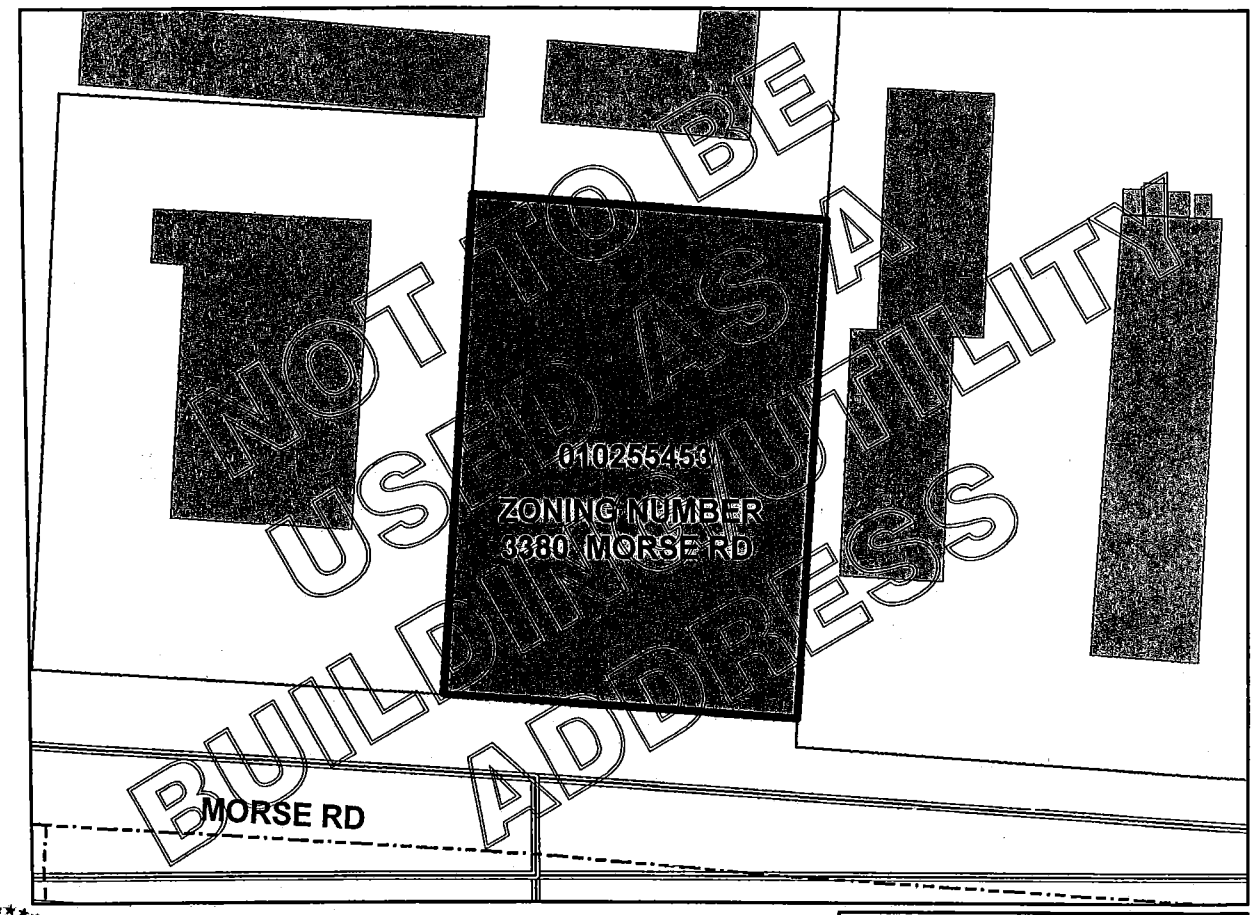
Parcel ID: 010255453

Zoning Number: 3380 **Street Name: MORSE RD**

Lot Number: N/A **Subdivision: N/A**

Requested By: DAVE PERRY CO. INC. (DAVE PERRY)

Issued By: Tedyna Amariam **Date:** 8/25/2016



SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 72755

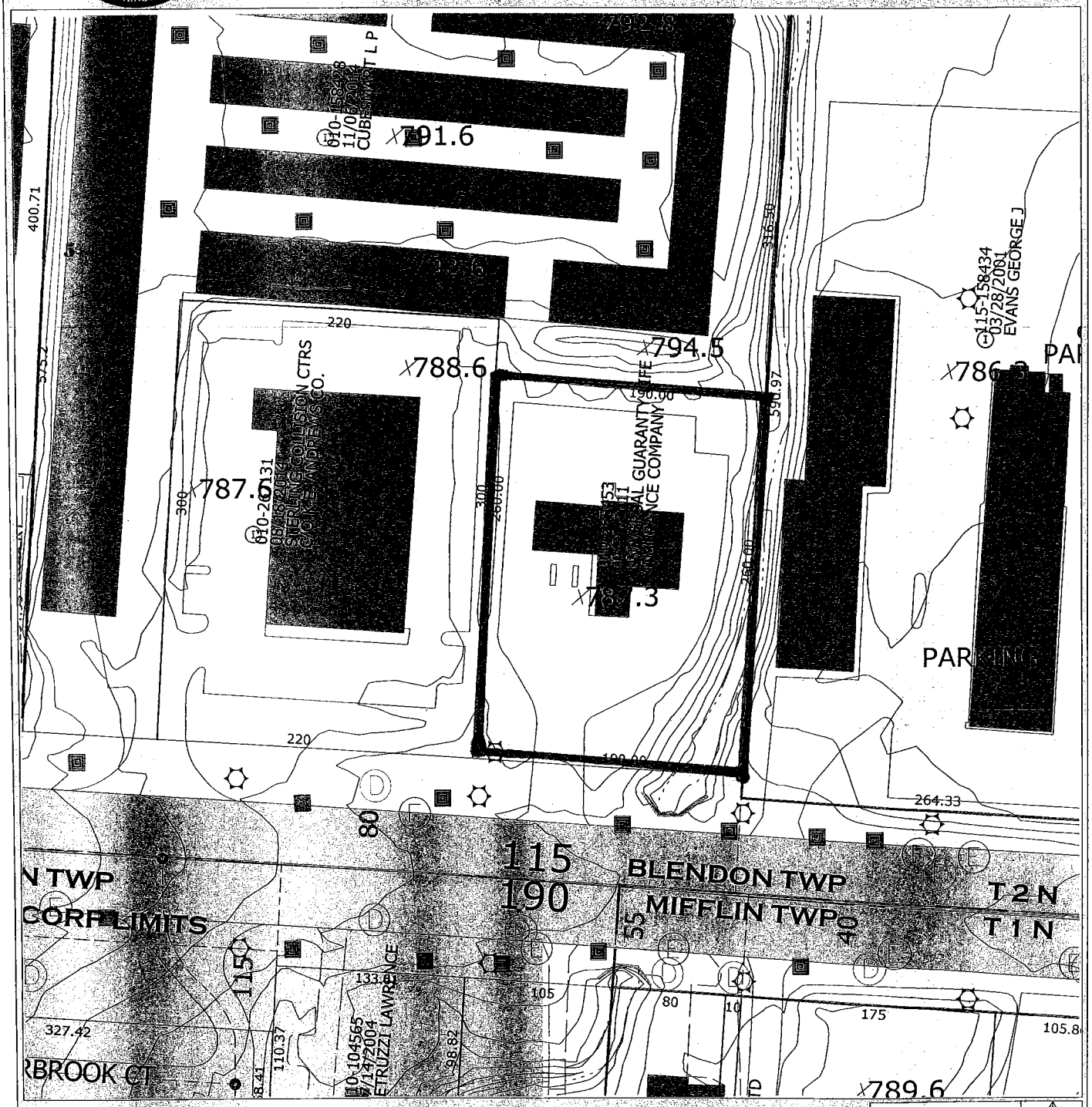
FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

Printed: 8/25/2016 8:40:49 AM - U:\ZONING_NUMBER_GIS_10-AL.mxd, amwoldemariam

216-056

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: S **DATE: 8/26/16**



Scale = 100

Grid North

Disclaimer

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

216-056

3380 Morse Road, Columbus, Ohio 43231
Legal Description
Z16- 056

Situated in the State of Ohio, County of Franklin, City of Columbus and located within Section 3, Township 2, Range 17, United States Military Lands and being a 1.134 acre tract all out of that 7.663 acre tract described in a deed to Properties of Today Corp., of record in Official Record 15789 Page A01 (All references herein described refer to those found at the office of the Recorder, Franklin County, Ohio), said tract more particularly described as follows:

Beginning for reference at a point A A Southwesterly corner of Parkridge Village Section 4, Subdivision of record in Plat Book 62 Page 82 and 83, in the centerline of Morse Road and being the southeasterly corner of aa 3.975 acre tract described in a deed to George J. Evans, or record in Official Record 007153 Page 103; thence North 85 degrees 04 minutes 17 seconds West along the centerline of said More Road, the Southerly line of said 3.975 acre tract, a distance of 264.34 feet to a point being the Southeasterly corner of a 0.948 acre tract described in a deed to the City of Columbus of record in Instrument Number 199708070065490, being the Southeasterly corner of said 7.661 acre tract, the Southwesterly corner of said 3.975 acre tract; thence North 04 degrees 56 minutes 30 seconds East along the Easterly line of said 0.948 acre tract, the Easterly line of said 7.663 acre tract, the westerly line of said 3.975 acre tract, a distance of 80.00 feet to an iron pin set in the Northerly line of said 0.948 acre tract being the TRUE POINT OF BEGINNING.

Thence North 85 degrees 04 minutes 17 seconds West along a line 80.0 feet Northerly from and parallel with the centerline of said Morse Road, along the Northerly line of said 0.948 acre tract, a distance of 190.00 feet to an iron pin set;

Thence into said 7.663 acre tract, along the following two (2) new courses and distance:

1. North 04 degrees 56 minutes 30 seconds East, along a line 190.00 feet westerly from and parallel with Easterly line of said 7.663 acre tract, a distance of 260.00 feet to an iron pin set;

2. South 85 degrees 04 minutes 17 seconds East along a line 340.00 feet northerly from and parallel with the centerline of said Morse Road and being 260.00 feet Northerly from and parallel with the Northerly line of said 0.948 acre tract, a distance of 190.00 feet to an iron pin set in Easterly line of said 7.663 acre tract, the Westerly line of said 3.975 acre tract;

Thence South 04 degrees 56 minutes 30 seconds West along the Easterly line of said 7.663 acre tract. The Westerly line of said 3.975 acre tract, a distance of 260.00 feet to the point of beginning containing 1.134 acres of land, more or less.

This description is based on record information and a field survey performed by Robert M. Foster, P.S. in July 2000.

Bearings are based on the centerline of Morse Road as shown on the plat Parkridge Village Section 4, a subdivision of record in Plat Book 62, Page 82 and 83, and shown as North 85 degrees 04 minutes 17 seconds west.

Iron pins set consist of a 5/8" rebar, Thirty (30) inches in length, with a yellow plastic cap inscribed: "RM Foster S 7729".

Parcel No.: 010-255453

CPD, COMMERICAL PLANNED DEVELOPMENT DISTRICT
DEVELOPMENT TEXT
3380 Morse Road (Z16-056)

1. **INTRODUCTION:** The 1.134 +/- acre site was zoned CPD (Z00-028) as Subarea A-1 to permit a care wash. The car wash was subsequently built but is closed and isn't viable as a business. Subarea A-2 of Z00-028 has been rezoned for development of a self-storage facility that is now built. The 1.134 +/- acre site abuts land uses of auto repair to the east, self-storage to the north, auto repair to the west and Morse Road to the south. The site plan titled "CPD Site Plan – 3380 Morse Road", hereafter "Site Plan", dated _____ is submitted to depict the existing site development. A car wash and auto repair are only permitted in the existing building.

2. PERMITTED USES:

a).Permitted uses are 1). A car wash, as permitted in Section 3357.01, C-5 commercial district and all uses of the of Section 3356.03, C-4, Permitted Uses, except the following: Animal Shelter, Bars, Cabarets and Nightclubs, Blood and Organ Banks, Check Cashing and Loans, Halfway House, Mission/Temporary Shelters, Monopole Telecommunications Antenna(s), Sales, rental or leasing of Motorcycles, Boats, Recreational Vehicles, Trucks (exceeding 1 ton manufacturers rated weight capacity), Utility Trailers and off-road vehicles, and Pawn Brokers.

b).Car wash and motor vehicle repair uses shall only be permitted in the existing building.

3.DEVELOPMENT STANDARDS: Unless otherwise indicated in this text or the plan titled "CPD Site Plan – 3380 Morse Road", for use of the site with the existing building,, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code.

A. Density, Height, Lot and/or Setback Commitments

1. A minimum thirty (30) foot landscaped parking setback shall be established along Morse Road.

2. A minimum ten (10) foot landscaped building and parking setback shall be established from and along the north and west property lines. The north and west parking setback lines/landscaping strips shall not be interpreted to prevent or preclude connection to adjacent parcel(s) with an aisle or driveway to provide for internal vehicular circulation between sites.

3. A minimum thirty (30) foot building, parking and maneuvering setback shall be established along the east property line.

4. The existing building (car wash) shall not exceed a maximum of height of twenty five (25) feet in total height.

5. Total lot coverage for structures and paved areas shall not exceed 80%.

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

Vehicular access to the site shall be by the existing Morse Road curbcut.

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

1. Within the required 30 foot parking setback along Morse Road, landscaping shall be required for a minimum of 50% of the frontage. Such landscaping shall be uniformly placed at a minimum distance of ten (10) feet from right of way. The landscaping shall consist of deciduous shade trees (minimum 2-1/2 inch caliper upon installation), ornamental trees (minimum 1-1/2 inch caliper upon installation), evergreen trees (height 6 foot upon installation) and/or shrubs (minimum size 2 gallon). Landscaping required by this section that meets the specifications of C.3. shall be counted toward satisfying the headlight screening requirements of C.3.

2. Street tree planting shall be required within the Morse Road parking setback. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester and have a minimum caliper upon planting of 2-1/2 inches, minimum spacing of 35 feet on center and located at a uniform setback to be established at the time of planting, but not less than ten (10) feet from the Morse Road right of way, subject to no more than four (4) street trees being along the Morse Road frontage of Sub-Area A-1.

3. All parking areas adjacent to Morse Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area Headlight screening shall be in the form of an evergreen hedge, earth mounding, or walls.

4. Tree planting shall be required within the north and west perimeter landscape strips. Trees shall be planted at the rate of one (1) per 30 lineal feet. Tree planting shall consist of deciduous shade trees (minimum 2-1/2 inch caliper upon installation), ornamental trees (minimum 1-1/2 inch caliper upon installation), and/or evergreen trees (height of 6 foot upon installation).

5. The minimum thirty (30) foot building, parking, pavement and maneuvering setback along the east property line shall be maintained in a vegetative state. Existing trees and brush along the bank of the drainage ditch shall be preserved and shall remain undisturbed other than normal maintenance and removal of dead plant material. This setback is a buffer area for the ditch adjacent to the east property line.

6. No additional landscaping shall be required within the existing paved area of the site in conjunction with a change of use of the existing building.

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

1. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior or any building.

2. Building exterior shall be any and all shades of earth tone colors (such as whites, tans, browns, grays, creams, beiges, and taupes) and shall utilize natural materials. There shall be no exposed concrete block, other than split-face block.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments

1. Parking lot light poles shall not exceed 20 feet in height.

2. Building mounted lighting within the parcel shall be designed in such a way to minimize offsite light spillage.

3. All new wiring within the development shall be underground. Applicant shall not be required to place underground any existing wiring along Morse Road nor will applicant be required to place underground any wiring that the applicable utility will not grant permission to place underground.

4. Trash pickup shall be prohibited between the hours of 11:00 P.M. and 8:00 A.M.

F. Graphics and Signage Commitments

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. Signs shall be internally illuminated and silhouette lighted. There shall be no floodlighting of elevated signs.

3. Ground mounted illumination shall be concealed from view of the public right of way by a landscape screen of low shrubs or equivalent.

4. Prohibited signs include: signs with flashing lights, co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners, and pennants.

5. Street addresses shall be incorporated into the free-standing sign or prominently displayed on the building. Addresses shall be in Arabic numerals and be readable from the street.

G. Miscellaneous Commitments

1.Auto repair:

a).If the site/existing building is used for motor vehicle repair, all vehicles on the premises for repair shall be kept inside the building and/or on the north side of the building.

b).. There shall be no outside storage of car parts. All refuse shall be contained within the dumpster box depicted on the site plan.

c). All vehicles on the premises shall have a current motor vehicle registration and license.

2.The Subject Site shall be developed in accordance with the site plan titled "CPD Site Plan – 3380 Morse Road", dated _____ and signed _____ by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant, for use of the site as a car wash or for motor vehicle repair. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and approved by the Director of the Department of trade and development of his designee upon submission of the appropriate data regarding the proposed adjustment.

H. Other CPD Requirements

1. Natural Environment: The natural environment is flat.

2. Existing Land Use: The property is presently developed with a car wash permitted by rezoning Z00-028.

3. Circulation: Access to and from the site will be by an existing curbcut on Morse Road.

4. Visual Form of the Environment: The area surrounding the site is developed with commercial and storage uses.

5. Visibility: The site fronts on Morse Road.

6. Proposed Development: The site is developed with an unsuccessful, closed car wash. Applicant proposes to use the existing building for auto repair.

7. Behavior Patterns: The site is located on Morse Road, a major arterial right of way. Vehicular access will be the principle means of access through the existing curb cut on Morse Road.

8. Emissions: Development shall conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: No variances are proposed with the use of the CPD. The CPD allows a variety of appropriate commercial uses.

I. Miscellaneous

N/A

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, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes, other than as specified herein.

Signature: _____

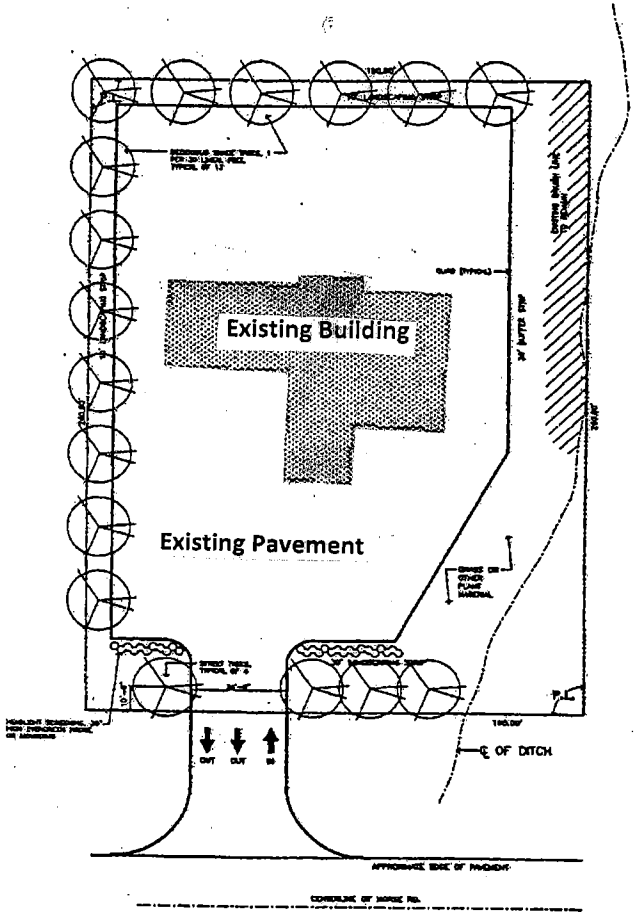
David B. Perry, Agent Date

Signature: _____

Donald Plank, Attorney Date

08-29-2016

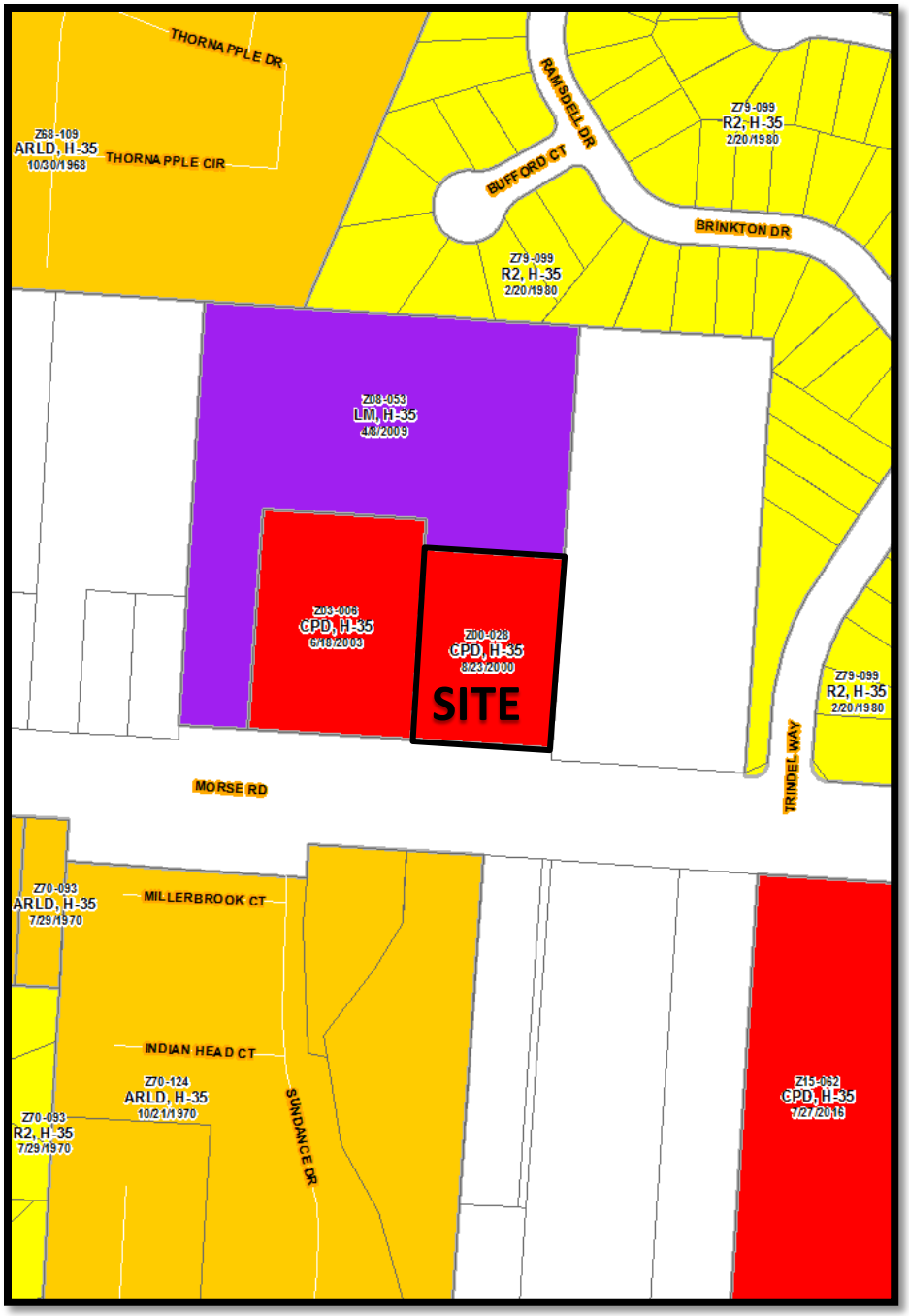
216-056



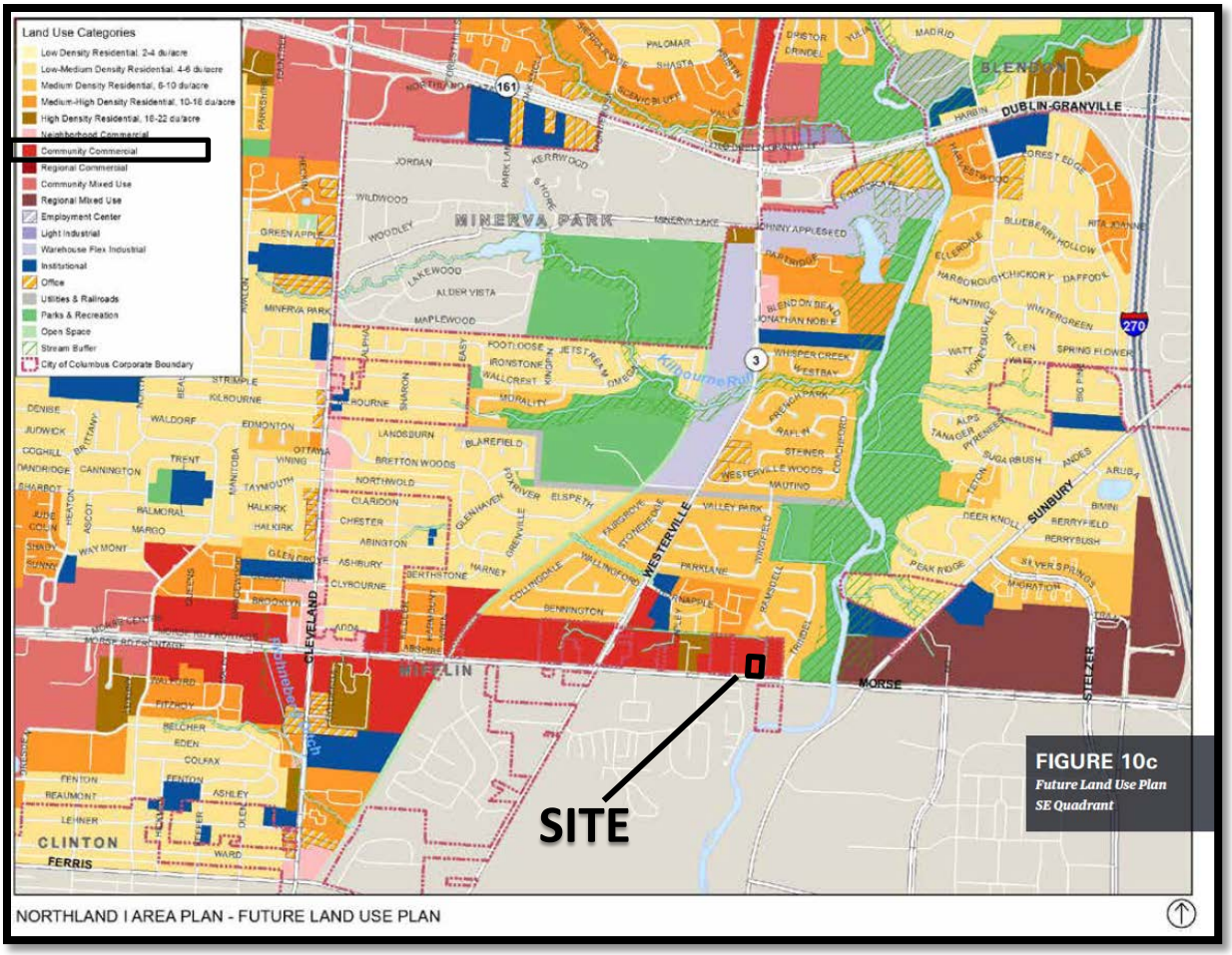
CPD PLAN:
SCALE: 1" = 20'-0"

CPD Site Plan – 3380 Morse Road
August 29, 2016

Z16-056



Z16-056
3380 Morse Road
Approximately 1.13 acres
CPD to CPD



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