

**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 #: Z16-051

Date Received: 8/30/16

Application Accepted By: TD Fee: \$3,200

Comments: Assigned to Tim Dietrich, 614-645-6665; tedietrich@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) Zoning Number 1770 W. Henderson Rd. (see attachment) Zip \_\_\_\_\_

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 010129893 & 010016275

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: Northwest Civic Association

Proposed Use or reason for rezoning request: Proposed Use: Auto Parts Retail Sales

Rezoning to new CPD is requested to accommodate the proposed use (continue on separate page if necessary)

Proposed Height District: H-35 Acreage 0.837 Ac.

[Columbus City Code Section 3309.14]

**APPLICANT:**

Name AutoZone Development, LLC, Mr. Jeff Kauertz

Address 123 S. Front Street, 3rd Floor City/State Memphis/TN Zip 38103

Phone # 901-495-8771 Fax # 901-495-8300 Email jeff.kauertz@autozone.com

**PROPERTY OWNER(S):**

Name Reed & Henderson Duchess LLC F.W. Englefield IV & Benjamin B. Englefield

Address 447 James Pkwy City/State Heath/OH Zip 43056

Phone # 740-404-0665 Fax # \_\_\_\_\_ Email \_\_\_\_\_

Check here if listing additional property owners on a separate page

**ATTORNEY / AGENT** (CHECK ONE IF APPLICABLE)  Attorney  Agent

Name Wesley R. Berlin, PE

Address 9137 Lyndenglen Court City/State Howell/MI Zip 48843

Phone # 517-214-1213 Fax # \_\_\_\_\_ Email: spartanengineeringsolutions@gmail.com

**SIGNATURES** (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_ JEFF KAURZ FOR AUTOZONE

PROPERTY OWNER SIGNATURE \_\_\_\_\_

ATTORNEY / AGENT SIGNATURE Wesley R. Berlin

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

**REZONING APPLICATION**

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Scott Messer, Director  
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Phone: 614-645-7433 www.columbus.gov

**AFFIDAVIT**

(See instruction sheet)

APPLICATION # Z16- 051

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Wesley R. Berlin, PE

of (1) MAILING ADDRESS 9137 Lyndenglen Court, Howell, Michigan 48843

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 Zoning Number 1770 W. Henderson Road

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.

F. W. Englefield IV & Benjamin B. Englefield  
(4) Reed and Henderson Duchess, LLC  
447 James Parkway  
Heath, OH 43056

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

AutoZone Development, LLC, Mr. Jeff Kauerz  
Phone: 901-495-8771

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

(5) Northwest Civic Association  
Rosemarie Lisko  
1035 Stoney Creek Road, Columbus OH 43235

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) Wesley R. Berlin

Subscribed to me in my presence and before me this

23 day of August, in the year 2016

SIGNATURE OF NOTARY PUBLIC

(8) Patricia M. Franklin

My Commission Expires:

07/31/2019

*This Affidavit expires six months after date of notarization.*

Notary Seal Here

PATRICIA M. FRANKLIN  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 07-31-2019  
Acting in the County of Livingston

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**APPLICANT**

AutoZone Development, LLC  
c/o Jeff Kauerz  
123 S. Front St., 3<sup>rd</sup> Floor  
Memphis, TN 38103

**PROPERTY OWNER**

Reed and Henderson Duchess, LLC  
447 James Pkwy  
Heath, OH 43056

**ATTORNEY/AGENT**

Wesley R. Berlin, PE  
9137 Lyndenglen Ct.  
Howell, MI 48843

**AREA COMMISSION OR  
NEIGHBORHOOD GROUP –  
(NORTHWEST CIVIC ASSOCIATION)**

RoseMarie Lisko  
1035 Stoney Creek Rd.  
Columbus, OH 43235

**SURROUNDING PROPERTY OWNERS**

Alice M. Kelemen  
2711 Canterbury Rd.  
Columbus, OH 43221

Moreland Drive, LLC  
3695 Rushmore Dr.  
Columbus, OH 43220

Ruab Properties  
952 Medinah Terrace  
Columbus, OH 43235

Realty Income Corp.  
11995 El Camino Real  
San Diego, CA 92130

Suburban Centers, Inc.  
2000 Henderson Rd.  
Columbus, OH 43220

Speedway Superamerica, LLC  
500 Speedway Drive  
Enon, OH 45323

Speedway Superamerica, LLC  
1790 Henderson Road  
Columbus, OH 43220

**REZONING APPLICATION**

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**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 # Z16-051

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Wesley R. Berlin, PE  
of (COMPLETE ADDRESS) 9137 Lyndenglen Court, Howell, Michigan 48843  
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. Reed and Henderson Duchess, LLC F.W. Englefield IV & Benjamin B. Englefield 447 James Parkway Heath, OH 43056 0 Columbus Based Employees Contact: Bill Englefield Jr. 740-404-0665	2. AutoZone Development, LLC 123 S. Front Street, 3RD Floor Memphis, TN 38103 Columbus Based Employees: 0 (current); 8-12 (future) Contact: Jeff Kauerz 901-495-8771
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Wesley R Berlin

Subscribed to me in my presence and before me this 23 day of August, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Patricia M. Franklin

My Commission Expires:

07/31/2019

**PATRICIA M. FRANKLIN**

Notary Public, State of Ohio  
County of Oakland

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

My Commission Expires 07-31-2019

Acting in the County of Livingston

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As-Surveyed Legal Description (By MDM, LLC)  
AutoZone Columbus OH4596 1770 W. Henderson Road

ALL THAT CERTAIN parcel or tract of land located in the City of Columbus, County of Franklin and State of Ohio, being in Section 1, Range 19, United States Military Lands, and being more particularly bounded and described as follows:

BEGINNING at an iron pin with cap found on the northerly right-of-way line of W. Henderson Road at the southeast corner of the herein described property;

1) THENCE following the northerly right-of-way line of W. Henderson Road, N 67°12'03" W, a distance of 196.03 feet to an iron pin with cap set at the intersection of the northerly right-of-way line of W. Henderson Road with the easterly right-of-way line of Reed Road;

2) THENCE following the easterly right-of-way line of Reed Road, N 4°13'30" E, a distance of 165.11 feet to an iron pipe found at the dividing line between the herein described property and property now or formerly of Realty Income Corporation, recorded as Instrument No. 200306030164919 in the Recorder of Deeds Office of Franklin County, OH;

3) THENCE following said dividing line, S 85°46'30" E, a distance of 185.82 feet to an iron pin with cap found on the westerly line of property now or formerly of Moreland Drive 4767-73, LLC, recorded as Instrument No. 200802050017708;

4) THENCE following the westerly line of property now or formerly of Moreland Drive 4767-73, LLC and also the westerly lines of property now or formerly of Moreland Drive 4755-61, LLC, recorded as Instrument No. 200802050017710 and Alice M. Kelemen, recorded as Document No. 02612B11 and lastly following the northerly right-of-way line of W. Henderson Road, S 04°13'30" W, a distance of 227.55 feet to the POINT OF BEGINNING for the herein described property.

CONTAINING within said bounds a total 0.837 acres (36,482.00 square feet).

BEING the same premises conveyed to F.W. Englefield, IV and Benjamin B. Englefield by BP Products North America, Inc. by Limited Warranty Deed dated 02/02/2009 and recorded as Instrument No. 200902100017351.

THE ABOVE description is based upon an actual field survey conducted under the direct supervision of Howard G. McIlvried, Ohio Licensed Land Surveyor No. 8015 on March 1, 2016.

THE BASIS OF BEARINGS for the above legal description is the bearing of the easterly right-of-way line of Reed Road as described in Instrument No. 200902100017351. Said bearing is N 4°13'30" E.

MONUMENTS described as "iron pin with cap set" are 5/8 diameter rebar, 30 inches in length, with a plastic I.D. cap bearing the inscription "MDM 724-934-2810".

## CPD TEXT

**PROPOSED DISTRICT: CPD, Commercial Planned Development**

**PROPERTY ADDRESS: 1770 W. Henderson Avenue**

**CURRENT OWNER: Reed and Henderson Duchess, LLC**

**FUTURE OWNER: AutoZone Development, LLC**

**APPLICANT: AutoZone Development, LLC, Mr. Jeff Kauertz**

**DATE OF TEXT: August 26, 2016**

**APPLICATION: Zoning Number 1770 W. Henderson Road**

1. **INTRODUCTION:** The property subject to this rezoning is located at the northeast corner of Henderson and Reed Roads. The parcel address and parcel IDs are 1770 W. Henderson Road, and PID 010-129893 and 010-016275, respectively. There is an existing vacated building on the property formerly occupied as a BP gas station. The site is currently zoned CPD and lies within the Community Commercial Overlay (CCO) District. The proposal is to rezone the property to CPD consistent with the proposed redevelopment use of auto parts retail sales.

2. **PERMITTED USES:** The permitted use shall be auto parts retail sales, consistent with Chapter 3356, City of Columbus Zoning Code for use description Automotive Accessories, Parts and Tire Stores.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text the applicable development standards are contained in Chapter 3356 and 3372 of the Columbus City Code.

A. **Density, Height, Lot and/or Setback Requirements.** The site development, height, and setback commitments are depicted within the accompanying Site Plan

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

1. All circulation, curb cuts and access points are as shown on the Site Plan, and are subject to the approval of the Department of Public Service, Division of Traffic Management
2. The existing curb cut along Henderson Road shall be closed
3. The existing southern curb cut on Reed Road shall be closed
4. The existing northern curb cut on Reed Road shall remain at the current general location. Pavement repairs and/or geometric improvements may be performed as required to obtain City related approvals
5. Loading of merchandise into the building shall occur along the north wall of the building
6. Vehicular parking and bicycle parking shall be provided as calculated on the accompanying Site Plan
7. Reed Road, 85 foot current right-of-way width, is master planned for a 100 foot right-of-way. An additional 7.5 foot right-of-way width shall be dedicated to the City of Columbus prior to Final Site Compliance Plan approval by the City of Columbus

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

1. Street trees shall be planted along public street frontages at a rate of one tree per 40 lineal feet of frontage, subject to the review and approval of the Recreation and Parks Division
2. Interior parking area landscaping, parking lot setback landscaping, and buffering landscaping east of the proposed building shall be provided in general conformance with the information depicted on the accompanying Site Plan

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

1. The width of the principal building along Henderson road shall be a minimum of 32% of the lot width (excludes building overhang canopy as shown in the accompanying Site Plan)

2. The exterior elevation shall, in general, conform to the attached elevations

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

Dumpster shall be screened on three sides to a height of 6', with a gate on the fourth side as depicted on the accompanying Site Plan

F. Graphics and Signage Commitment All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the City of Columbus Code as it applies to the C-4 district and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous The Property shall be developed in accordance with the Site Plan, and Building Elevations signed August 26, 2016, by Wesley R. Berlin, PE, Agent for Applicant. The aforementioned plans may be slightly adjusted to reflect engineering, topographical, architectural or other data produced at the time of development and when engineering and architectural plans are completed. Any slight adjustment to the Site Plan, proposed landscaping or Building Elevations shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

1. Variances.

The subject site is located at the northeast corner of Reed Road and Henderson Road. The dual roadway frontage, adjacent residential located immediately east, and the requirements of the Community Commercial Overlay (CCO) create unique hardships for this property. Redevelopment of this property in full compliance with the requirements of the zoning district and the CCO, while still meeting the needs of the Applicant, is not feasible thus resulting in the necessity for variances. The variances listed below are needed to allow for the site to be redeveloped, provide access and maneuvering of cars/delivery trucks, minimize impacts to the adjacent residential parcel to the east by maximizing the buffer between the parking and loading areas, all while still meeting all other aspects of the zoning and CCO requirements.

a) Section 3372.704 (B) Setback Requirements: To increase the permitted maximum building setback from a non-primary street (Reed Road) from 25 feet to 68' +/-

b) Section 3372.705 (B) Building Design Standards: To reduce the width of the principal building along the primary building frontage (Henderson Road) from 60% of the lot width to a minimum of 32% (32% excluding canopy, 40.8% including canopy)

c) Section 3372.709 (A) Parking and Circulation: To permit parking and circulation aisles between the principal building and a street right of way line (Reed Road).

2. Site Plan. The subject site shall be developed in accordance with the Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data produced at the time of the development and when engineering and architectural plans are completed. Any slight adjustment to the Site Plan, proposed landscaping or Building Elevations shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Building Elevation. The building shall be developed in accordance with the building elevation drawings. The building elevation may be slightly adjusted to reflect engineering, topographical, or other site data produced at the time of the development and when engineering and architectural plans are completed. Any slight adjustment to the Site Plan, proposed landscaping or Building Elevations shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment. Signage shown on the elevation drawings is conceptual and shall comply with 3.F. above.

#### 4. CPD Criteria (3361.05)

a) Natural Environment: The property is located at the northeast corner of Reed and Henderson Roads. The site is currently occupied by a vacant gas station building, which will be demolished for the proposed redevelopment. All City of Columbus requirements for storm water drainage and runoff, soil erosion control, natural vegetation preservation etc. shall be adhered to as part of the proposed redevelopment.

#### b) Activities:

1. The proposed development will provide a commercial retail sales use complimenting the surrounding commercial and residential uses
2. The proposed development will meet the needs of the community by providing a business of need to local citizens, provide long term employment opportunities, improve traffic circulation and safety, and provide a long-term solution to the vacancy of the subject site

#### c) Behavior Patterns:

1.
  - a. Some of the existing development in the area has pedestrian sidewalk systems with access to both Reed and Henderson Roads. Sidewalk is proposed along Reed Road, and a sidewalk connection between the proposed building and the existing asphalt pathway along Henderson Road is proposed. Pedestrian access and safety will be improved with the proposed development
  - b. Vehicular traffic patterns will be improved with the proposed development. The subject site currently contains three (3) drive approaches, two on Reed Road and one on Henderson Road. The proposed redevelopment includes closure of two of the three approaches, which will improve traffic flows and safety
2. The proposed development will allow people to use the area in new ways by the proposed pedestrian access features as described above. Additionally, the building is positioned in close proximity to Henderson Road with a pedestrian sidewalk connection to the existing Henderson Road asphalt walkway. This, combined with the proposed bicycle parking spaces, will promote foot and bicycle traffic by users of the area

d) Circulation: As described in 4 c) above, vehicular and pedestrian traffic circulation and safety is significantly improved with the addition of the proposed sidewalks combined with closure of multiple curb cuts.

e) Form of the Environment: The site is subject to the Community Commercial Overlay which contains building design requirements. The building height, size and scale will compliment adjacent surrounding site uses.

f) Views and Visibility: As described in 4 c) above, vehicular and pedestrian traffic circulation and safety is significantly improved with the addition of the proposed sidewalks combined with closure of multiple curb cuts. The residential property immediately east will benefit from a less intense site use as compared

to the previous gas station use. The strategic positioning of the proposed parking and loading areas, in conjunction with the landscape screening proposed, will greatly improve views from the parcel to the east and drastically increase the visual buffering from the parking and loading areas as compared to existing site conditions.

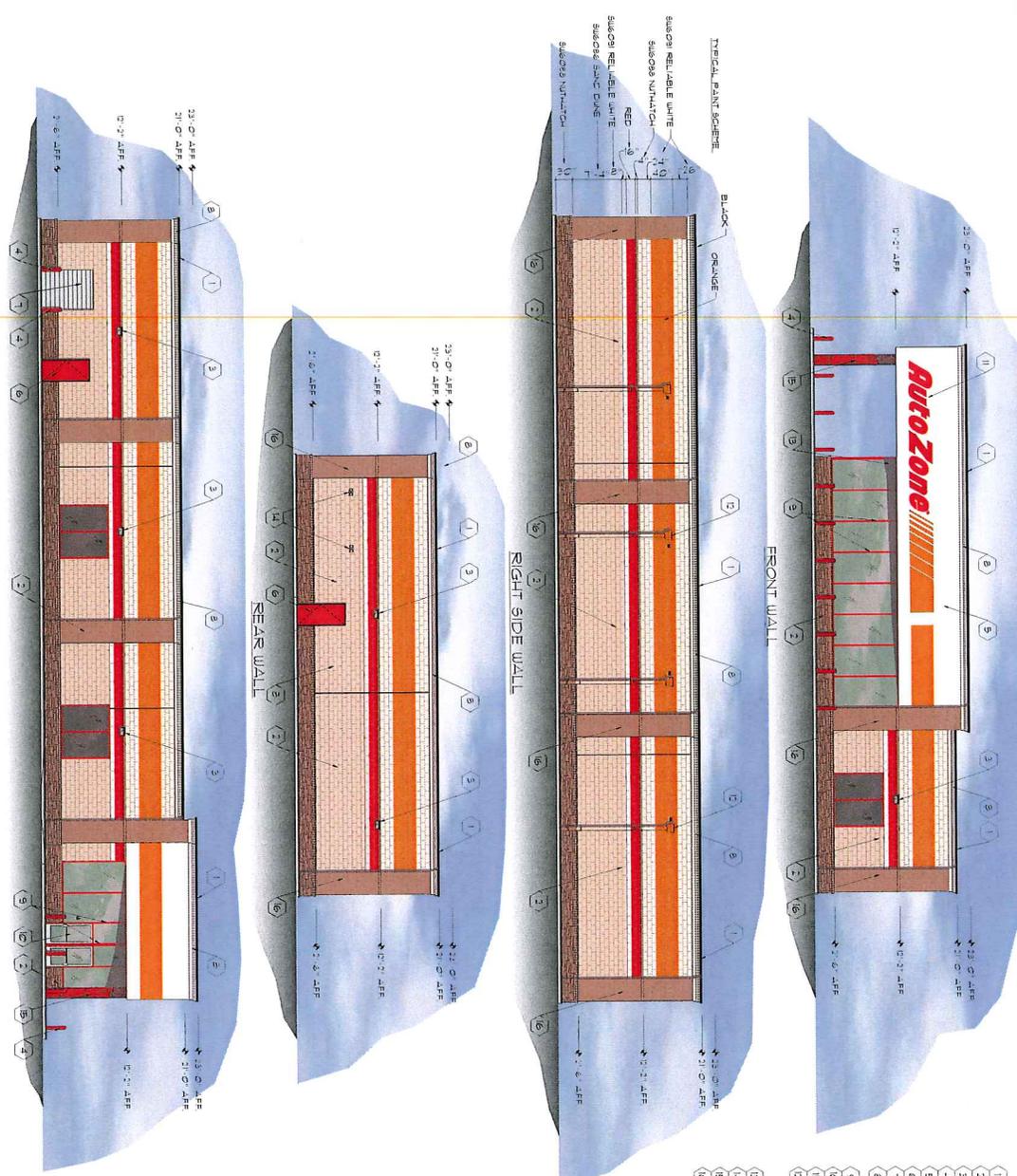
g) Emission: The proposed retail sales use will not have negative effects on emission levels of light, sound, smell or dust.

The undersigned, being the owner of the subject property together with the applicant in the subject application, do hereby agree singularly for herself, her heirs, successors and assigns, to abide by the above restrictions conditions, and commitments regarding development of the subject property and for such purpose each states that she 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 Code except as described within this CPD Text.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

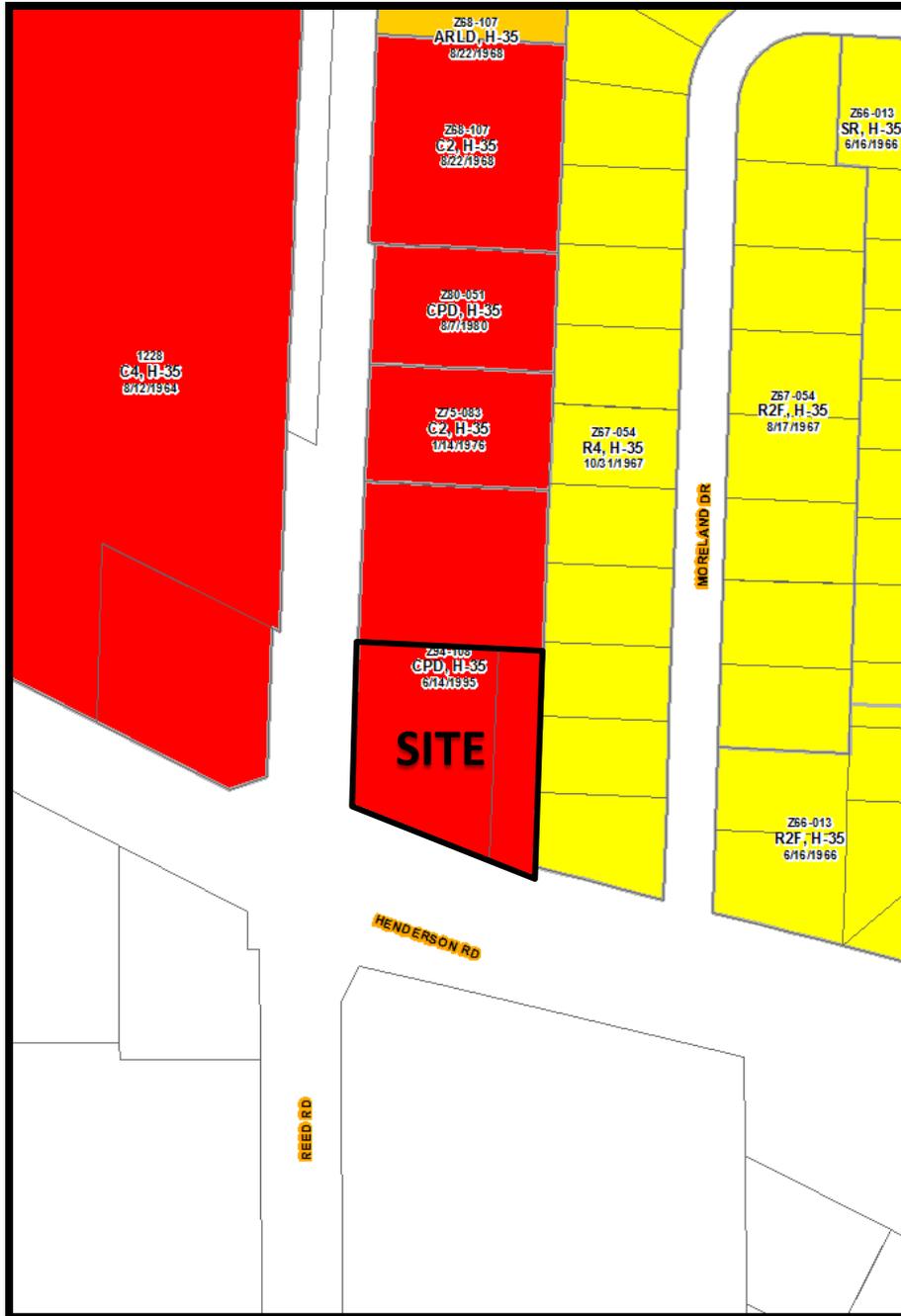




- (1) TUDOR PIECE CORNER/SEAM TRIM
  - (2) PAINTED SPLIT FACE BLOCK
  - (3) WALL MOUNTED LIGHT FIXTURE
  - (4) FIRE GUARD WITH RED SLEEVE
  - (5) 1/2\"/>
  - (6) 1/2\"/>
  - (7) DO NOT PAINT OVERHEAD DOOR PAINT ANGLES BLACK
  - (8) DECORATIVE FOAM CORNICE SEE COLOR SCHEME THIS SHEET
  - (9) ALUMINUM STOREFRONT - RED KYNAR FINISH
  - (10) GLASS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
  - (11) FRONT WALL SIGN - 43 Right Stripe Channel
  - (12) SCRAPERS AND DOWNSPOUTS PAINTED TO MATCH BACKGROUND WALL COLOR ADJACENT 1/4\"/>
  - (13) STORE ADDRESSES - 6\"/>
  - (14) TOILET WALL VENTS PAINT TO MATCH WALL
  - (15) CORNER/SEAM COLUMN PAINT RED
  - (16) 3/4\"/>
- SEE COLOR SCHEME DETAIL THIS SHEET

# AutoZone

Color Elevation  
 AutoZone Store #4596  
 Columbus, OH  
 Date August 28, 2008  
 Revised Date



Z16-051  
1770 West Henderson Road  
Approximately 0.84 acres  
CPD to CPD



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Approximately 0.84 acres  
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