

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 #: 216-059
Date Received: 9/6/16
Application Accepted By: SP Fee: \$3200
Comments: Assigned to Shannon Pine, 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 620 Georgesville Road Zip 43228
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 010-122507
 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: Greater Hilltop Area Commission

Proposed Use or reason for rezoning request: Applicant is proposing to develop the site as Taco Bell restaurant, in keeping with the zoning code currently in place for this site, but in variance with the wording of the existing CPD. (continue on separate page if necessary)

Proposed Height District: H-35 Acreage .723
[Columbus City Code Section 3309.14]

APPLICANT:

Name 620 Georgesville Road, LLC
Address 114 Dorchester Square City/State Westerville, Ohio Zip 43081
Phone # (614) 898-5482 Fax # _____ Email bbiglin@nardonelimited.com

PROPERTY OWNER(S):

Name MAMJ Enterprises LLC
Address PO Box 3416 City/State Dublin, Ohio Zip 43016
Phone # _____ Fax # _____ Email _____
 Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Nardone Limited - Brian D. Biglin, Esq.
Address 300 East Broad Street, Suite 490 City/State Columbus, Ohio Zip 43215
Phone # (614) 372-7296 Fax # (614) 223-0115 Email: bbiglin@nardonelimited.com

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.

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 #: 216-059 (owners signature page)

Date Received: _____

Application Accepted By: _____ Fee: _____

Comments: _____

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 620 Georgesville Road Zip 43228

Is this application being annexed into the City of Columbus Yes No (circle one)

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[Columbus City Code Section 3309.14]

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Phone # (614) 372-7296 Fax # (614) 223-0115 Email: bbiglin@nardonelimited.com

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

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE  Managing Member

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.

REZONING APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

AFFIDAVIT

(See instruction sheet)

APPLICATION # 216-059

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Brian D. Biglin
of (1) MAILING ADDRESS 300 East Broad Street, Suite 490, 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 620 Georgesville Road, Columbus, Ohio 43228
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) 9/6/16

(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) MAMJ Enterprises, LLC
PO Box 3416
Dublin, OH 43106

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

620 Georgesville Road, LLC
(614) 898-5482

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

(5) Greater Hilltop Area Commission
ATTN: Greg Large
PO Box 28952
Columbus, OH 43228

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) [Signature]

Subscribed to me in my presence and before me this sixth day of September, in the year 2016.

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]
11/3/2018

My Commission Expires:

This Affidavit expires six months after date of notarization.

Notary Seal Here



Darcy L. Fishback
Notary Public, State of Ohio
My Commission Expires 11-03-2018

216-059

APPLICANT:

620 Georgesville Road, LLC
114 Dorchester Square
Westerville, OH 43081

OWNER:

MAMJ Enterprises, LLC
PO Box 3416
Dublin, OH 43016

ATTORNEY:

NARDONE LIMITED
Brian D. Biglin, Esq.
300 EAST BROAD ST
COLUMBUS, OH 43215

AREA COMMISSION:

GREATER HILLTOP AREA COMMISSION
GREG LARGE
PO BOX 28052
COLUMBUS, OH, 43228

SURROUNDING PROPERTY OWNERS:

MANDS INC
590 GEORGESVILLE RD
COLUMBUS, OH 43228

LIFETIME PRODUCTS
ATTN BRIAN SLAGLE
PO BOX 160010
CLEARFIELD, UT 84

GALLAER VALERIE A
4219 ATLANTA DR
COLUMBUS, OH 43228

FARLEY CLARK & APRIL A
625 SCRIVEN AVE
COLUMBUS, OH 43228

MOORE MICHAEL S
633 SCRIVEN AVE
COLUMBUS, OH 43228

RM2 LLC
5057 DRIVERMERE RD
HILLIARD, OH 43026

WILSON SHAUNA R
645 SCRIVEN AVE
COLUMBUS, OH 43228

WILLIAM P MOBLEY
ELIZABETH B MOBLEY
653 SCRIVEN AVE
COLUMBUS, OH 43228

SEAGRAVES EARL E
659 SCRIVEN AVE
COLUMBUS, OH 43228

BAKERY PROPERTIES LLC
650 GEORGESVILLE RD
COLUMBUS, OH 43208

JASON BAILEY
4228 ATLANTA DR
COLUMBUS, OH 43228

ROBERT G CASTLE
681 SCRIVEN AVE
COLUMBUS, OH 43228

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 # 216-059

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brian D. Biglin
of (COMPLETE ADDRESS) Nardone Limited, 300 East Broad Street, Suite 490, Columbus, OH 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. 620 Georgesville Road, LLC 114 Dorchester Square Westerville, OH 43081 Columbus employees: pending Contact: Brian Biglin (614) 372-7296	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Brian D. Biglin

Subscribed to me in my presence and before me this sixth day of September, in the year 2016.

SIGNATURE OF NOTARY PUBLIC

Darcy L. Fishback
11/3/2018

My Commission Expires:



This Project Disclosure Statement expires six months after date of notarization.
Darcy L. Fishback
Notary Public, State of Ohio
My Commission Expires 11-03-2018

216-059
CPD to CPD

LEGAL DESCRIPTION

620 Georgesville Road, Columbus, Ohio 43228

the following real property situated in the City of Columbus, County of Franklin, State of Ohio:

Being Reserve "B" of Georgian Heights No. 5 as said reserve is lettered and delineated on the recorded plat thereof, of record in Plat Book 27, Page 82, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin at the Southwest corner of said Reserve "B" and in the East line of Georgesville Road (75 feet wide) as the said corner is located in the above mentioned plat;

Thence S 81° 43' E along the South line of said Reserve "B" an the North line of Lot No. 31 a distance of 169.00 feet to a point at the Southeast corner of said Reserve "B" and the Northeast corner of said Lot No. 31 (passing an iron pin on line at 157.00 feet);

Thence N. 8° 17' E along the East line of said Reserve "B" and the West line of Lots Nos. 16, 15, 14 and 13 a distance of 202.94 feet to an iron pin in the South line of Sullivant Avenue South, (80 feet wide) said iron pin being also the Northeast corner of said Reserve "B" and the Northwest corner of said Lot No. 13;

Thence S. 87° 44' W along the North line of said Reserve "B" and the South line of said Sullivant Avenue South a distance of 146.97 feet to an iron pin at the beginning of a curve, data of which is: radius-30.00 feet, tangent-24.93 feet, delta 79° 27' left, a curve length-41.60 feet, to an iron pin at the end of said curve, said iron pin being in the East line of said Georgesville Road;

Thence S. 8° 17' W along the West line of said Reserve "B" and the East line of said Georgesville Road a distance of 146.54 feet to the Place of Beginning;

Containing 0.723 acre of land more or less, and being subject to a utility easement of Five feet off the entire East side of said Reserve "B", and the other easements of record, if any, including however all rights, Reversionary or otherwise, in the abutting roads and avenue.

Parcel No.: 01012250700

Property Address: 620 Georgesville Road, Columbus, OH 43228

Prior Instrument Reference: Recorded in Official Record Instrument No. 200212270333237, Recorder's Office Franklin County, Ohio.

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 620 Georgesville Road, Columbus, Ohio 43228; .723 ± Acres

OWNER: MAMJ Enterprises, LLC. P. O. Box 3416. Dublin, Ohio 43016

APPLICANT: 620 Georgesville Road, LLC, Westerville, Ohio 43016

DATE OF TEXT: September 6, 2016

APPLICATION #: 216-059

1. INTRODUCTION

The subject property (the "Site") (Parcel ID# 010-122507) is located on the south-east corner of Atlanta Road and Georgesville Road. The Site is currently owned by MAMJ Enterprises, LLC. MAMJ Enterprises, LLC currently operates the car wash (10 self-serve bays) on the Site. The property was rezoned on February 14, 1994, from L-C-3 to CPD, Commercial Planned Development District, allowing C-4 uses—see exclusions set forth in Section 2 below—plus car wash and retail vehicle repair center uses.

Applicant proposes to rezone the Site to CPD, Commercial Planned Development District to allow all permitted C-4, Commercial District uses, specifically a restaurant. The approximate .723 acre site will be developed by demolishing all existing structures and constructing a Taco Bell restaurant. The Applicant also is requesting in this application for a variance regarding the set-back line along Georgesville Road to allow for appropriate parking for the newly constructed restaurant. This CPD text is submitted in support of the zoning application and variance request and is intended to comply with the Greater Hilltop Plan.

The CPD text also reflects the change of use for the Site to a Taco Bell restaurant, referencing the site plan. The site plan is compliant with Columbus City Code development standards. Any variances to the City Code requirements are identified in the CPD Text.

2. PERMITTED USES

- A. This application proposes that the Site will be re-zoned to allow all permitted C-4 uses, plus a car wash, with the exception of those exclusions listed below in this Section 2. The permitted C-4 uses for this Site, will include, but not be limited to in any way, the construction of a Taco Bell restaurant in accordance with the site plan.
- B. Exclusions From Use on This Site: The following exclusions from uses currently permitted under Section 3356.03, C-4 Commercial of the Columbus City Code will not be allowed on this Site:

Animal shelter; Armored car, investigation, guard and security services; Astrology, fortune telling and palm reading; Auto body repair; Blood and organ banks; Bars, Cabarets and nightclubs; Check cashing and loan facilities; Community food pantry; Crematory; Drive-in motion picture theaters; Funeral homes and services; Halfway houses; Missions/temporary shelters; Pawn brokers; Performing arts, spectator sports and related industries; Repossession services; Theaters, dance companies, and dinner theaters; Tire sales/service store.

3. DEVELOPMENT STANDARDS

Unless otherwise indicated in the submitted written text, the applicable development standards shall be those contained in Chapters 3356 (C-4, Commercial District), of the Columbus City Code.

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

1. The development of the Site will be changed to demolish the existing structures and construct a Taco Bell restaurant, as shown on the site plan.

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

1. Access to and from the Site shall be provided via Atlanta Road and Georgesville Road, as illustrated on the attached site plan.
2. With this redevelopment of the Site as a Taco Bell restaurant, the access point to Georgesville Road shall become a right-in/right-out access point. For the purposes of this section, "redevelopment" shall be defined as action including both the demolition of the existing building and construction of a new building. The "right-in/right-out" is shown on the site plan utilizing a traffic diverting device.

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

1. The six foot high wood privacy fence along the east property line shall be maintained.

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

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

1. There shall be no exterior sound system either portable or permanent on this property, other than the drive-up speakers, that can be heard from the single-unit subdivision east of this Site.

F. Graphics and Signage Commitments.

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

G. Other CPD Requirements.

1. Natural Environment: The Site consists of .723 acres located on the east side of Georgesville Road and south of Atlanta Drive. Existing commercial properties are in existence on the south, west, and north sides of the development with residential to the east.
2. Existing Land Use: The Site is currently being utilized as a ten bay car wash with an equipment room. This structure will be demolished and replaced with the new Taco Bell restaurant.
3. Circulation: The Site is currently being serviced by a curb cut on Georgesville Road and an additional curb cut on Atlanta Drive. Access will be in accordance with a curb cut on Atlanta Drive and Georgesville Road as set forth in the site plan.
4. Visual Form of the Environment: The existing structure of the property will be demolished and replaced with the construction of a Taco Bell Restaurant.
5. Visibility: The Site is visible from the street along both Georgesville Road and Atlanta Drive; Applicant believes that the proposed improvements will enhance the Site and that the Site will continue to be utilized in a safe and effective manner.

6. Proposed Development: The proposed development consists of constructing a Taco Bell restaurant, plus C-4, Commercial District uses.

7. Behavior Patterns: This property is currently being operated without adverse effect to its neighbors. The area is primarily commercial except for a residential area to the east that is currently screened by a wooden fence. The proposed changes will not significantly alter the behavior patterns that currently occur on the site and will significantly enhance the Site with a newly constructed restaurant. This new development should not occasion problems in relationship to its neighbors.

8. Emissions: There will be no additional emissions of sound, odor or dust of any kind in excess of that currently occurs on site. The Site will be fully supervised and only authorized activities will occur and then in an effective and lawful manner.

H. Modification of Code Standards.

Variance to the Columbus City Code requirements requested – Statement of Hardship:

The Applicant is requesting a variance from Section 3312.27 to allow for a reduction in the parking setback from the Georgesville Road right of way from 25 feet to one foot. The request will not result in parking that encroaches onto the roadway, however, as the parking spaces will still be more than 40 feet from the existing edge of Georgesville Road. The addition of the proposed bicycle path along the Georgesville right of way will force the parking at the Site to begin further back to comply with the additional right of way requirements the construction of the bicycle path will entail, unless the variance is granted. The owner and applicant have agreed to grant the City of Columbus additional set-back from the Georgesville Road right of way to construct the bicycle path. The parking will not intrude into the proposed bicycle path. The adjacent property owner to the south has parking that is situated similarly to the request for variance being made by applicant. To preserve the practical uses and property rights of this Site, a variance will be required to enable appropriate design and flow of the traffic patterns and parking on the Site. This is not a condition that resulted from the actions of the owner and does not apply equally to the other properties in the zoning district as this Site is proposed as a new construction while all other adjoining properties are already built out. This grant of a variance will not be injurious to neighboring properties in any way and will not be contrary to the public interest or the intent or the purpose of the Zoning Code.

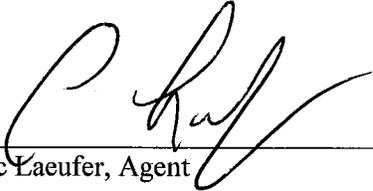
I. Miscellaneous Commitments.

1. The Site shall be developed in accordance with the site plan and details. The plan may be slightly adjusted to reflect engineering, topographical or other Site data obtained at the time of development and when engineering plans are completed. Any slight adjustment to the plan 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.

The undersigned, being the Applicant in the subject application, agree singularly for itself, its 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 it 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.

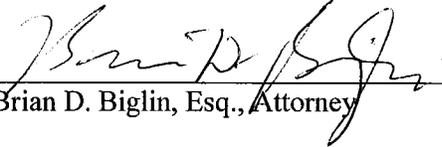
[SIGNATURES FOLLOW ON THE NEXT PAGE]

SIGNATURE:

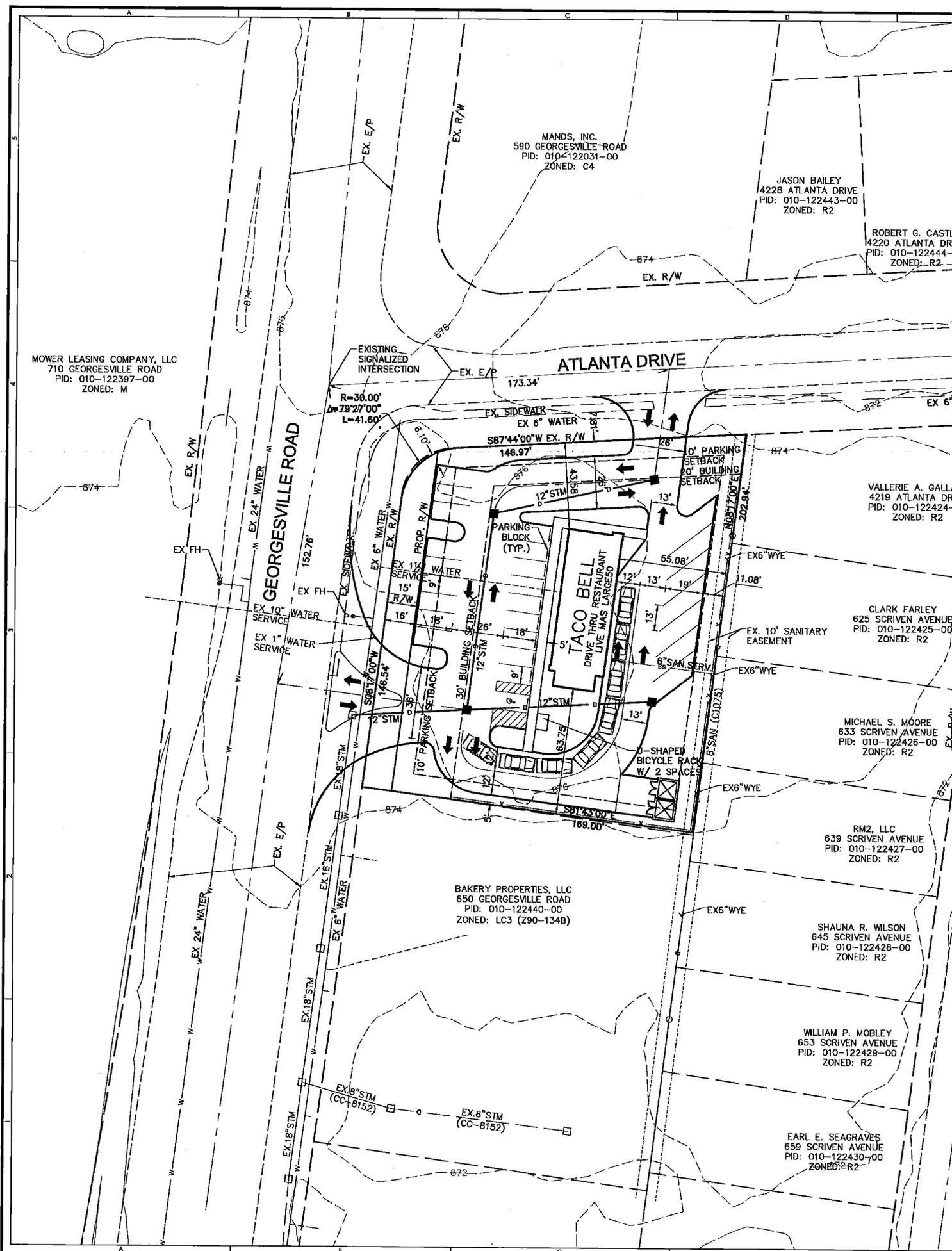

Eric Laeuffer, Agent

9/6/16
Date

SIGNATURE:


Brian D. Biglin, Esq., Attorney

9/6/16
Date



MOWER LEASING COMPANY, LLC
 710 GEORGESVILLE ROAD
 PID: 010-122397-00
 ZONED: M

MANDS, INC.
 590 GEORGESVILLE ROAD
 PID: 010-122031-00
 ZONED: C4

JASON BAILEY
 4228 ATLANTA DRIVE
 PID: 010-122443-00
 ZONED: R2

ROBERT G. CASTLE
 4220 ATLANTA DRIVE
 PID: 010-122444-00
 ZONED: R2

GEORGESVILLE ROAD

ATLANTA DRIVE

TACO BELL
 DRIVE THRU RESTAURANT
 LIVE MAS LARGO

VALLERIE A. GALLAGHER
 4219 ATLANTA DRIVE
 PID: 010-122424-00
 ZONED: R2

CLARK FARLEY
 625 SCRIVEN AVENUE
 PID: 010-122425-00
 ZONED: R2

MICHAEL S. MOORE
 633 SCRIVEN AVENUE
 PID: 010-122426-00
 ZONED: R2

RM2, LLC
 639 SCRIVEN AVENUE
 PID: 010-122427-00
 ZONED: R2

BAKERY PROPERTIES, LLC
 650 GEORGESVILLE ROAD
 PID: 010-122440-00
 ZONED: LC3 (Z90-134B)

SHAUNA R. WILSON
 645 SCRIVEN AVENUE
 PID: 010-122428-00
 ZONED: R2

WILLIAM P. MOBLEY
 653 SCRIVEN AVENUE
 PID: 010-122429-00
 ZONED: R2

EARL E. SEAGRAVES
 659 SCRIVEN AVENUE
 PID: 010-122430-00
 ZONED: R2

Z16-059 Enlarged Part 1

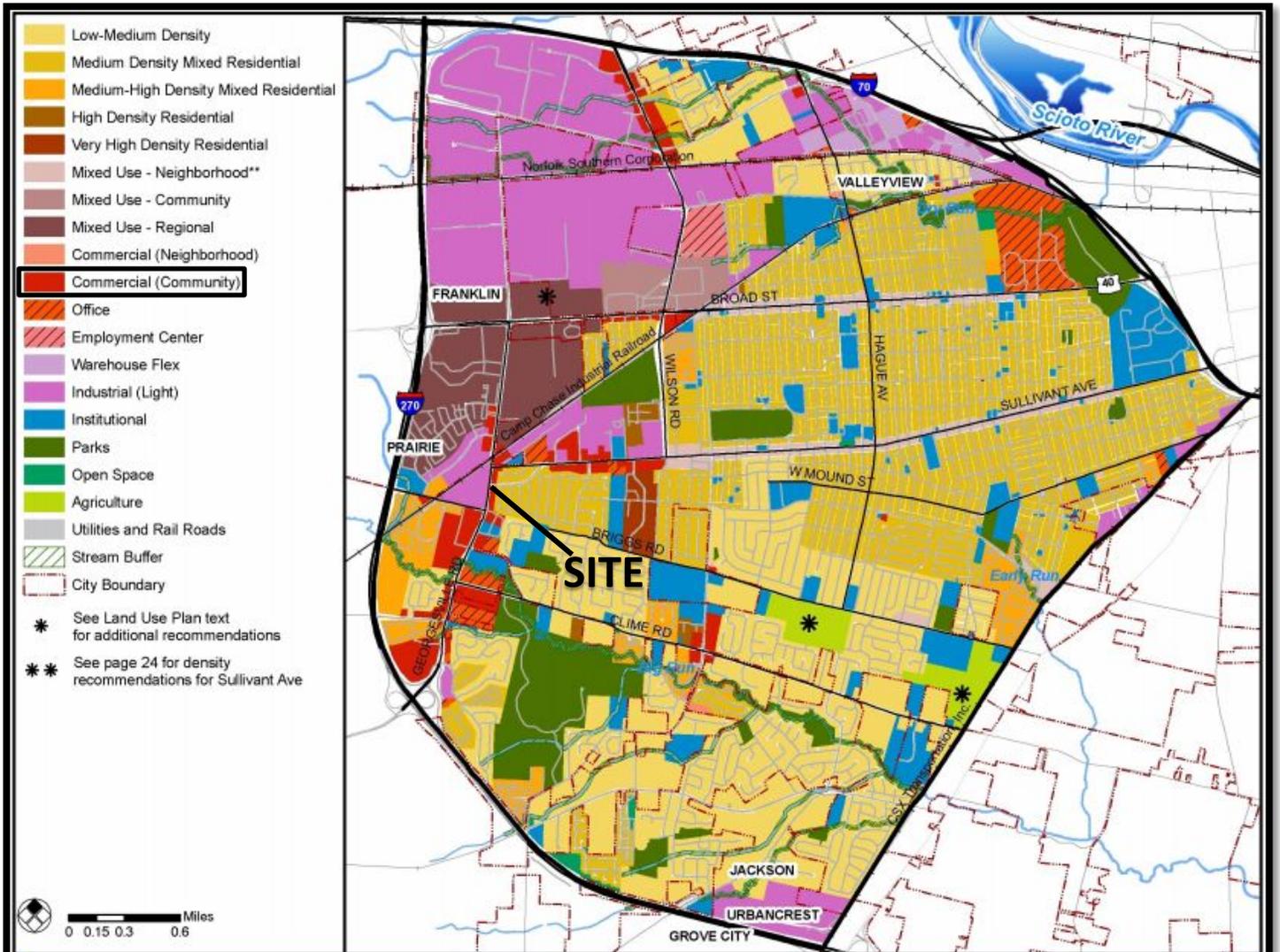


Figure 7: Future Land Use Plan

Z16-059
 620 Georgesville Road
 Approximately 0.73 acres



Z16-059
620 Georgesville Road
Approximately 0.72 acres
CPD to CPD