

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 #: 217-003 Date Received: 2/21/17
Application Accepted By: KP + SP Fee: \$3200
Assigned Planner: Michael Maret; 614-645-2749; mjmaret@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 3575 Cleveland Avenue Zip 43224
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 Certified Address 010-219215-00
 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: North Linden Area Commission
Proposed Use or reason for rezoning request: Rezone from the current CPD as a car wash to CPD for a COTA Park and Ride Lot. (continue on separate page if necessary)
Proposed Height District: _____ Acreage 0.579
[Columbus City Code Section 3309.14]

APPLICANT:

Name Central Ohio Transit Authority
Address 33 North High Street City/State Columbus, OH Zip 43215
Phone # 614-275-5969 Fax # _____ Email weissbd@cota.com

PROPERTY OWNER(S):

Name Jaber Al Khader, LLC
Address 3000 Culver Drive City/State Hilliard, OH Zip 43026
Phone # 316-3307 Fax # _____ Email Khaj Tamim@yahoo.com
614 Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Resource International, Inc. (Perry Payne)
Address 6350 Presidential Gateway City/State Columbus, OH Zip 43231
Phone # 614-823-4949 Fax # _____ Email: perry@resourceinternational.com

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

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE Khadr F. Haj-Tamim
ATTORNEY / AGENT SIGNATURE Perry D. Payne

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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AFFIDAVIT

(See instruction sheet)

APPLICATION # 217-003

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Perry G. Payne
of (1) MAILING ADDRESS 6350 Presidential Gateway, Columbus, OH 43231

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 3575 Cleveland Avenue, Columbus, OH 43224
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) _____

(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) Jaber Al Khader, LLC
3000 Culver Drive
Hilliard, OH 43206

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

Central Ohio Transit Authority
614-275-5969

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

(5) North Linden Area Commission
Walter Reiner (614-882-0800)
5030 Westerville Road, Columbus, OH 43231

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) Perry G. Payne

Sworn to before me and signed in my presence this 21 day of February, in the year 2017

SIGNATURE OF NOTARY PUBLIC

(8) Rochelle A. Caudill
10/3/17

My Commission Expires:

Notary Seal Here

ROCHELLE A. CAUDILL
Notary Public, State of Ohio
My Commission Expires Oct. 3, 2017

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

APPLICANT

Brian D. Weiss
COTA
33 N. High Street
Columbus, OH 43215

PROPERTY OWNER

Jaber Al Khader, LLC
3000 Culver Drive
Hilliard, OH 43206

AGENT

Resource International, Inc
6350 Presidential Gateway
Columbus, Ohio 43231

AREA COMMISSION

North Linden Area Commission
c/o Walter Reiner
5030 Westerville Road
Columbus, OH 43231

SURROUNDING PROPERTY OWNERS

Choang Y. Lee or current
occupant
3569 Cleveland Avenue
Columbus, OH 43224

Northern Lights Improvements
580 White Plains Road, 3rd Floor
Tarrytown, NY 10591

Northern Lights Ancillary, LLC
580 White Plains Road, 3rd Floor
Tarrytown, NY 10591

Mabukar Company, LLC
2381 Laurelwood Drive
Columbus, OH 43229

SKH Holdings, LLC
6148 Hilltop Trail Drive
New Albany, OH 43054

Rosanne Vigilante or current
occupant
1997 Elmore Avenue
Columbus, OH 43224

E&J Six
PO Box 307355
Columbus, OH 43230

Donald L. and Shirley A. Gregory,
Trustees or current occupant
1981 Elmore Avenue

Eugene Haslett
95 Betz Road
Lancaster, OH 43130

Amos Shopping Center Co.
William R. Roth
395 Library Park Court
Columbus, OH 43215

Sharon A. Kifer
1385 West Broad Street
Columbus, OH 43223

COTA
Brian D. Weiss
33 N. High Street
Columbus, OH 43215

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Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
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 # 217-003

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brian D. Weiss, Central Ohio Transit Authority
of (COMPLETE ADDRESS) 33 North High Street, 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

<p>1. Central Ohio Transit Authority 33 North High Street Columbus, OH 43215 Brian D. Weiss 614-275-5969</p>	<p>2. Jaber Al Khader 3000 Culver Drive Hilliard, OH 43206</p>
<p>3.</p>	<p>4.</p>

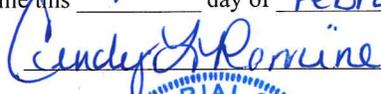
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT



Subscribed to me in my presence and before me this 7th day of February, in the year 2017

SIGNATURE OF NOTARY PUBLIC



My Commission Expires:

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

Notary Seal Here



Cindy J. Romine
Notary Public, State of Ohio
My Commission Expires 11-13-2020

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
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Please make all checks payable to the Columbus City Treasurer

Property Description for Parcel 010-219215

The following metes and bounds description is taken from Fiduciary Deed document 201108160101701 as recorded in the Records of Franklin County, Ohio.

EXHIBIT "A"

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Situated within the original lot number seventeen (17) of the Scioto Company's Farm Subdivision, quarter township 1, township 1, range 18, U.S. Military Survey, Clinton Civil Township, Franklin County, State of Ohio and being bounded and more particularly described as follows:

Commence as a starting reference with the original centerline of Elmore Avenue and Cleveland Avenue (AKA Franklin County Road #75); thence with the centerline or survey for Cleveland Avenue (see plat volume 22 at page 479), south 19 degrees 44' 00" west, 243.01 feet to a point; thence north 85 degrees 15' 30" west, 41.409 feet to the westerly right of way boundary of Cleveland Avenue and hereafter being the true point of beginning;

Thence with aforesaid right of way boundary to Cleveland Avenue, south 19 degrees 44' 00" west (passing a point at 63.450 feet) a total distance of 100.00 feet; thence leaving said roadway right of way north 85 degrees 15' 30" west (passing a point at 108.591 feet) a total distance of 248.2256 feet to a point; thence north 04 degrees 52' 25" east, 96.597 feet to a point; thence south 85 degrees 15' 30" (passing a point at 113.871 feet) a total distance of 273.871 feet to the true point of beginning.

Containing within said bounds 25,216.314 feet or 0.5789 acres of land.

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COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 3575 Cleveland Avenue, Columbus OH 43224

OWNER: Jaber Al Khader, LLC

APPLICANT: Central Ohio Transit Authority

DATE OF TEXT: February 17, 2017

APPLICATION NUMBER: Z17-0XX

1. INTRODUCTION:

The subject property consists of 0.5789 acres of land located on the west side of Cleveland Avenue approximately 250 south of the intersection of Cleveland Avenue and Elmore Avenue. The property is currently zoned CPD. The existing building on the property is currently occupied.

The applicant proposes to demolish the existing improvements on the subject property and construct a park and ride lot for transit riders and a bus pull off. This property is being developed in conjunction with the property located to the south and east in Clinton Township. The parcels cannot be combined so variances have been incorporated into the text to permit the desired development.

2. PERMITTED USES:

The permitted uses in, on or upon the subject property shall be those allowed in C-4 Regional Scale Commercial as set forth in Columbus Zoning Code §3356.01: excepting there from assembly hall, cabaret (i.e. a dance hall type operation with minimal food service) off-premises graphics, automobile sales room, garage repair shop, new and secondhand car lot, testing or experimental laboratory, and veterinary hospital.

3. DEVELOPMENT STANDARDS:

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

The parking setback along the north, south and west property lines shall be zero. The parking setback line shall be a minimum of 10 feet from the Cleveland Avenue right-of-way.

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

Access will be as shown on the COTA BRT – Northern Lights Park and Ride Rezoning Site Plan. No direct access will be permitted to Cleveland Avenue.

Cleveland Avenue is listed as a 4-2 arterial in the Columbus Thoroughfare Plan dated 12/2010. This requires a 100 foot minimum right of way. The existing right of way is 80 feet. COTA will dedicate an additional 10 feet of land along and parallel to the existing right of way for the entire frontage of the COTA property.

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

A six foot high wooden fence will be constructed along the north property line of the site. Additional landscaping for the site shall be developed in general conformance with the attached COTA BRT – Northern Lights Park and Ride Planting Plan.

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

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E. Lighting and/or Other Environmental Commitments:

Lighting fixtures will be installed at the locations illustrated on the COTA BRT – Northern Lights Park and Ride Electrical Site Layout and shall not exceed 18 feet.

F. Graphics and/or Signage Commitments:

All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4 Commercial District. Any variance to the applicable requirements of the C-4 District shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments:

The site shall be developed in general conformance with the attached COTA BRT – Northern Lights Park and Ride Rezoning Site Plan. The Rezoning Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of development and when engineering plans are complete. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or a designee, upon submission of the appropriate data regarding the proposed adjustment.

4. CPD REQUIREMENTS:

A. Natural Environment:

The subject property is located on the west side of Cleveland Avenue approximately 250 feet south of the intersection of Cleveland Avenue and Elmore Avenue. The redevelopment of this property will complement the existing uses including business and residents by providing a connection to the public transportation system. Characteristics of the site will be similar to the existing. Drainage will be controlled on site. Landscaping and screening will enhance the visibility of the site.

B. Existing Land Use:

The subject property contains a single building which houses a self-serve car wash and drive through beverage shop.

C. Proposed Use:

The proposed use of the subject property is a park and ride lot and bus boarding area for the Central Ohio Transit Authority public transportation system.

D. Transportation and Circulation:

Access will be as shown on the COTA BRT – Northern Lights Park and Ride Rezoning Site Plan. No direct access will be permitted to Cleveland Avenue.

E. Visual Form of the Environment:

The subject property will be developed to enhance the area in keeping with the standards of facilities owned and operated by the Applicant.

F. View and Visibility:

Consideration has been given to the visibility and safety of motorists and pedestrians during the planning of development of the subject property and the location of access points.

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G. Behavior Patterns:

The proposed improvements will service the public by providing a safe place to access the Central Ohio Transit Authority bus system.

H. Emissions:

Emissions from the subject property will not substantially affect the environment of the surrounding neighborhoods.

5. **VARIANCES:**

A. Front, Rear and Side Setback Requirements: Columbus City Code §3361.04 requires a minimum twenty-five foot setback unless otherwise specified and made a part of the rezoning ordinance. The parking setback along the north, south and west property lines shall be zero. The parking setback line shall be a minimum of 10 feet from the Cleveland Avenue right-of-way.

B. Parking Lot Drive Aisle: Columbus City Code §3312.09 requires a minimum drive aisle width of 20 feet. The proposed drive aisle width as shown on the development plan is 22 feet. The portion of the drive aisle located on the subject property is less than 22 feet due to the location in respect to the subject property boundary. The minimum drive aisle width on the subject property shall be 8 feet.

C. Minimum Parking Lot Trees: Columbus City Code §3312.21(A) contains a requirement that one shade tree be provided for every 10 parking spaces or fraction thereof. The number of shade trees shall be four (4) as set forth on the COTA BRT – Northern Lights Park and Ride Planting Plan which is one shade tree per 14.25 parking spaces. Additional trees will be provided on the perimeter as reflected on the COTA BRT – Northern Lights Park and Ride Planting Plan.

D. Minimum Soil Area around Trees: Columbus City Code §3312.21(A)(2) contains a requirement that each tree be surrounded by a minimum radius of four feet of soil area. Two proposed trees will have 141 square feet of soil area. The remaining two trees have 145 square feet or more of planting area.

E. Headlight Screening: Columbus City Code §3312.21(D)(1) contains requirements for headlight screening by either plantings or other means including opaque panels and fences. The screening will be set forth on the COTA BRT – Northern Lights Park and Ride Rezoning Site Plan and Planting Plan. Headlight screening will include plantings along the frontage of Cleveland Avenue and fencing and plantings along the north line of the site. Plantings in the frontage will include shrubs ranging from 24 to 36 inches, 2 Armstrong Red Maple trees and 1 Honey Locust tree. The plantings along the north property line of the site will include 19 Fairview Juniper trees and 4 Homestead Elm trees. A six foot high wooden fence shall also be installed along the north line of the site. This fence will also serve as part of the overall screening plan.

F. Maneuvering: Columbus City Code §3312.25 contains a requirement that sufficient maneuvering area be provided on each lot. Applicant proposes maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easement(s).

G. Parking Space: Columbus City Code §3312.29 contains a requirement that a parking space shall be a rectangular area of not less than nine (9) feet by eighteen (18) feet. Applicant proposes to allow parking spaces to be divided by tax district parcel lines, subject to applicable total code required parking space dimensions being provided.

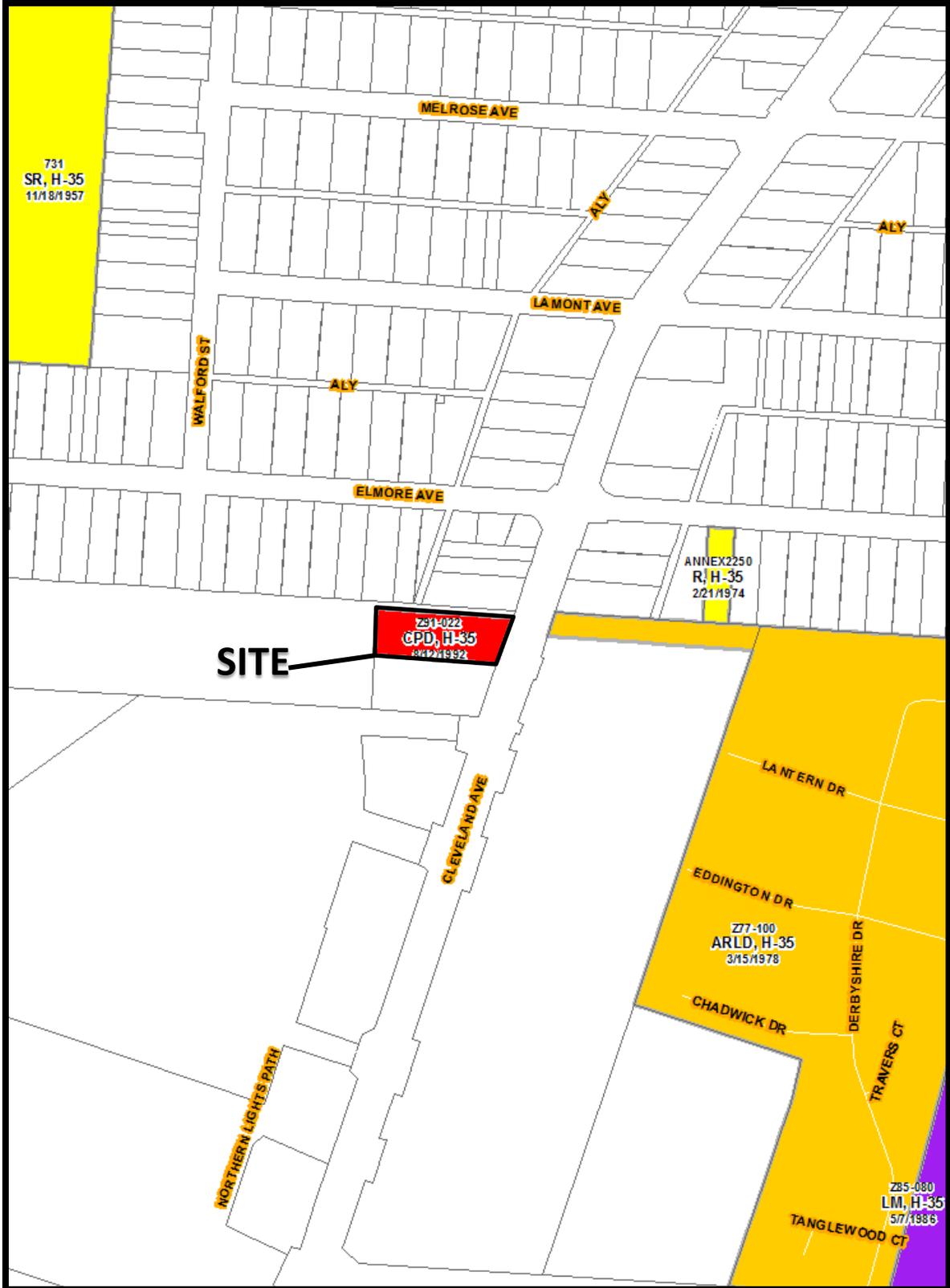
The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments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

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negate, alter or modify any more restrictive provision of the Columbus City Codes, except as permitted by the Development Text and drawings referenced herein.

Signature: _____ Date: _____

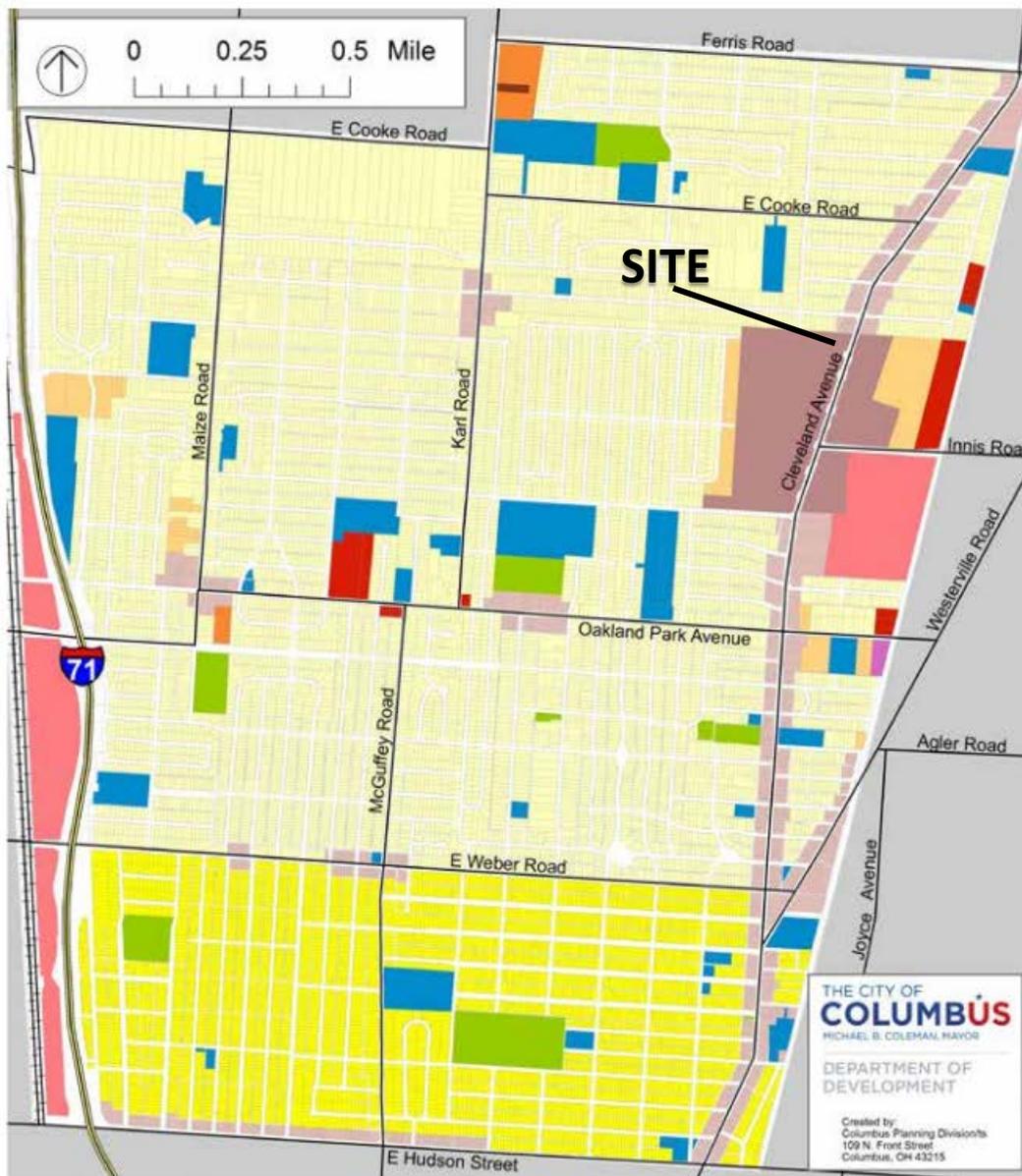
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Z17-003
 3575 Cleveland Avenue
 Approximately 0.58 acres
 CPD to CPD

North Linden Neighborhood Plan Amendment
 "Community Mixed Use" Recommended

FIGURE 11: FUTURE LAND USE PLAN



Legend: Land Uses

Residential	Commercial and Office	Mixed Use	Other
High Density	Employment Center	Community	Institutional
Medium-High Density Mixed	Community Commercial	Neighborhood	Parks/Recreation
Medium Density Mixed	Office		Light Industrial
Low-Medium Density			

Z17-003
 3575 Cleveland Avenue
 Approximately 0.58 acres
 CPD to CPD



Z17-003
3575 Cleveland Avenue
Approximately 0.58 acres
CPD to CPD