



# REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application #: 213-037 / 13335-00000-00296  
Date Received: 4/30/13  
Application Accepted By: SPine Fee: \$3200  
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 2204 W. Dublin Granville Road Zip 43085

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 610-217753

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

Current Zoning District(s) R, Rural Requested Zoning District(s) CPD

Area Commission Area Commission or Civic Association: Far Northwest Coalition

Proposed Use or reason for rezoning request: Redevelop site with new convenience store and gasoline sales to replace existing store and gasoline sales facility  
(continue on separate page if necessary)

Proposed Height District: H-35 Acreage 0.634 +/-  
(Columbus City Code Section 3309.14)

### APPLICANT:

Name United Dairy Farmers, Inc. c/o Donald Plank, Plank Law Firm  
Address 145 E. Rich Street, FL 3 City/State Columbus, OH Zip 43215-5240  
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com

### PROPERTY OWNER(S):

Name United Dairy Farmers, Inc. c/o Donald Plank, Plank Law Firm  
Address 145 E. Rich Street, FL 3 City/State Columbus, OH Zip 43215-5240  
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com  
 Check here if listing additional property owners on a separate page

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

Name Donald Plank  
Address 145 E. Rich Street, FL 3 City/State Columbus, OH Zip 43215-5240  
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 Donald Plank, attorney  
PROPERTY OWNER SIGNATURE Donald Plank, attorney  
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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## AFFIDAVIT

(See instruction sheet)

APPLICATION # 213-037

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank  
of (1) MAILING ADDRESS Plank Law Firm, 145 E. Rich St., FL 3, Columbus, OH 43215-5240

deposed and states that (he) 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 2204 W. Dublin Granville 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) 4/30/13

(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) United Dairy Farmers, Inc.  
c/o Donald Plank  
Plank Law Firm  
145 E. Rich Street, FL 3, Columbus, OH 43215-5240

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

United Dairy Farmers, Inc.  
c/o Donald Plank (614) 947-8600

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

(5) Far Northwest Coalition  
c/o John Murley  
3607 Waterbury Lane, Powell, 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)

SEE EXHIBIT A

SIGNATURE OF AFFIANT

(8) Donald Plank

Subscribed to me in my presence and before me this 28th day of APRIL, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

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

Notary Seal Here



**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

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EXHIBIT A, Public Notice  
2204 W Dublin Granville Road  
Z13- 037  
March 29, 2013

**APPLICANT**

United Dairy Farmers, Inc.  
c/o Donald Plank  
Plank Law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**PROPERTY OWNER**

United Dairy Farmers, Inc.  
c/o Donald Plank  
Plank Law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**ATTORNEY FOR APPLICANT AND  
PROPERTY OWNER**

Donald Plank, Plank Law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**COMMUNITY GROUP**

Far Northwest Coalition  
c/o Mr. John Murley  
3607 Waterbury Lane  
Powell, OH 43235

**PROPERTY OWNERS WITHIN 125 FEET**

161 Linworth Properties LLC  
2425 N. High St.  
Columbus, OH 43202

Julia Keiser  
6180 Linworth Rd.  
Worthington, OH 43085

COBANCORP INC  
106 S. Main St., Unit 44  
Akron, OH 44308

Englefield Inc  
477 James Parkway  
Newark, OH 43056

Strathaven of Worthington  
Condominium Association  
c/o Condo Management of Columbus  
1350 W 5<sup>th</sup> Avenue  
Columbus, OH 43212

Segna Investment Inc  
PO Box 1895  
Buckeye Lake, OH 43008

Linworth Baptist Church  
6200 Linworth Rd.  
Worthington, OH 43085

Strathaven of Worthington  
Condominium Association  
c/o Condo Management of Columbus  
P.O. Box 28249  
Columbus, OH 43228

**ALSO NOTIFY**

David B. Perry  
David Perry Company, Inc.  
145 East Rich Street, FL 3  
Columbus, OH 43215

United Dairy Farmers, Inc.  
c/o John Johnston, Architect  
3955 Montgomery Road  
Cincinnati, OH 45212

2204 W Dublin Granville Road  
Z13- 037  
Exhibit A, Public Notice  
Page 1 of 1



# 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 # 213-037

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank  
of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215-5240

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. United Dairy Farmers, Inc. 3955 Montgomery Road Cincinnati, OH 45212 # of Columbus Based Employees: 496 per John Johnston, Architect 513-396-8700	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 28th day of APRIL, in the year 2013

SIGNATURE OF NOTARY PUBLIC

*Barbara A. Painter*

My Commission Expires:

AUGUST 3, 2015



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

**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

Notary Seal Here

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# City of Columbus Zoning Plat



## ZONING NUMBER

213-037

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: 610217753

Zoning Number: 2204

Street Name: W DUBLIN-GRANVILLE RD

Lot Number: N/A

Subdivision: N/A

Requested By: DAVE PERRY CO (DAVE PERRY)

Issued By: *Alfred Carmona*

Date: 3/29/2013



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR  
DIVISION OF PLANNING AND OPERATIONS  
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 13111

Z13- 037  
2204 West Dublin Granville Road  
0.634 acres

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Situated in the State of Ohio, County of Franklin, Township of Perry, in Quarter Township 4, Township 2 North, Range 19 West, United States Military Lands, and being all of Parcels 1 and 2 conveyed to United Refining Company by deed of record in Deed Book 3282, Page 558, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin replacing a P. K. Nail at the intersection of the centerline (to the north) of Linworth Road (no legal right-of-way width established) with the centerline (to the east) of West Dublin-Granville Road - Ohio Route 161 (60 feet wide), said iron pin also being at the southwest corner of said Parcel 1;

thence N 8° 57' 00" W along the centerline of Linworth Road and along the west line of said Parcel 1 a distance of 165.39 feet to a P. K. Nail previously set at the northwest corner of said Parcel 1 and at the southwest corner of a 0.213 acre tract of land conveyed to Jefferson Savings Association by deed of record in Official Record 694, Page F 06, Recorder's Office, Franklin County, Ohio;

thence S 85° 40' 28" E along a north line of said Parcel 1 and along a south line of said 0.243 acre tract a distance of 32.00 feet to a ¾-inch I.D. iron pipe previously set at a corner of said Parcel 1 and at a corner of said 0.243 acre tract (passing a ¾-inch I.D. iron pipe previously set at 25.69 feet);

thence S 8° 57' 00" E along a line of said Parcel 1 and along a line of said 0.243 acre tract a distance of 3.00 feet to a ¾-inch I.D. iron pipe previously set at a corner of said Parcel 1 and at a corner of said 0.243 acre tract;

thence S 85° 40' 28" E along a north line of said Parcel 1, along the north line of said Parcel 2 and along a south line of said 0.243 acre tract a distance of 154.31 feet to a ¾-inch I.D. iron pipe previously set at the northeast corner of said Parcel 2, at the southeast corner of said 0.243 acre tract and in the west line of a 0.553 acre tract of land conveyed to Jefferson Savings Association by deed of record in Official Record 694, Page F 02, Recorder's Office, Franklin County, Ohio;

thence S 0° 06' 02" W along the east line of said Parcel 2 and along a portion of the west line of said 0.553 acre tract a distance of 159.81 feet to a railroad spike previously set in the centerline of West Dublin-Granville Road, at the southeast corner of said Parcel 2 and at the southwest corner of said 0.553 acre tract (passing a ¾-inch I.D. iron pipe previously set in the north right-of-way line of West Dublin-Granville Road at 129.71 feet);

thence N 85° 12' 01" W along the centerline of West Dublin-Granville Road and along the south lines of said Parcels 2 and 1 a distance of 160.80 feet to the place of beginning;

containing 0.634 acre of land, more or less, and being subject to all legal highways, easements and restrictions of record.

The above description was prepared by Richard J. Bull, Ohio Surveyor No. 4723, of C. F. Bird & R. J. Bull, Ltd., Consulting Engineers and Surveyors, Worthington, Ohio, from an actual boundary survey performed in the field in October, 1980.

## COMMERCIAL PLANNED DEVELOPMENT TEXT

**PROPOSED DISTRICT:** CPD, Commercial Planned Development  
**PROPERTY ADDRESS:** 2044 West Dublin Granville Road, Columbus, Ohio  
**OWNER:** United Dairy Farmers, Inc., 3955 Montgomery Road, Cincinnati, Ohio 45212  
**APPLICANT:** United Dairy Farmers, Inc. c/o Donald Plank, Plank Law Firm, LPA, 145 E. Rich Street, 3<sup>rd</sup> Floor, Columbus, Ohio 43215-5240, [dplank@planklaw.com](mailto:dplank@planklaw.com)  
**DATE OF TEXT:** April 29, 2013  
**APPLICATION #:** Z13-037

### 1. INTRODUCTION

The property subject to this rezoning is located at 2204 West Dublin Granville Road (the "Property"). The Property is more particularly described in the legal description submitted as part of the rezoning application. The Property was annexed to the City of Columbus in 1990 and rezoned R, Rural. The Property is improved with a United Dairy Farmers store and gas pumps, constructed prior to the Property's annexation. The Applicant desires to purchase the adjacent property (the "Adjacent Lot" - a copy of its legal description is attached hereto as Exhibit A) and redevelop the larger total parcel with a new, larger store with expanded fuel service.

The adjacent property is located within the municipal boundaries of the City of Worthington. Annexation and tax parcel combination is not possible in this situation. The modification to the code standards set forth in this text is a result of developing the total parcel across adjoining municipal boundaries.

### 2. PERMITTED USES

Uses permitted per Columbus City Code Section 3355.03, C-3 permitted uses; a convenience store with seating, gasoline sales and outside display areas.

### 3. DEVELOPMENT STANDARDS

Unless otherwise indicated herein or on the CPD Site Plan, last dated April 25, 2013 (the "Site Plan"), the applicable development standards of Chapter 3356, C-4 of the Columbus City Codes shall apply.

**A. Density, Height, Lot and/or Setback Commitments.** The setback commitments are depicted on the Site Plan.

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

1. Access shall be approved by the Department of Public Services. Access to and from the Property shall be from and to West Dublin Granville Road and Linworth Road.

2. The parking requirement for the convenience store with seating and gasoline sales use shall be calculated at one (1) parking space for each two hundred fifty (250) square feet of gross floor area.

3. The minimum number of parking spaces required per B(2) above, along with the requirements of Columbus City Code §3312.49A may be satisfied on the Adjacent Lot.

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

1. Landscaping: Landscaping shall be provided along West Dublin Granville Road and Linworth Road within the site and around the building, and shall consist of deciduous or ornamental trees, evergreen trees, shrubs and flowers.

**D. Building Design and/or Exterior Treatment Commitments.**

The exterior elevation of the building shall be brick veneer on all four exterior walls, aluminum finish frames with insulated glass on the store front and a stucco panel along the front of the building on the fascia. The exterior elevation of the canopy columns shall be brick veneer.

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

Outdoor display and/or sales shall be limited to the following areas:

1. On the sidewalk in front of the building in a manner that maintains a four (4) foot wide clear walkway for pedestrians at all times.
2. On pump island end caps not to exceed a footprint of three (3) feet by three (3) feet and a height of four (4) feet.

**F. Graphics and Signage Commitments.**

The applicable graphics standards shall be those standards contained in Article 15 of the Columbus City Code as they apply to the C-4, Commercial District with any applications for variances thereto to be submitted to the City Graphics Commission.

**G. Miscellaneous Commitments.**

1. The Property shall be developed in accordance with the Site Plan. The 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 completed. Any slight adjustment to the Site 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.
2. Section 3357.18 of the Columbus City Code shall apply if fuel sales are abandoned according to the definition included in this section of the Columbus City Code. The owner/lessee shall follow the requirements found in Section 3357.18 (a through e) in order to secure the site and maintain the aesthetics of the Property.

**H. Other CPD Requirements.**

1. Natural Environment: The Property is located on West Dublin Granville Road.
2. Existing Land Use: The Property is developed with an existing UDF store with gasoline sales.
3. Circulation: The curb cuts are shown on the Site Plan.
4. Visual Form of the Environment: The property immediately north of the Property is developed with a residential building and an office building. The property to the east of the Adjacent Lot is improved with

a residential condominium development. The property to the south, across West Dublin Granville Road, is developed with a commercial center with a fast food restaurant on the southeast corner of West Dublin Granville Road and Linworth Road. The southwest corner of the intersection is improved with a former car sales lot. The areas north, east and south of the Property are in the City of Worthington. The property to the west, across Linworth Road, is improved with a convenience store and gas pumps and is zoned L-C4 in the City of Columbus.

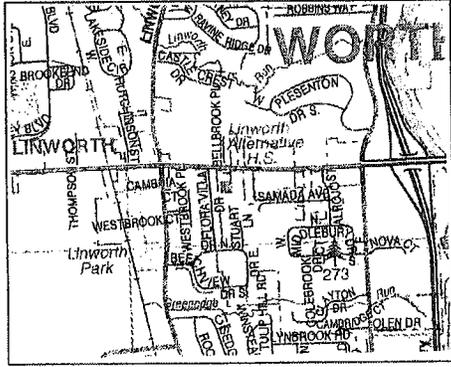
5. Visibility: The Property is visible from West Dublin Granville Road and Linworth Road.
6. Proposed Development: The proposed development is a UDF store with 1) a retail convenience store, 2) an ice cream parlor with seating, and 3) a fuel sales canopy that includes seven (7) pump island dispensers, totaling fourteen (14) fueling positions.
7. Behavior Patterns: The proposed use would serve the existing residential population north, south and east of the Property as well as motorists moving through the area.
8. Emissions: No adverse effect from emissions shall result from the proposed development.

**I. Modification of Code Standards.**

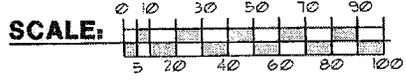
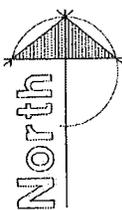
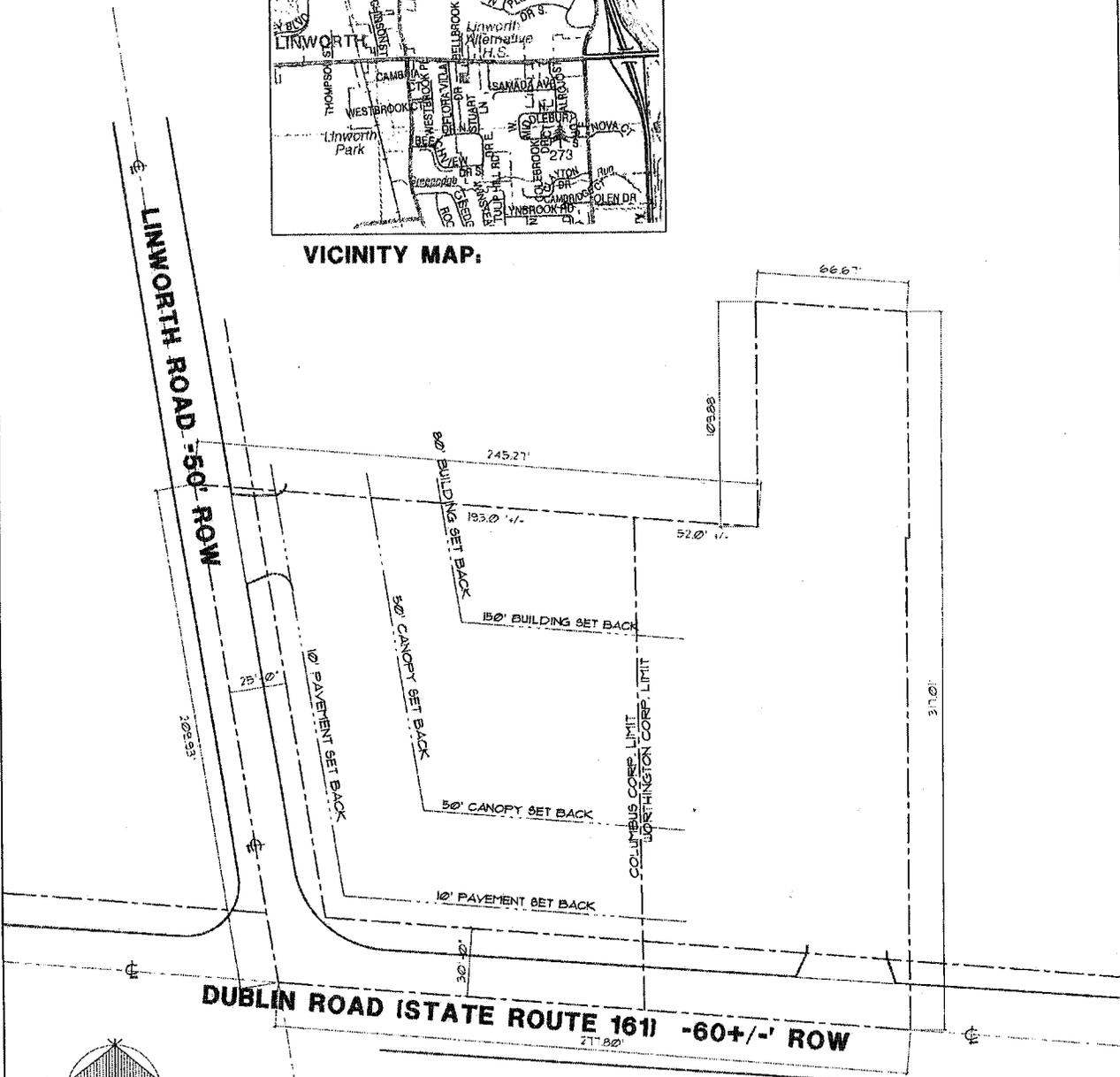
1. Section 3312.03D, which Section specifies that required parking spaces shall be provided on the same lot they are intended to serve

*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 the 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.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



VICINITY MAP:



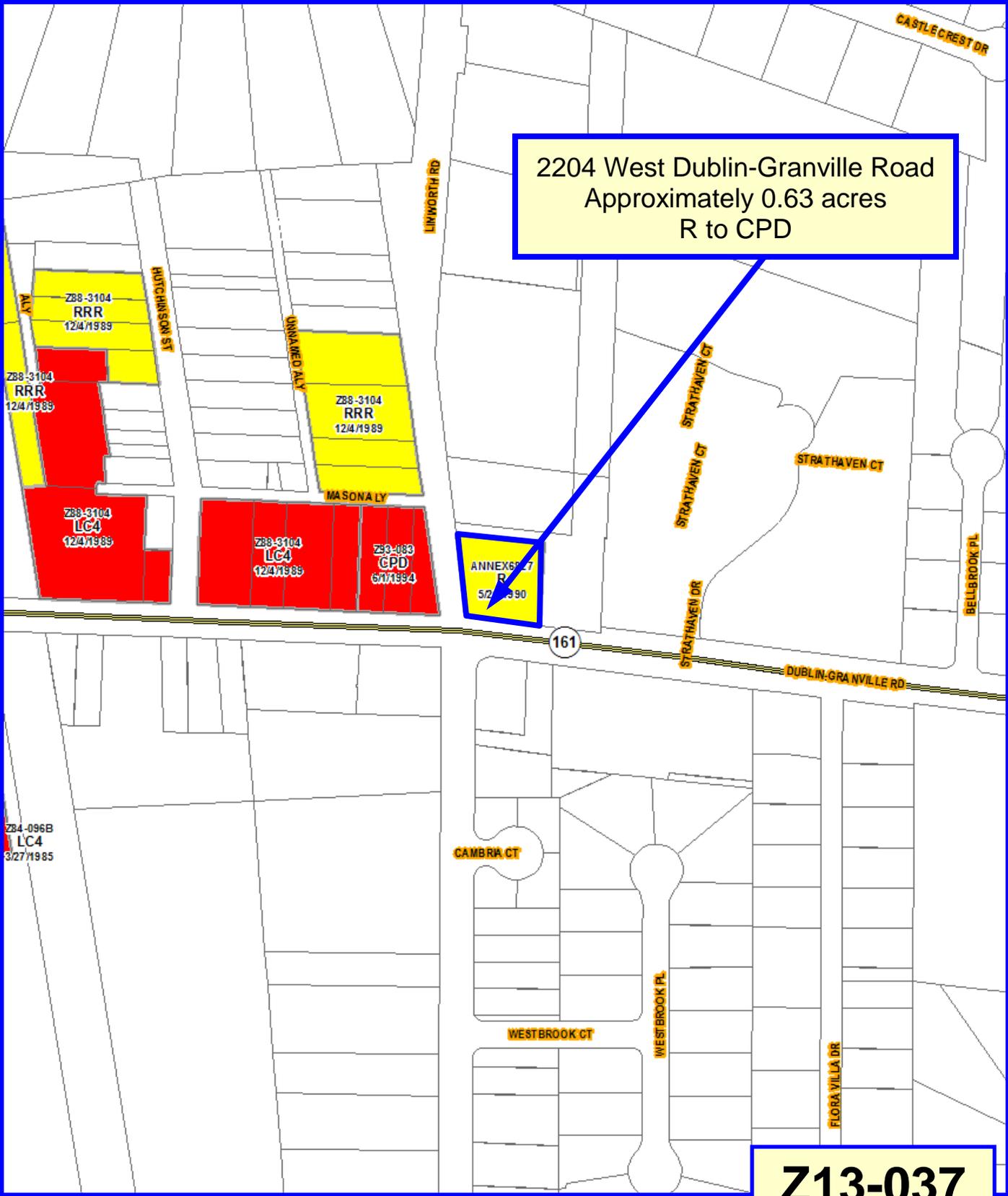
**CPD PLAN**  
**UNITED DAIRY FARMERS INC.**  
**2204 WEST DUBLIN-GRANVILLE RD., COLUMBUS, OHIO**

DONALD PLANK, ATTORNEY DATE

**Z13-037**

SHEET 1 of 1  
 4/25/2013





2204 West Dublin-Granville Road  
Approximately 0.63 acres  
R to CPD

ANNEX 67  
R  
52/1990

161

**Z13-037**



2204 West Dublin-Granville Road  
Approximately 0.63 acres  
R to CPD

Z13-037