

Rezoning Application

DEPARTMENT OF CITY PLANNING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: 215-039 Date Received: 8/31/15
Application Accepted by: SP MM + JB Fee: \$4400
Comments: Assigned to Planner Michael Maret - Ph. (614)645-2749 - mj Maret@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 920 North Waggoner Road Zip: 43004

Is this application being annexed into the City of Columbus? Select one: YES NO

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: 515-239331

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

Current Zoning District(s): CPD Requested Zoning District(s): CPD

Area Commission or Civic Association: Far East Area Commission

Proposed Use or reason for rezoning request (continue on separate page if necessary):

Fuel Sales; Convenience Store/Grocery

Proposed Height District: H-35 [per Columbus City Code Section 3309.14] Acreage: 4.178 +/-

APPLICANT:

Name: TH Midwest, Inc. c/o Steve Fuller Phone Number: 614-981-3255 Ext.: _____

Address: 2600 Corporate Exchange Blvd., Ste 170 City/State: Columbus / Ohio Zip: 43231

Email Address: steve.fuller@minitmarkets.com Fax Number: _____

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: LDA Investments, LLC c/o Dean Adamantidis Phone Number: 614-774-9245 Ext.: _____

Address: 75 East Gay Street, Ste 100 City/State: Columbus / Ohio Zip: 43215

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: Christopher A. Rinehart c/o Rinehart Legal Services, Ltd. Phone Number: 614-221-1244 Ext.: _____

Address: 300 East Broad Street, Ste 450 City/State: Columbus / Ohio Zip: 43215

Email Address: crinehart@rinehartlegal.com Fax Number: 614-343-1549

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE TH MIDWEST, INC. BY: [Signature] PER AUTHORITY STEVE FULLER

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE [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.

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 checks payable to the Columbus City Treasurer

Rezoning Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: 215039 Date Received: _____
Application Accepted by: _____ Fee: _____
Comments: _____

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Address: 300 East Broad Street, Ste 450 City/State: Columbus / Ohio Zip: 43215

Email Address: crinehart@rinehartlegal.com Fax Number: 614-343-1549

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE [Signature] MEMBER, LDA INVESTMENTS, LLC

ATTORNEY / AGENT SIGNATURE _____

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Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: 215-039

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Christopher A. Rinehart

of (1) MAILING ADDRESS Rinehart Legal Services, Ltd. / 300 East Broad Street, Ste 450 / 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 the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 920 North Waggoner Road, Columbus, Ohio, 43004

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/31/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) LDA Investments, LLC
75 East Gay Street, Ste 100
Columbus, Ohio 43215

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

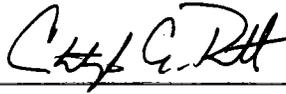
TH Midwest, Inc.
ATTN: Steve Fuller / 614-981-3255

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

(5) Far East Area Commission
ATTN: Larry Marshall
2500 Park Crescent Blvd, Ste B / Columbus / Ohio / 43232

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)

(8) SIGNATURE OF AFFIANT



Sworn to before me and signed in my presence this 31st day of August, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires _____

Notary Seal Here

JAMES ROBERT RISHEL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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

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Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

215-039

APPLICANT

PROPERTY OWNER

ATTORNEY

TH Midwest, Inc.
2600 Corporate Exchange Blvd., Ste 170
Columbus, Ohio 43231

LDA Investments, LLC
75 East Gay Street, Ste 100
Columbus, Ohio 43215

Christopher A. Rinehart
Rinehart Legal Services, Ltd.
300 East Broad St., Ste 450
Columbus, Ohio 43215

**AREA COMMISSION OR
NEIGHBORHOOD**

Mr. Larry Marshall
Far East Area Commission
2500 Park Crescent Blvd., Ste B
Columbus, Ohio 43232

SURROUNDING PROPERTY OWNERS

City of Columbus
90 West Broad Street, #425
Columbus, Ohio 43215

Jefferson Chase OH Partners LLC
3424 Peachtree Road NE #300
Atlanta, GA 30326

Christopher Behl
Amanda Behl
7739 Lerner Drive
Blacklick, Ohio 43004

Dominican Sisters of Peace
2320 Airport Drive
Columbus, Ohio 43219-2059

GBS Waggoner LLC
P.O. Box 91183
Columbus, Ohio 43209

Rezoning Application

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 # 215-039

STATE OF OHIO
COUNTY OF FRANKLIN

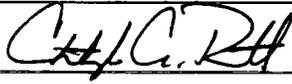
Christopher A. Rinehart

Being first duly cautioned and sworn (NAME) _____
of (COMPLETE ADDRESS) Rinehart Legal Services, Ltd. / 300 East Broad Street, Ste 450 / 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, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. TH Midwest, Inc. 2600 Corporate Exchange Blvd., Ste 170 Columbus, Ohio 43231 Address of Corporate Headquarter: 257 Centerville Road Lancaster, PA 17603 Number of Columbus based employees: 100+ Contact Name / Number: Steve Fuller / 614-981-3255</p>	<p>2. LDA Investments, LLC 75 East Gay Street, Ste 100 Columbus, Ohio 43215 Address of Corporate Headquarters: Same Number of Columbus based employees: _____ Contact Name / Number: Dean Adamantidis / 614-774-9245</p>
<p>3.</p>	<p>4.</p>

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 31st day of August, in the year 2015


SIGNATURE OF NOTARY PUBLIC

Notary Seal Here _____
My Commission Expires _____

JAMES ROBERT RISHEL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03(B)

This Project Disclosure expires six (6) months after the date of notarization.

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City of Columbus Zoning Plat

215-039

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: 515239331

Zoning Number: 920

Street Name: N WAGGONER RD

Lot Number: N/A

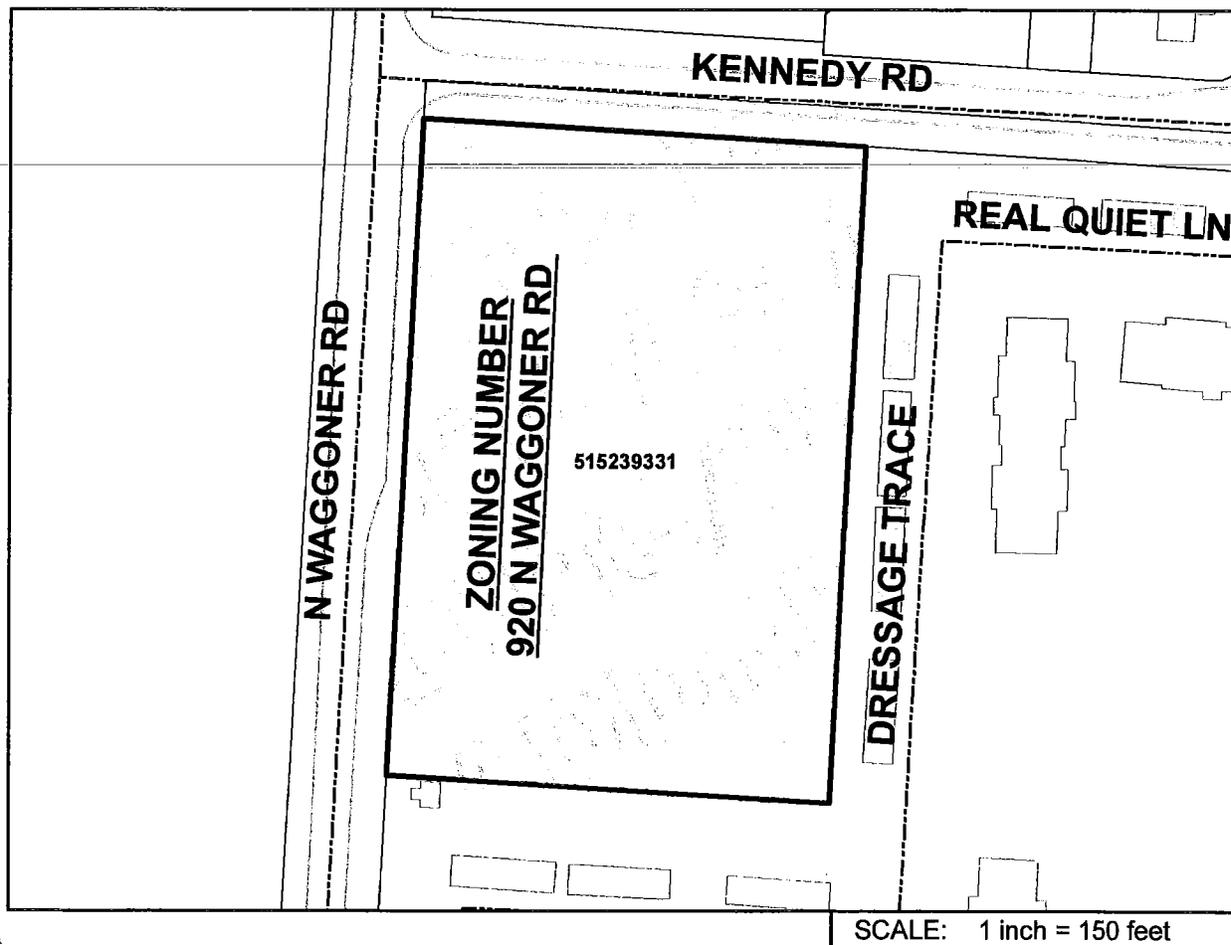
Subdivision: N/A

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

Issued By:

Patricia Austin

Date: 2/8/2012



SCALE: 1 inch = 150 feet



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

GIS FILE NUMBER: 6166

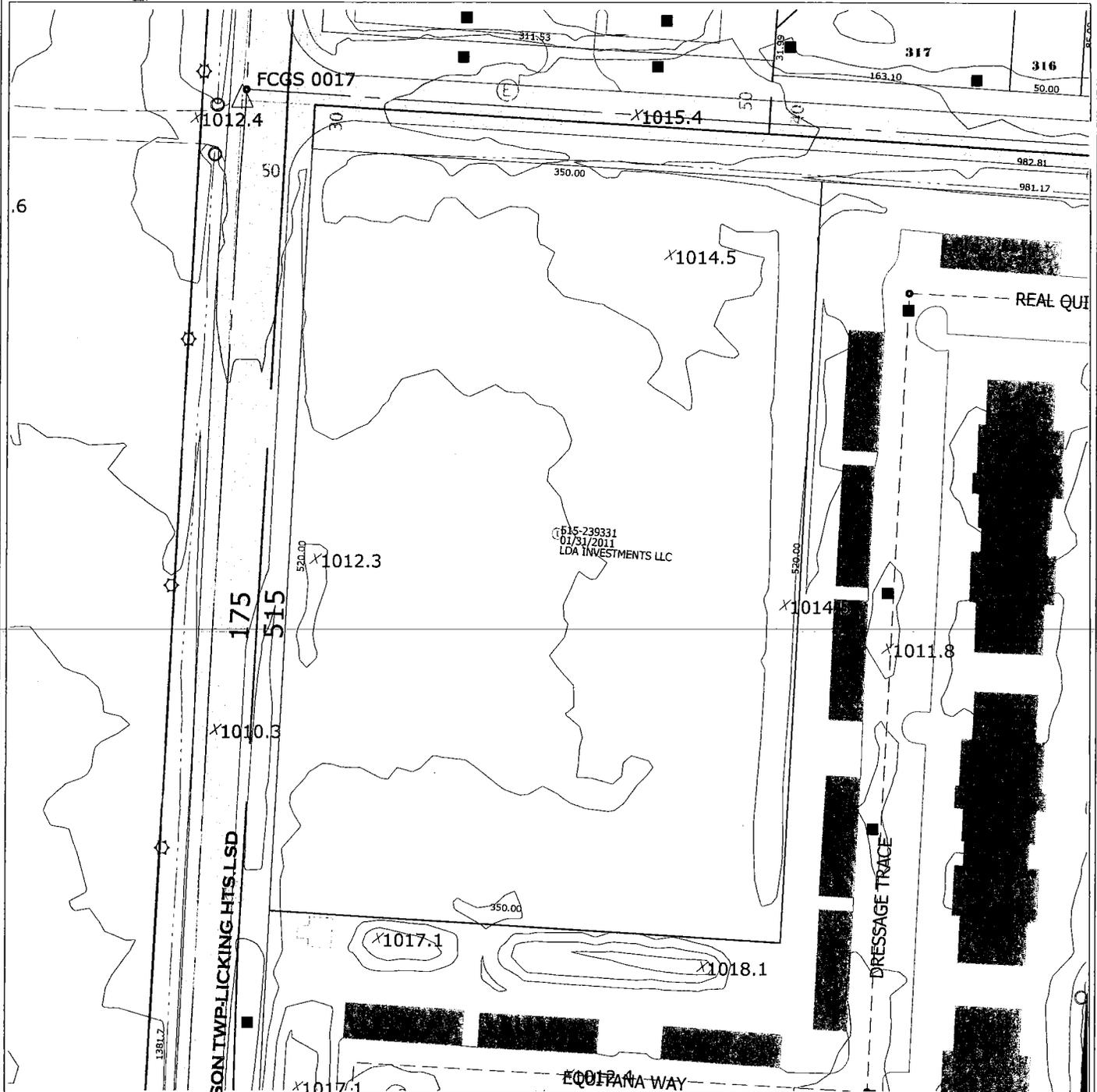
215039



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 8/28/15



Disclaimer

Scale = 100



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

CPD TEXT

CPD, COMMERCIAL PLANNED DISTRICT

4.178 +/-

EXISTING DISTRICT: CPD, Commercial Planned District

PROPOSED DISTRICT: CPD, Commercial Planned District

PROPERTY ADDRESS: 920 North Waggoner Road / Parcel I.D.: 515-239331

PROPERTY OWNER: LDA Investments, LLC
ATTN: Dean Adamantidis
75 East Gay Street, Ste 100
Columbus, Ohio 43231

APPLICANT: TH Midwest, Inc.
2600 Corporate Exchange Blvd., Ste 170
Columbus, Ohio 43231

c/o: Christopher A. Rinehart, Esq.
Rinehart Legal Services, Ltd.
300 East Broad Street, Suite 450
Columbus, Ohio 43215

DATE OF TEXT: August 31, 2015

APPLICATION NUMBER: 215-039

INTRODUCTION:

The subject property consists of one (1) parcel totaling 4.178 +/- acres located at 920 North Waggoner Road ("Site"). The Site is currently vacant land and is zoned CPD, Commercial Planned District.

Applicant proposes to rezone the Site to CPD, Commercial Planned District, to allow for the construction of a Turkey Hill Minit Market. The approximate 4.178 +/- acre site will developed with (1) a retail convenience/grocery store and (2) a fuel sales canopy that includes six island dispensers, totaling twelve fueling positions, as illustrated on the attached CPD Site Plan. The balance of the Site shown on the attached CPD Site Plan shall be partitioned off into a separate lot and sold. It is intended that this lot shall be used for C-4 commercial use. This CPD text is submitted in support of the zoning application.

- 1. PERMITTED USES:**
 - A. Chapter 3356 (C-4), Regional Scale Commercial District**
 - 1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall be those allowed in Chapter 3356 (C-4), of the Columbus City Code.
 - B. Chapter 3357 (C-5), Highway Oriented Commercial Development**
 - 1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall include an automobile service station as permitted by Chapter 3357 of the Columbus City Code.

C. Prohibited Uses

The following uses are specifically prohibited and shall not be on the Site:

- Assembly Hall
- Auto rental, new or used
- Auto repair (Garage)
- Auto Sales, new or used
- Bar
- Billboards
- Bowling Alley
- Business College
- Cabaret
- Cellular Telephone Towers
- Commercial radio transmission or television station or appurtenances
- Dance halls
- Electric substation
- Funeral Parlor
- Hospital (public/private)
- Hotel
- Motel
- Motion picture theater
- Motor bus terminal
- Newspaper printing
- Night club
- Off premise graphics
- Pool Hall
- Private club
- Public parking for pay
- Skating rink
- Telephone substation
- Testing or experimental laboratory
- Trade School

2. **DEVELOPMENT STANDARDS:** Unless otherwise stated herein, the applicable development standards shall be as specified in Chapter 3356 of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments

- 1. **Building Setbacks:** The minimum building setback from North Waggoner Road and Kennedy Road shall be as shown on the attached site plan.
- 2. **Parking Setbacks:** The minimum parking, loading and maneuvering setbacks shall be as shown on the attached site plan.

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

- 1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Planning and Operations Division.
- 2. Curb cuts shall be approved by the City of Columbus Planning and Operations Division. Access to and from the Site is proposed to be provided from two access points located along North Waggoner Road and Kennedy Road, as depicted on the attached site plan.

C. Buffering, Landscaping, Open Space and/or Screening Commitments [N/A]

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

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

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

a. Outdoors displays shall be permitted on an internal sidewalk and shall be located in a manner that maintains a four (4) foot wide clear walkway for pedestrians at all times.

b. Pump island end cap displays shall not exceed a footprint of 3' x 3' nor exceed a height of 4'.

F. Graphic and Signage Requirements

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, Regional Scale Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments

1. The Site shall be developed in accordance with the site plan and details. The plans 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 plans shall be reviewed and may be approved by the Director of Development 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. CPD Criteria

1. Natural Environment

The Site is located at the intersection of North Waggoner Road and Kennedy Road. The natural environment of the Site is vacant land.

2. Existing Land Use

The property is currently zoned CPD, Commercial Planned District, and is currently vacant land. The rezoning permits commercial use of the Site pursuant to existing C-4 standards as well as limited C-5 use for an automobile service station and ancillary parking.

3. Transportation and Circulation

There will be direct vehicular access to the Site from North Waggoner Road and Kennedy Road, as illustrated on the attached CPD Site Plan.

4. Visual Form of the Environment

The existing uses/zoning of the surrounding properties are as follows:

- East: To the east is a multi-family development zoned LAR-12
- North: To the north are multiple parcels, one zoned CPD and the others zoned residential as part of a housing subdivision.
- West: To the west is principally vacant land owned by the Dominican Sisters of Peace.
- South: To the south is a multi-family development zoned LAR-12

5. View and Visibility

The Site is clearly visible from North Waggoner Road and Kennedy Road.

6. Proposed Development

The proposed development is a Turkey Hill Minit Market with (1) a retail convenience store/grocery store and (2) a fuel sales canopy that includes six pump island dispensers, totaling twelve fueling positions, as illustrated on the attached CPD Site Plan.

7. Behavior Patterns

As indicated and set forth on the site plan, access to the Site will be facilitated from North Waggoner Road and Kennedy Road. The proposed development is not expected to significantly alter existing traffic behavior patterns.

8. Emissions

No adverse emissions are expected from this development.

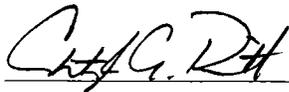
9. Variances

The use of the CPD mechanism permits certain variances to the required development standards. However, no variances are requested at this time.

I. Variances. [N/A]

The undersigned, being the owner of the subject property, together with the applicant in the subject application, or other 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 Code.

SIGNATURE:



DATE:

August 31, 2015

- NOTES:**
1. ACCORDING TO THE FEDERAL HIGHWAY ADMINISTRATION'S ROAD IMPROVEMENT DATE LAW, THE EXISTING ROAD SHALL BE IMPROVED TO A MINIMUM OF 60' WIDE WITH A 10' SHOULDER ON EACH SIDE.
 2. THE IMPROVEMENTS SHALL BE PROVIDED FOR ALL PARKING SPACES IN ACCORDANCE WITH SECTION 2112.02 OF THE CITY OF COLUMBUS ZONING CODE.
 3. ZONING: THE SUBJECT PROPERTY IS CURRENTLY ZONED UNDER THE CITY OF COLUMBUS, ZONING CODE, SECTION 2112.02 OF THE CITY OF COLUMBUS ZONING CODE.
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 9. THE SUBJECT PROPERTY IS CURRENTLY ZONED UNDER THE CITY OF COLUMBUS, ZONING CODE, SECTION 2112.02 OF THE CITY OF COLUMBUS ZONING CODE.
 10. MANUAL ALTIMETER BUILDING HEIGHT TO BE 25'.

PARKING SPACE REQUIREMENTS

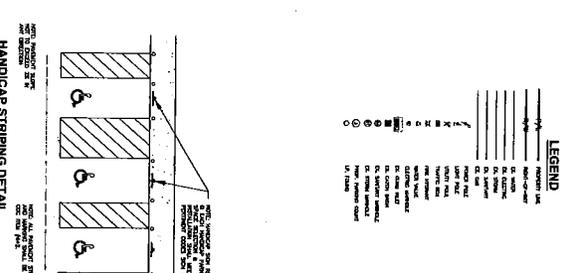
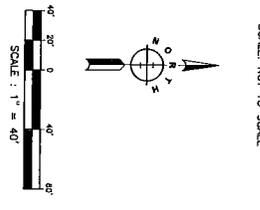
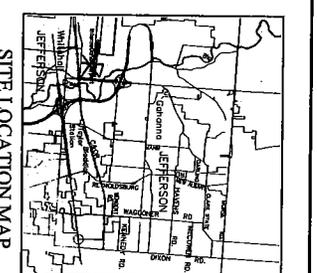
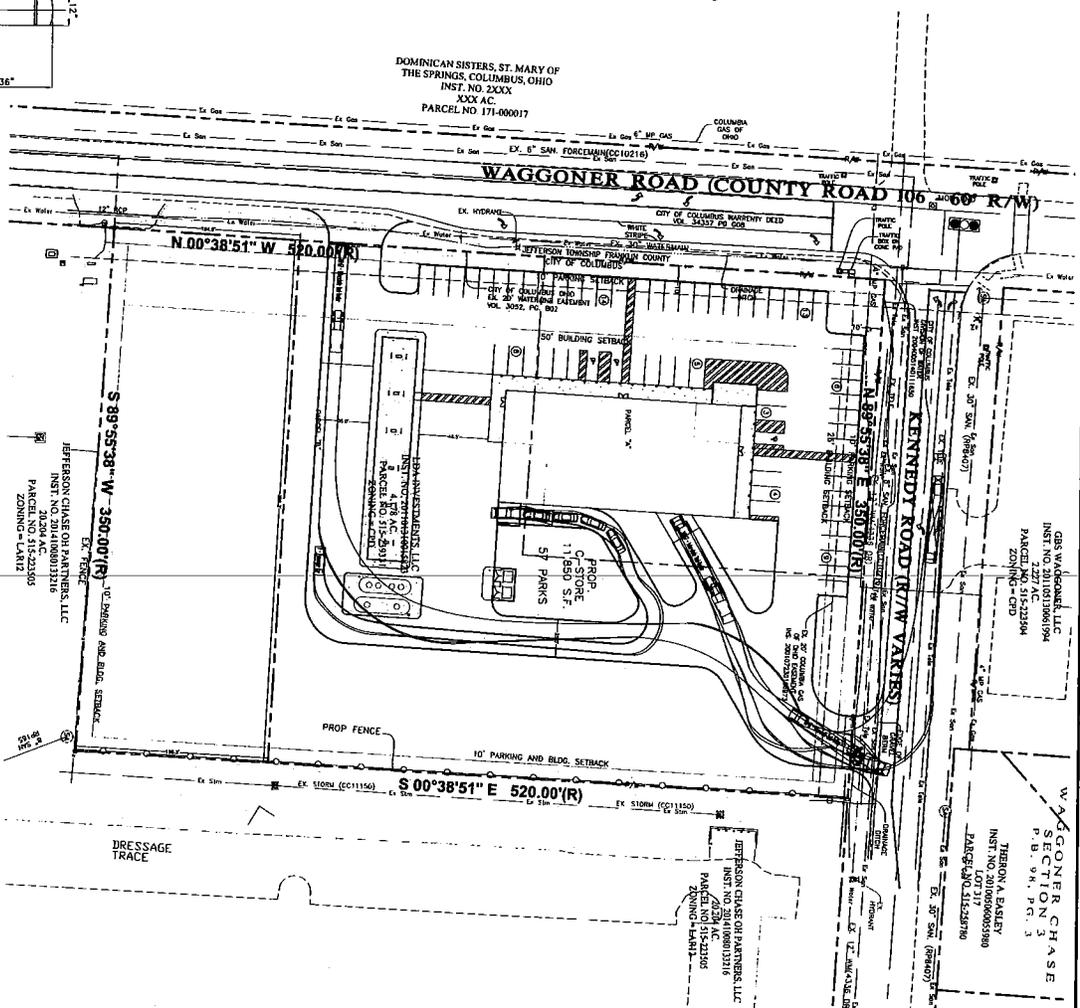
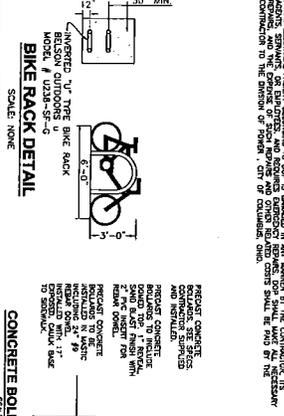
USE	REQUIREMENTS	AREA	REQUIRED
RETAIL COMMERCIAL USE	1 SPACE PER 250 SQ. FT. (MIN)	11,100	41
ACCESSORY BUILDING	1 SPACE PER 6,000 SQ. FT. (MAX)	11,100	2
OUTDOOR SEATING	1 SPACE PER 6,000 SQ. FT. (MAX)	750	5
OUTDOOR SEATING	1 SPACE PER 6,000 SQ. FT. (MAX)	400	3
OUTDOOR SEATING	1 SPACE PER 6,000 SQ. FT. (MAX)	400	3
TOTAL			54

SITE DATA TABLE

TOTAL SITE AREA: 4,177 AC. (181,984.36 S.F.)
 TOTAL DEVELOPABLE AREA: 2,311 AC. (101,328.87 S.F.)
 NON-DEVELOPABLE AREAS: 1,866 AC. (80,655.49 S.F.)

SANITARY SEWER NOTE:
 CONNECTION TO SANITARY SEWER SHALL BE MADE THROUGH AN EXISTING MANHOLE OR NEW MANHOLE SHALL BE INSTALLED AT THE LOCATION SHOWN ON THE PLAN. THE SANITARY SEWER SHALL BE INSTALLED AT A MINIMUM OF 4' DEPTH.

FOR THE DIVISION OF POWER
 THE DIVISION OF POWER HAS UNDERGOING STREET LIGHTING IN THE PROJECT AREA. THE CONSTRUCTION OF THE PROJECT SHALL BE COORDINATED WITH THE DIVISION OF POWER TO ENSURE PROPER PLACEMENT AND OPERATION OF STREET LIGHTS. THE DIVISION OF POWER SHALL BE NOTIFIED AT LEAST 30 DAYS PRIOR TO THE START OF CONSTRUCTION.



PRELIMINARY
 NOT FOR CONSTRUCTION

REVISIONS	DATE

PRELIMINARY SITE PLAN
 TURKEY HILL #718
 WAGGONER ROAD
 COLUMBUS, OHIO 43228

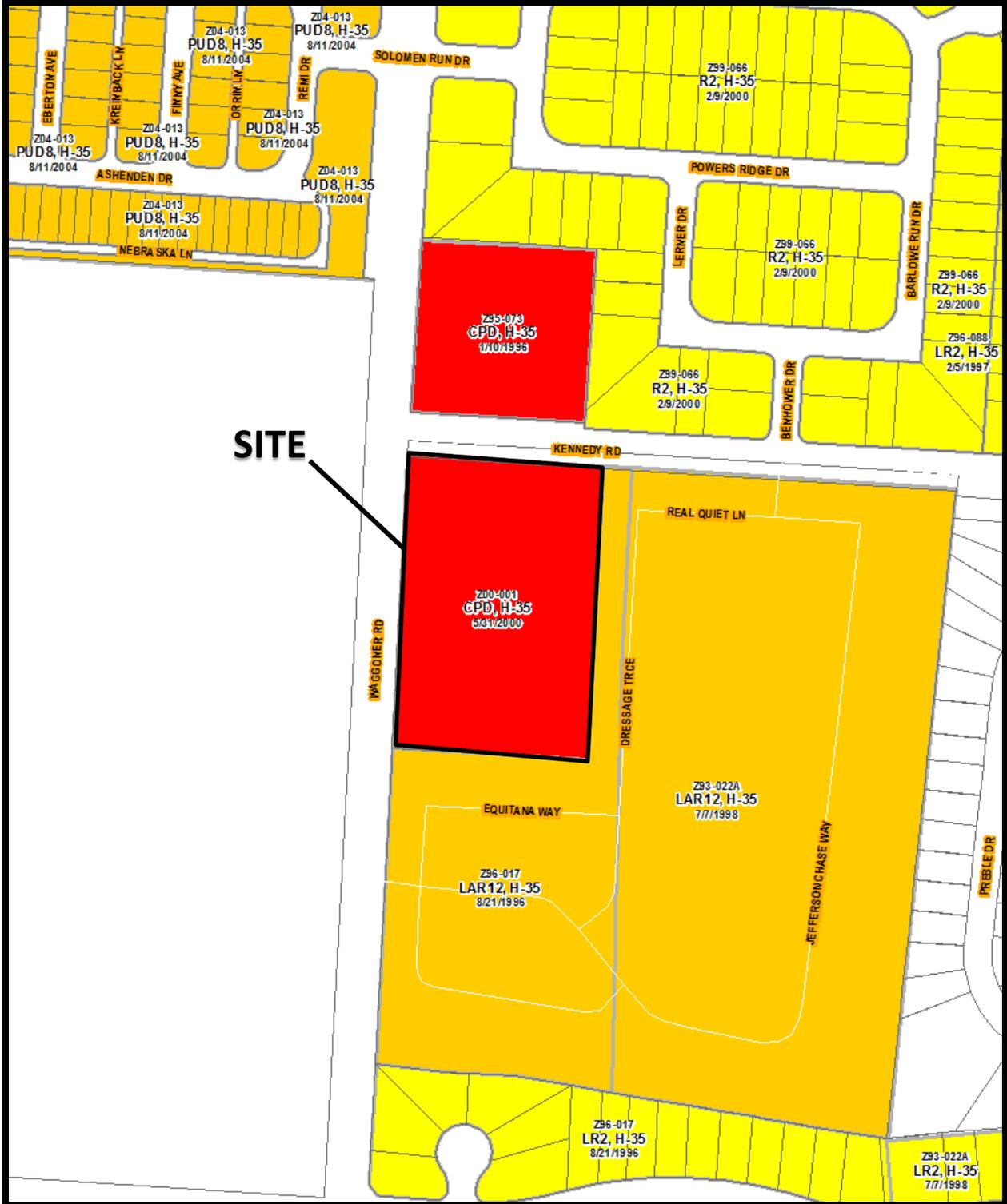
DESIGN TEAM	DATE
AL	
MC	

P. L. Systems, Inc.
 271 Columbus Blvd., Suite 200
 Columbus, OH 43215
 (614) 261-1111

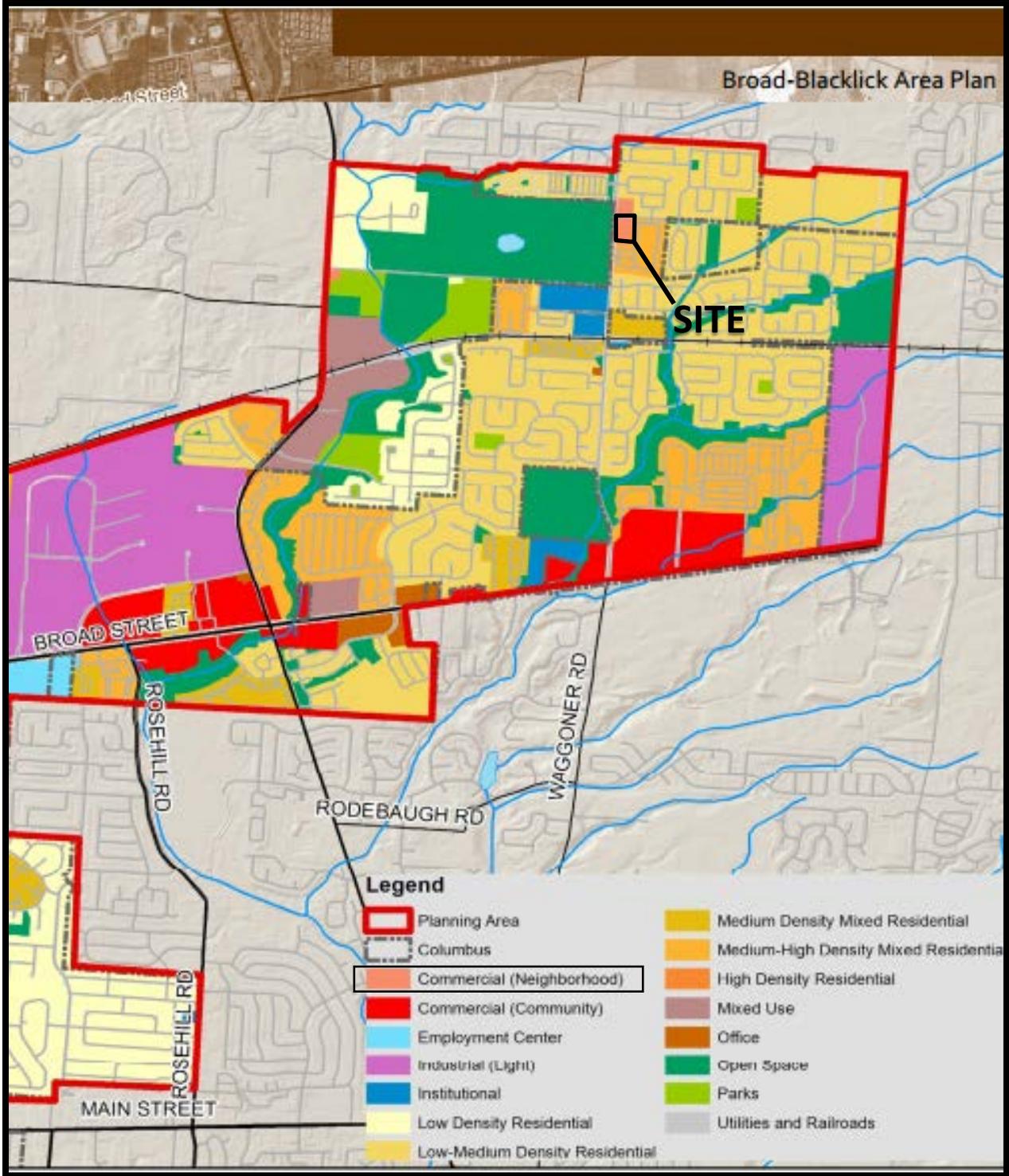


215-039

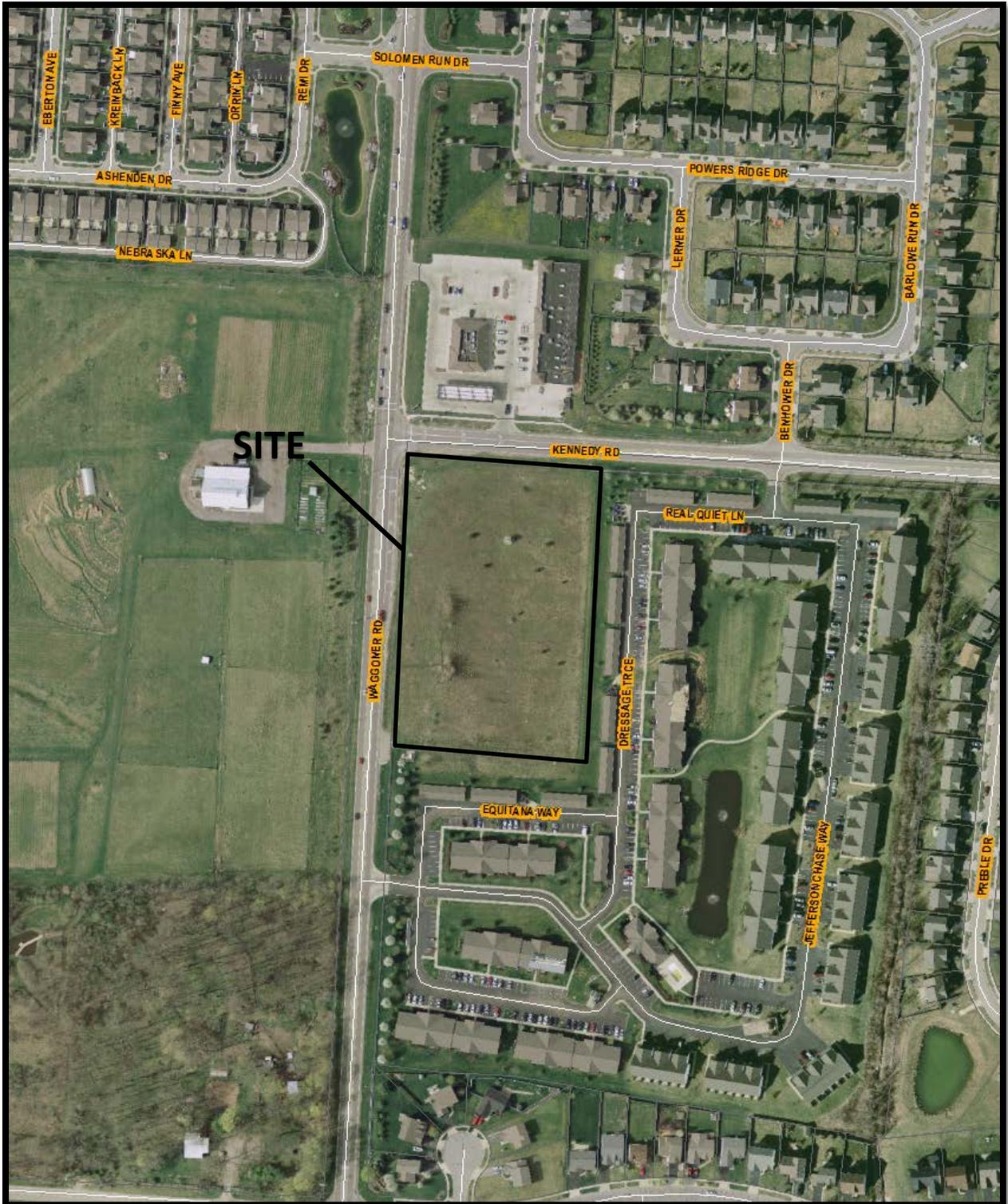
DATE: 8-12-15



Z15-039
 920 North Waggoner Road
 Approximately 4.18 acres
 CPD to CPD



Z15-039
 920 North Waggoner Road
 Approximately 4.18 acres
 CPD to CPD



Z15-039
920 North Waggoner Road
Approximately 4.18 acres
CPD to CPD