



OFFICE USE ONLY

Application # 210-008

Fee: 1st acre (\$1,850 or \$3,200): _____

Each additional acre (\$185 or \$315) _____

Total: _____

Date of Submittal: 3/30/10

Planning Area: _____

Received by: DH

REZONING APPLICATION

LOCATION AND ZONING REQUEST

Certified Address (for Zoning Purposes) 3201 S. High Street Zip 43207

Is this application being annexed into the City of Columbus? Y or N (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 010-111911

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

Current Zoning District(s) R-2 Requested Zoning District(s) CPD

Recognized Area Commission or Civic Association Far South Area Commission, Scioto Southland C.A.
See instructions in "Things to Remember" on front of application packet.

Proposed Use or reason for rezoning request: Rezone for existing C-4 dev. (continue on separate page if necessary)

Proposed Height District: H-35 Acreage 11.599

(Columbus City Code Section 3309.14)

APPLICANT

Name WXZ Retail Group / South High, LLC

Address 22720 Fairview Center Drive City Fairview Pk Zip 44126

Phone# _____ Fax # _____ Email _____

PROPERTY OWNER(S)

Name Same as above

Address _____ City _____ Zip _____

Phone# _____ Fax # _____ Email _____

If applicable, check here if listing additional property owners on a separate page (REQUIRED)

ATTORNEY / AGENT (CIRCLE ONE IF APPLICABLE)

Name Laura MacGregor Comek, Esq. - CRABBE, BROWN & JAMES, LLP

Address 500 S. Front St., Suite 1200 City Columbus Zip 43215

Phone# 229-4557 Fax # 229-4559 Email Lcomek@cbjlawyers.com

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

Applicant Signature _____ by: _____

Property Owner Signature _____ by: _____

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.



AFFIDAVIT

(See instruction sheet)

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # 210-008

Being first duly cautioned and sworn (1) NAME Rita Martin, Paralegal
of (1) MAILING ADDRESS 500 S. Front St., Suite 1200, Columbus, OH 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 3201 S. High Street
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of
Development, Building Services Division on (3) 3/30/10

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
AND MAILING ADDRESS
 Check here if listing additional property
owners on a separate page.

(4) WXZ Retail Group/South High, LLC
22720 Fairview Center Drive
Fairview Park, Ohio 44126

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

WXZ Retail Group/South High, LLC
c/o Laura MacGregor Comek, Esq. 229-4557

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

(5) Far South Columbus Area Commission/Scioto Southland
Ted Eisleben, Zoning Chair
720 Harmon Plaza
Columbus, Ohio 43223

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
Subscribed to me in my presence and before me this
SIGNATURE OF NOTARY PUBLIC

8) Rita Martin
30th day of March, in the year 2010
Carol A. Stewart

My Commission Expires:
This Affidavit expires six months after date of notarization.

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2014



Surrounding Property Owners:

JUDAH TABERNACLE
3176 S. HIGH STREET
COLUMBUS OH 43207

SOUTHWAY POST 144
AMERICAN LEGION, INC.
3253 S. HIGH STREET
COLUMBUS OH 43207

RESOURCE GENERAL CORP
C/O P.H. GROUP
2241 CITYGATE DRIVE
COLUMBUS OH 43219

MACS CONVENIENCE STORES
PO BOX 347
COLUMBUS IN 47202

JAMES & KRISANN LOWE
3213 S. HIGH STREET
COLUMBUS OH 43207

BARBARA . FABECK, TR
PO BOX 8249
COLUMBUS OH 43201

SS SOUTH HIGH, LLC
3171 S. HIGH STREET
COLUMBUS OH 43207

PAVILION GPC-COLUMBUS
5606 CARNEGIE BLVD, STE 110
CHARLOTTE NC 28209

Owner/Applicant:

Counsel for Owner/Applicant:

Area Commission Rep.:

WXZ RETAIL GROUP/S. HIGH, LLC
22720 FAIRVIEW CENTER DRIVE
FAIRVIEW PARK OH 44126

LAURA MACGREGOR COMEK
CRABBE, BROWN & JAMES, LLP
500 S. FRONT ST., SUITE 1200
COLUMBUS OH 43215

TED EISLEBEN, ZONING CHAIR
FAR SOUTH COLS AREA COMM.
720 HARMON PLAZA
COLUMBUS OH 43223



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.

STATE OF OHIO
 COUNTY OF FRANKLIN

APPLICATION # 210-008

Being first duly cautioned and sworn (NAME) Laura MacGregor Comek, Esq.
 of (COMPLETE ADDRESS) 500 S. Front Street, Suite 1200, 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. WXZ Retail Group/South High, LLC 22720 Fairview Center Drive Fairview Park, OH 44126 Columbus-Based Employees: -0- Contact: Laura MacGregor Comek, Esq. (614) 229-4557	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 30th day of March, in the year 2010

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

[Handwritten Signature]

[Handwritten Signature]

11-02-10

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



RITA J. MARTIN
 Notary Public, State of Ohio
 My Commission Expires 11-02-10

RECEIPT

COLUMBUS
COLUMBUS
757 CAROLYN AVENUE
Dan Benninger

Attn:

Rita Martin

lps

229-4559

Application: 10335-00000-00081

Application Type: Engineering/Zoning/Rezoning/Ltd CPD PUD

Address:

Receipt No. 446057

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Comments
Check		\$6,665.00	03/31/2010	LLACLOCHE	1122

Owner Info.: WXZ RETAIL GROUP/SOUTH HIGH LLC
22720 Fairview Center Drive
Fairview Park, OH 44126

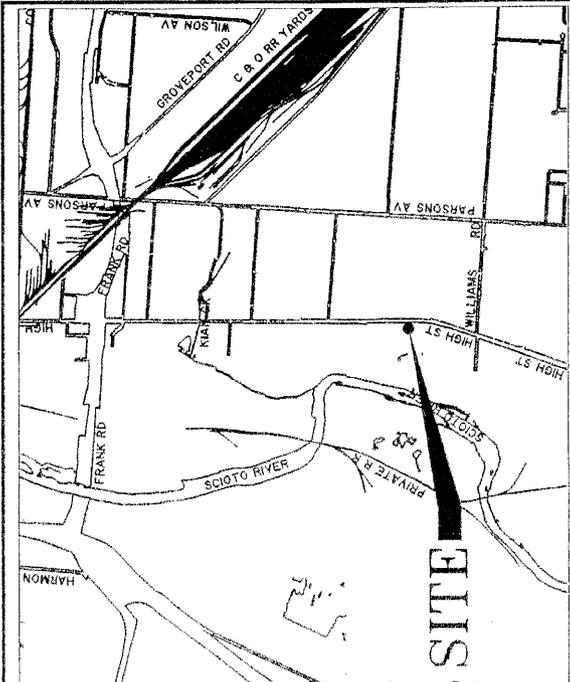
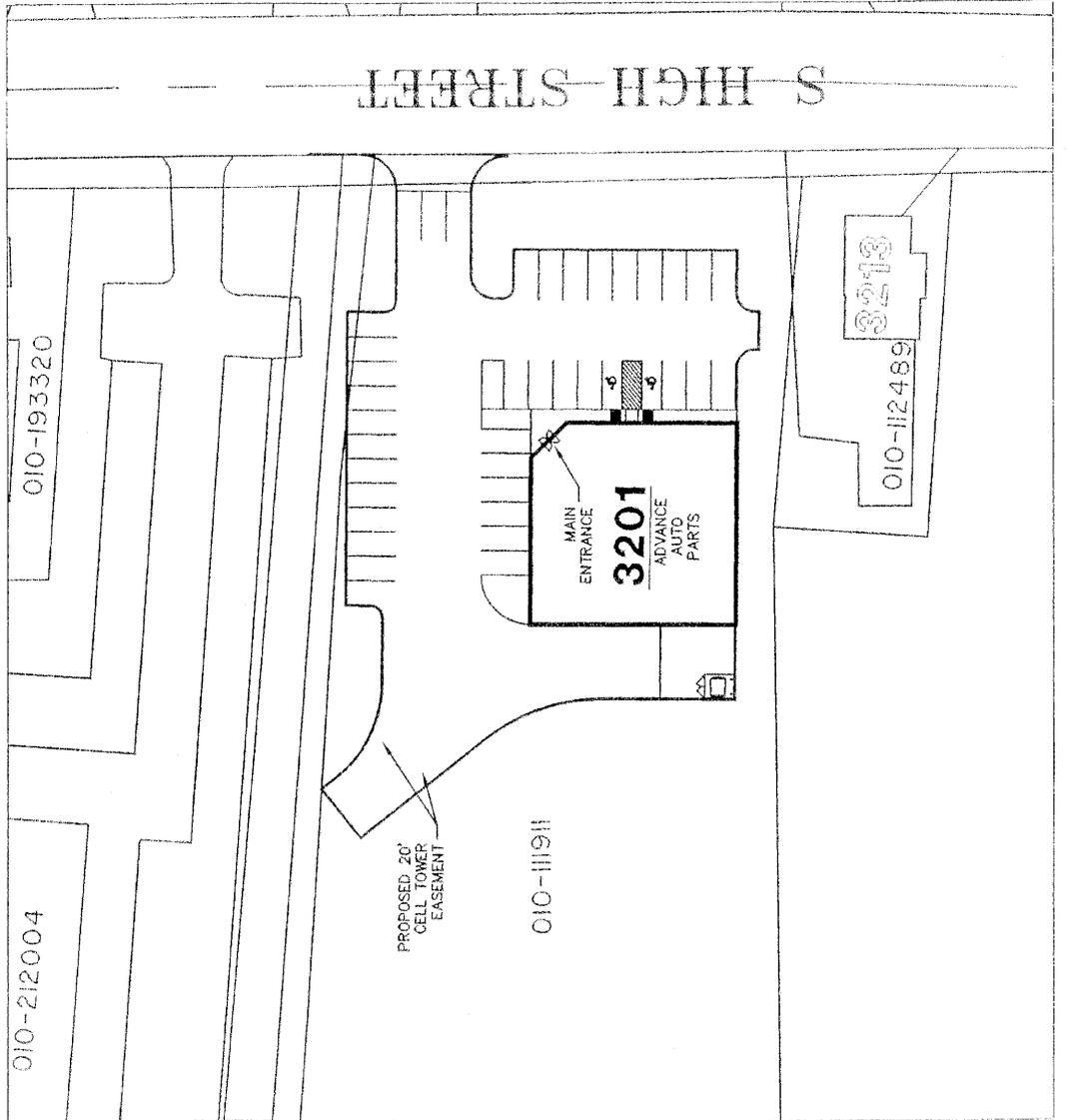
Work Description: Z10-008, rezoning of 11.6 acres at 3201 South High Street (010-111911) from R-2 to CPD to conform an existing retail development and existing cell tower.

PAID

MAR 31 2010

BUILDING SERVICES

CITY OF COLUMBUS ADDRESS PLAT



CITY OF COLUMBUS, OHIO 200 SCALE CITY MAP LOCATION

OTHER MAP REFERENCES	
CITY LAND USE MAP:	43D, 44-C
GIS FACET NUMBER:	182856900



 issued by *Phil Y. Pitt* Date **11-30-06**
 PATRICIA A. AUSTIN P.E., ADMINISTRATOR
 ENG. & CONSTRUCTION DIVISION
 COLUMBUS, OHIO

ADDRESS FILE NUMBER - **99-098**
 DEVELOPED BY: **ADVANCE AUTO PARTS**
 ENGINEERING CONSULTANT: **WXZ DEVELOPMENT INC.**

ADVANCE AUTO PARTS
3201 S. HIGH STREET

PARCEL No. **010-111911**
 NORTH OF **WILLIAMS ROAD**



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 3/19/10



Disclaimer

Scale = 368'



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

COMMERCIAL PLANNED DEVELOPMENT TEXT

3201 S. High Street

11.599± Acres

CURRENT ZONING: R-2, Residential District

PROPOSED DISTRICT: CPD, COMMERCIAL PLANNED DEVELOPMENT

PROPERTY ADDRESS: 3201 South High Street (43207)

OWNER: WXZ Retail Group / South High, LLC, 22720 Fairview Center Drive, Fairview Park, Ohio 44126.

OWNER / APPLICANT: WXZ Retail Group / South High, LLC, 22720, c/o CRABBE, BROWN & JAMES, LLP, Laura MacGregor Comek, Esq., 500 S. Front St., Ste. 1200, Columbus, Ohio 43215, lcomek@cbjlawyers.com.

DATE OF TEXT: March 30, 2010

APPLICATION NUMBER: Z10- 008

1. INTRODUCTION:

The subject property ("Site") is located along South High Street, north of Williams Road and south of Southgate Drive, on the City's far south side. The Site lies within the boundaries of the Scioto Southland Civic Association and Far South Area Commission.

The Site is zoned in the R-2, Residential District, and developed with a retail auto parts store. An existing cellular tower is located to the rear of the commercial structure. The cell tower was approved via Council Variance Ordinance 1583-91 (CV91-0026). This rezoning request is being filed to legitimize the existing non-conforming uses. The site is surrounded by a variety of commercial uses, most of which are zoned C-4. Adjacent to the south is an American Legion hall, zoned C-4. To the north is a self-storage business zoned L-M. Several retail auto parts stores are located in the immediate vicinity.

This text and the CPD site plan are being submitted to visually depict the existing conditions and uses. The existing retail auto parts store and cellular tower shall be permitted to remain as developed; however, any future development or expansion shall conform to the standards set forth herein.

2. PERMITTED USES:

The following uses shall be permitted for the Site: All uses of the C-4 Commercial District (C.C.C. §3356.03).

3. DEVELOPMENT STANDARDS:

Except as specified herein and on the submitted CPD Site Plan, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

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

1. Building Setback: The Building setback shall be as depicted on the attached Site Plan.
2. Parking Setback: The minimum parking setback shall be (10) feet from the front property line.
3. The height of the existing cellular tower is 150 feet, as permitted by C.C.C. §3353.05(D)(5).

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

1. Any and all traffic-related commitments shall be designed and located to the specifications of the City of Columbus Transportation Division.
2. Curb cuts shall be approved by the City of Columbus Transportation Division. Access to and from the Site shall be as depicted on the submitted site plan.

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

1. All parking areas adjacent to the public right-of-way shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening may be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts to provide adequate vision clearance.
2. All existing street trees and site landscaping shall remain.
3. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
4. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 5-6 feet. The minimum size of shrubs shall be two (2) gallons. Caliper shall be measured 6 inches above grade.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level.
2. Building materials shall be brick, synthetic brick, concrete, stone, EIFS, metal, glass, synthetic stone, or a combination thereof.
3. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.

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

1. All parking lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of twenty-eight (28) feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cutoff style fixtures and be designed in such a way to minimize any off-site light spillage.
5. Any new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
6. Dumpsters shall be screened from view on all four (4) sides to a minimum height of six (6) feet.

F. Miscellaneous Commitments.

1. The subject Site shall be developed in accordance with the submitted Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data determined at the time the development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

G. CPD Requirements.

1. Natural Environment. The Site is developed with an existing retail auto parts store, accessory parking lot, and a cellular tower. The Site will remain substantially the same following this rezoning.

2. Existing Land Use.

The site is used used for commercial retail development and a cellular tower.

3. Transportation and Circulation.

The Site will be accessed from South High Street as currently situated, so as not to increase curb cuts along South High Street. The existing parking lot circulation and access points will remain as currently situated.

4. Visual Form of the Environment.

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

West: Scioto River along the rear of this and adjacent properties, with EQ, Quarrying land to the west of that;

North: Self-Storage Business zoned L-M-2; vacant land zoned R-2;

East: Across High Street are several commercial businesses zoned C-4, including a carry-out and a small multi-tenant retail structure;

South: American Legion Hall, zoned C-4.

5. View and Visibility.

Significant consideration has been given to visibility and safety issues.

6. Proposed Development.

Existing commercial development, with additional permitted uses as noted in Section 2 above.

7. Behavior Patterns.

This area has existing traffic flows, including South High Street as the major thoroughfare, and the major roadways in and around the area.

8. Emissions.

Due to the nature of the use, there will be no relevant increase of or addition to emissions.

H. Variances Requested.

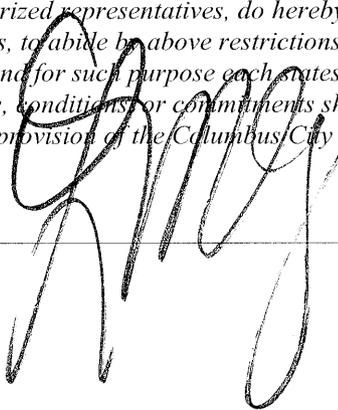
The following variances are requested to permit the existing cellular tower to remain once the property is rezoned to CPD. The variances in place for the cellular tower were previously approved to vary the standards of the R-2, Residential District.

1. Variance from C.C.C. §3353.05(D)(2), which requires cellular towers in commercially-zoned districts to be screened with a 5-foot high, 75% opaque screening of either landscaping or fencing. The tower was approved in 1991 with no such screening, and applicant requests this variance to allow the tower to remain as previously approved.

2. Variance from C.C.C. §3353.05(D)(4), which requires cellular towers to be set back 200 percent of their height from residentially-zoned properties. The cellular tower at issue is 150 feet high. Here again, the cellular tower was previously approved as-is and this variance is requested to legitimize the existing conditions. While there is some remaining vacant land zoned R-2 to the north, there are no residentially developed properties within this commercial corridor along South High Street, which corridor is currently being considered for inclusion in the City's Urban Commercial Overlay.

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 negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes.

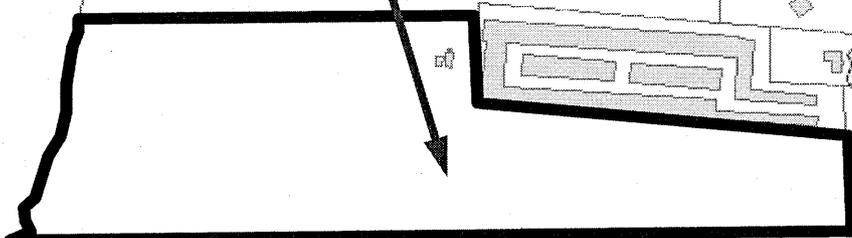
Signature: _____

A large, stylized handwritten signature in black ink, written over the signature line.

Date: _____

3.30.2010

3201 South High Street
Approximately 11.6 acres
R-2 to CPD



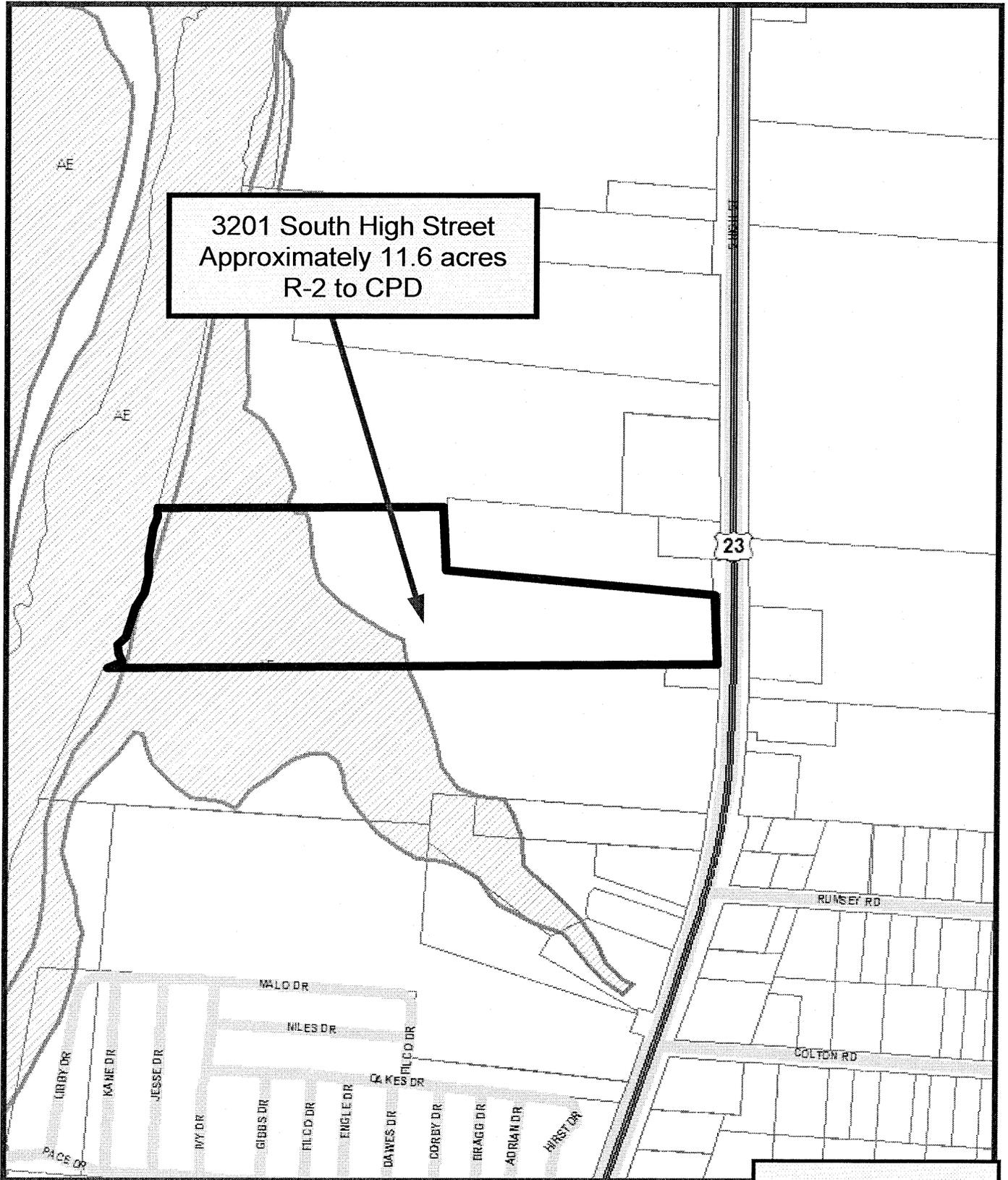
23

LIBBY DR
KANE DR
JESSE DR
IVY DR
GIBBS DR
MILCO DR
NILES DR
ENGLE DR
DAVES DR
CORBY DR
BRAGG DR
ADRIAN DR
PACIFIC DR
KESWICK DR
MAY DR
JESSIE DR

RUMSEY RD

COLTON RD

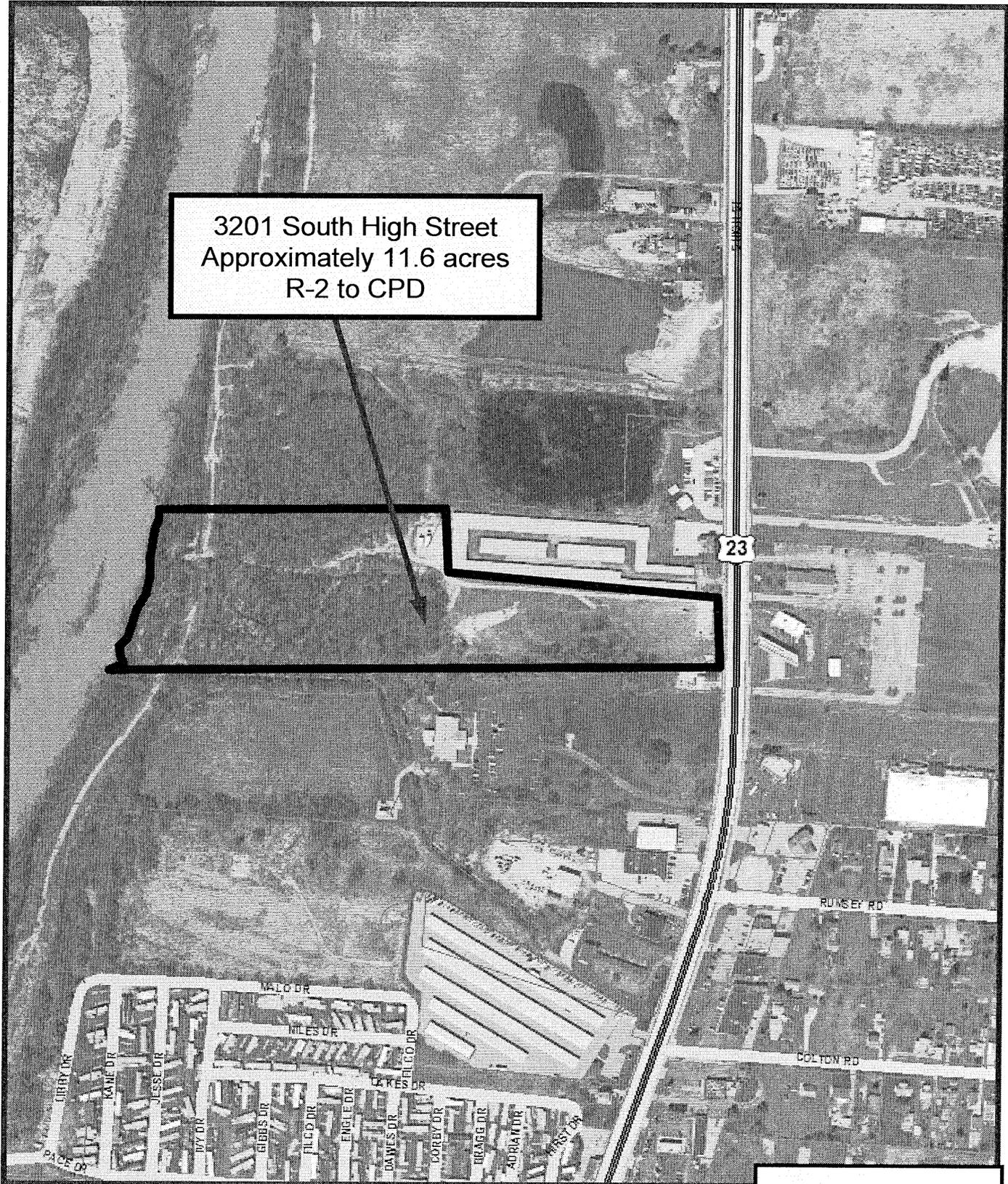
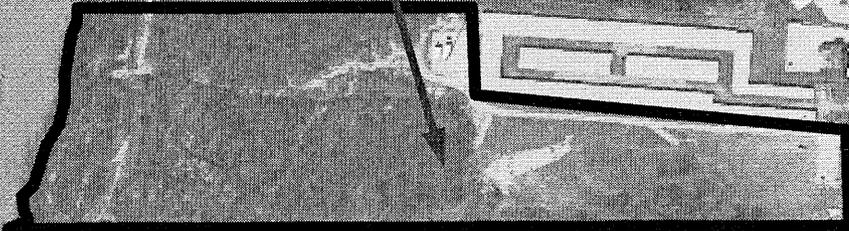
Z10-008



3201 South High Street
Approximately 11.6 acres
R-2 to CPD

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