



Mayor Michael B. Coleman

REZONING APPLICATION

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

OFFICE USE ONLY

Application #: 211-018 / 11335-00000-00317
Date Received: 6/9/11
Application Accepted By: SP Fee: \$3830 -
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1953 Morse Road Zip 43229
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 010-011297-80
 Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s) C-4 Requested Zoning District(s) CPD
Recognized Area Commission Area Commission or Civic Association Northland Community Council
Proposed Use or reason for rezoning request: Per Council Variance (CV09-011) applicant committed to filing a rezoning for this property from C-4 to CPD within 18 months of the Council Variance approval. (continue on separate page if necessary)
Proposed Height District: H-35 Acreage 2.815
[Columbus City Code Section 3309.14]

APPLICANT:

Name TH Midwest, Inc. (c/o Steve Fuller)
Address 2600 Corporate Exchange Blvd, Ste. 170 City/State Columbus, OH Zip 43231
Phone # 614-890-1546 Fax # 614-890-1599 Email steve.fuller@minitmarkets.com

PROPERTY OWNER(S):

Name TH Midwest, Inc.
Address 257 Centerville Road City/State Lancaster, PA Zip 17603
Phone # _____ Fax # _____ Email _____
 Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Skilken TH, LLC (c/o Seth Dorman)
Address 4270 Morse Road City/State Columbus, OH Zip 43230
Phone # 614-342-6668 Fax # 614-342-6669 Email: dorman@skilken.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.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



REZONING APPLICATION

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AFFIDAVIT

(See instruction sheet)

APPLICATION # 211-018

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Seth Dorman (Skilken TH, LLC)
of (1) MAILING ADDRESS 4270 Morse Road, Columbus, Ohio 43230

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 1953 Morse Road, Columbus, Ohio 43229
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) 6/9/11

(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) TH Midwest, Inc.
257 Centerville Road
Lancaster, PA 17603

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

Steve Fuller (TH Midwest, Inc)
614-890-1546

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

(5) Northland Community Council (c/o Dave Paul)
P.O. Box 297836
New Albany, Ohio 43229

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

8th day of June, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) Audra L. Cordell

My Commission Expires:

12/10/15

This Affidavit expires six months after date of notarization.



Notarized Here Audra L. Cordell
Notary Public, State of Ohio
My Commission Expires 12-10-2015

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Please make all checks payable to the Columbus City Treasurer

PROPERTY OWNER
TH Midwest, Inc.
257 Centerville Road
Lancaster, PA 17603

AGENT
Seth Dorman (Skilken D.S.)
4270 Morse Road
Columbus, Ohio 43207

NEIGHBORHOOD GROUP
Northland Community Council
C/o Dave Paul
P.O. Box 297836
New Albany, Ohio 43229

SURROUNDING PROPERTY
OWNERS

1959-2007 Morse Rd Co Ltd
C/o Gilbert Investment Co
203 E. Broad Street
Columbus, OH 43215

Cardinal Investment Properties LLC
220 Dalsaber Ln.
Springboro, OH 45066

Menard Inc
4777 Menard Dr.
Eau Claire, WI 54703-9625

Northland Village Developers LLC
147 N. High St.
Columbus, OH 43230

State of Ohio
1930 Belcher Dr.
Columbus, OH 43224

State of Ohio
Department of Natural Resources
2045 Morse Rd., Bldg. C
Columbus, OH 43229

TH Midwest, Inc.
257 Centerville Road
Lancaster, PA 17603

211-018



REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • 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 # 211-018

STATE OF OHIO
COUNTY OF FRANKLIN

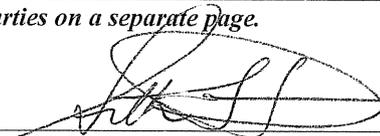
Being first duly cautioned and sworn (NAME) Seth Dorman (Skilken TH, LLC)
of (COMPLETE ADDRESS) 4270 Morse Road, Columbus, Ohio 43230
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations 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. TH Midwest, Inc. 257 Centerville Road Lancaster, PA 17603 # of Columbus Based Employees: 140 (Franklin Co. Employees) Steve Fuller: 614-890-1546	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 8th day of June, in the year 2011

SIGNATURE OF NOTARY PUBLIC

Audra L Cordell

My Commission Expires:

12/10/15

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

Audra L. Cordell
Notary Public, State of Ohio
My Commission Expires 12-10-2015



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Please make all checks payable to the Columbus City Treasurer



City of Columbus Address Plat



CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 010-011297

Project Name: GAS STATION

211-018

House Number: 1953

Street Name: MORSE RD

Lot Number: N/A

Subdivision: N/A

Work Done: NEW

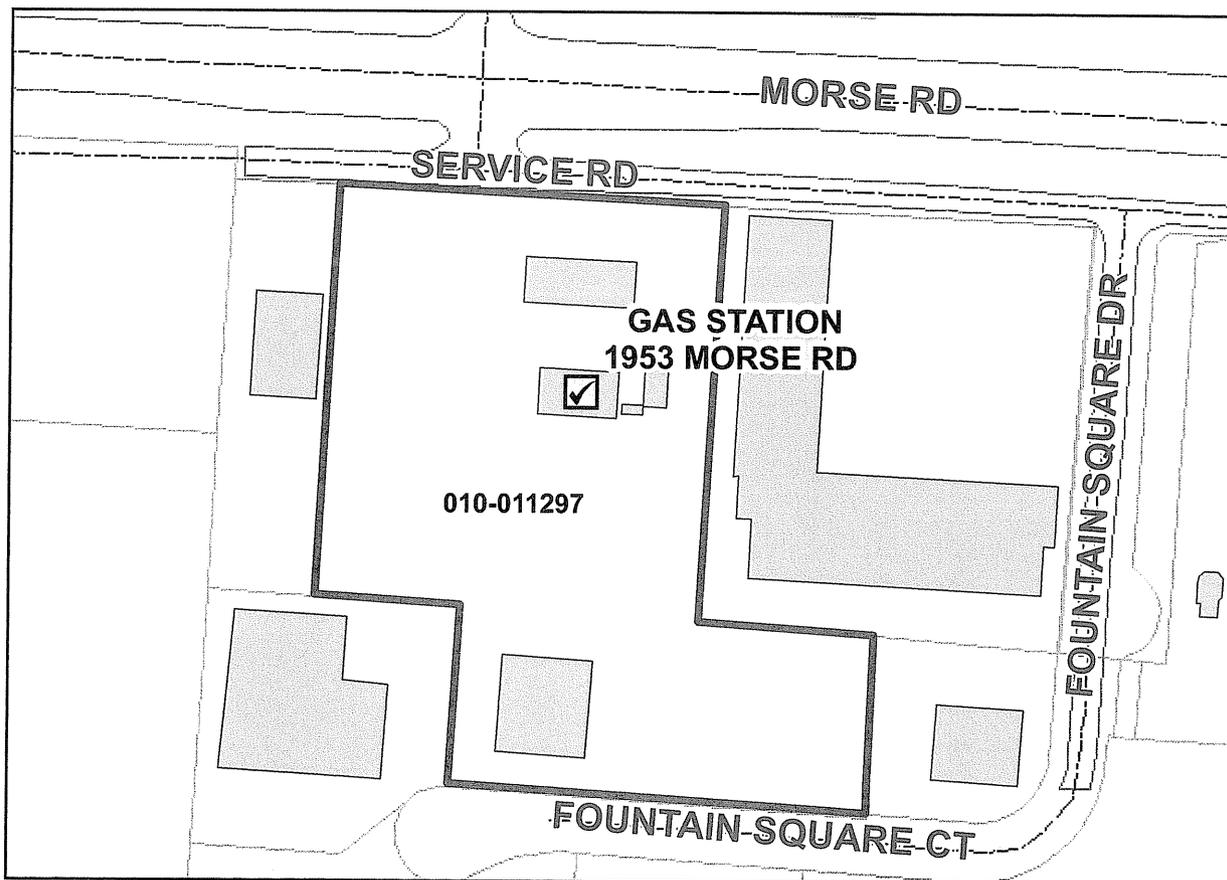
Complex: N/A

Owner: CHRYSLER REALTY CORP

Requested By: P & L SYSTEMS INC

Issued By: Phil Y. Smith

Date: 05/01/2009



SCALE: 1 inch = 200 feet



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

GIS FILE NUMBER: 1285016

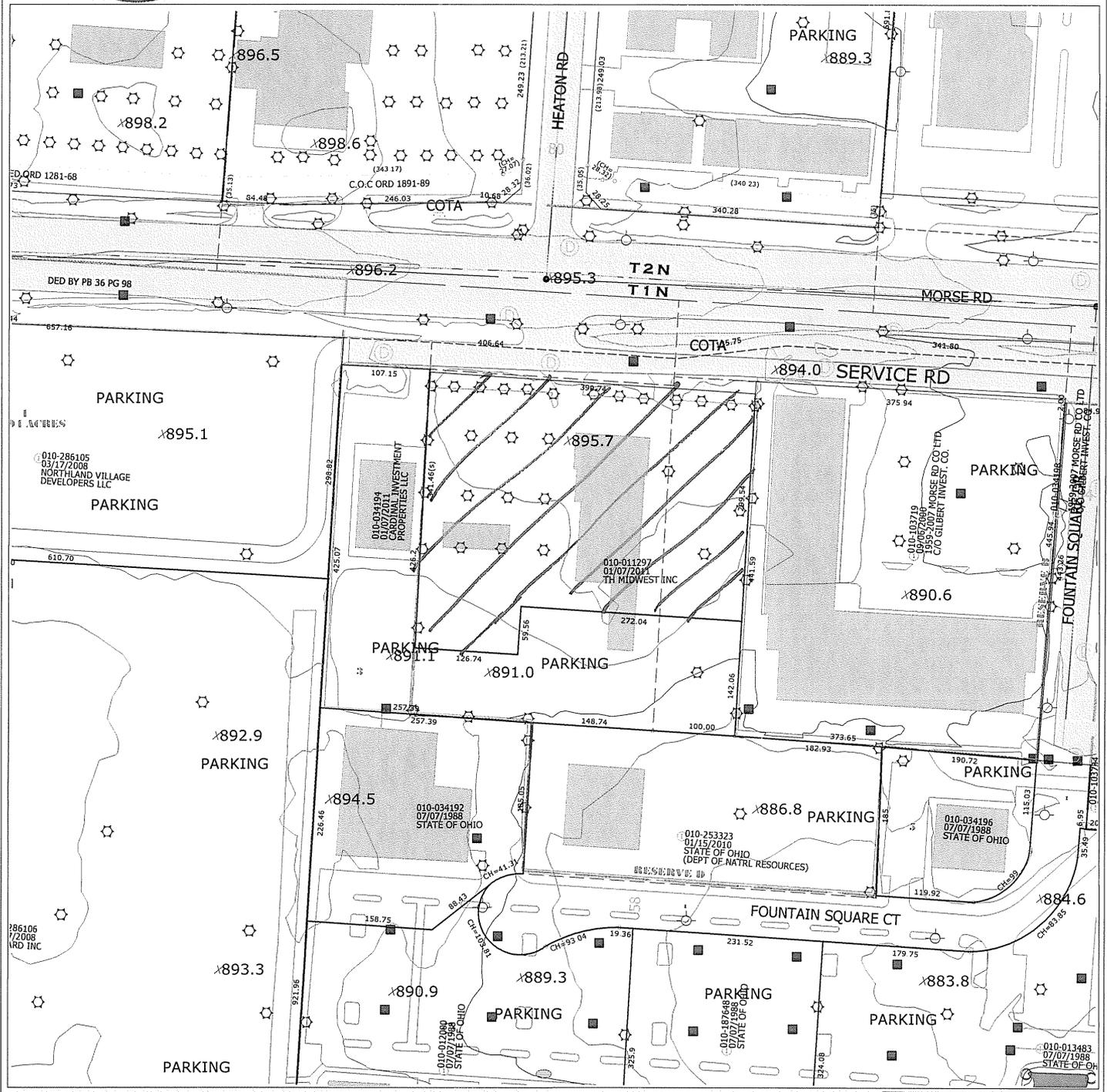
Z 11-018



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 6/8/11



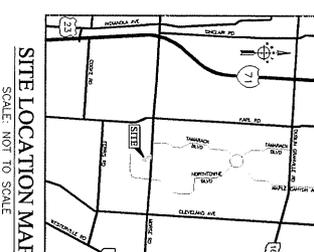
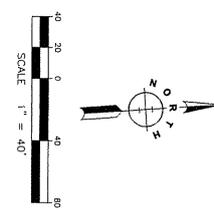
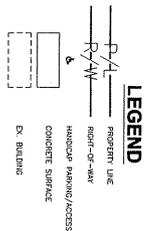
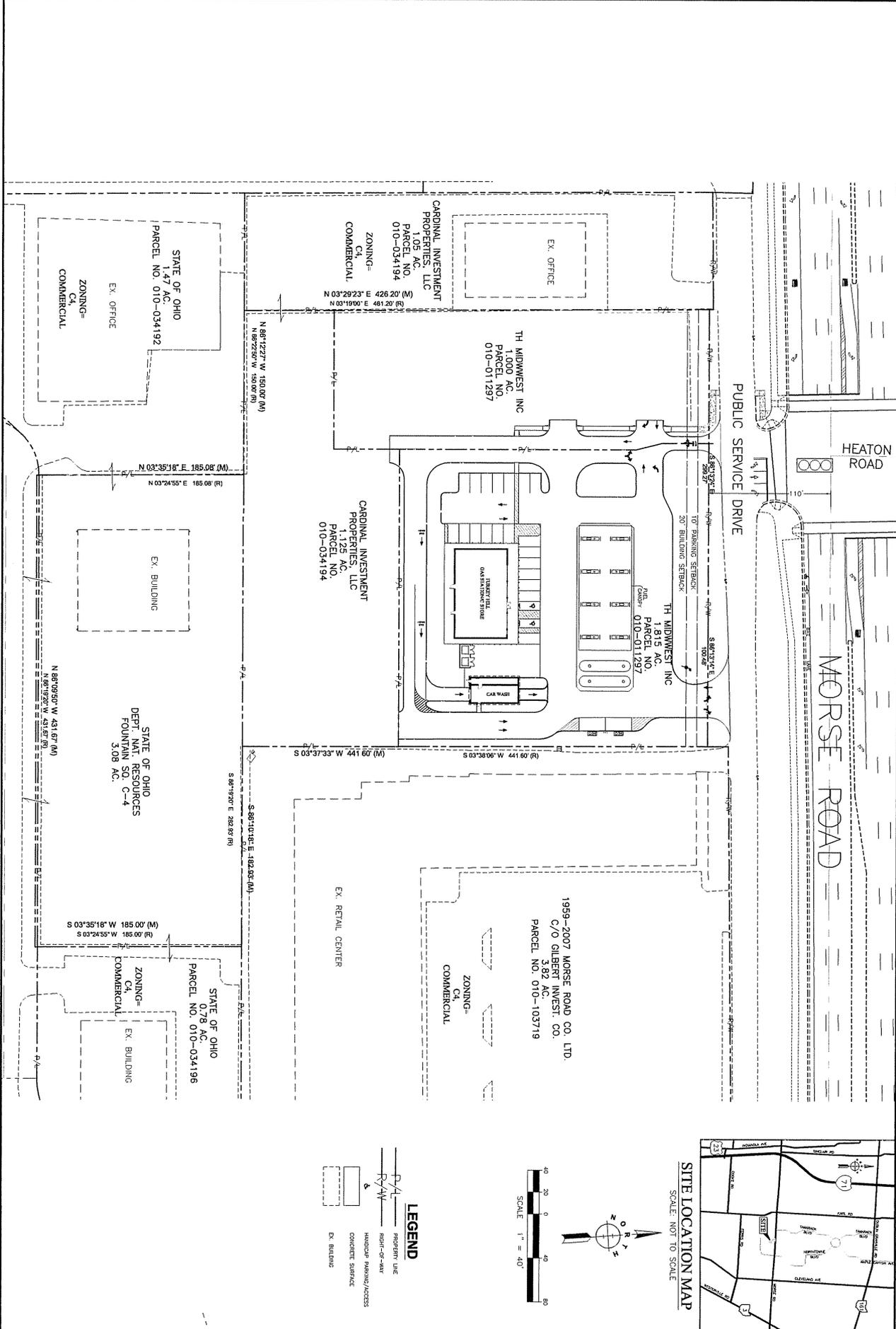
Disclaimer

Scale = 180



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.

211-018



DESIGN TEAM	DATE
BROWN SR.	
MDC	
CREATED BY	
SF	
SCALE	1" = 40'
SHEET #	705
DATE	6-8-11

NO.	REVISIONS	DATE

P & L Systems, Inc.
Surveyors & Engineers
171 Charming Cross Dr.
Westerville, Ohio 43081
Phone: (614) 891-4970
Fax: (614) 891-4964



1953 MORSE ROAD
COLUMBUS, OH

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development
PROPERTY ADDRESS: 1953 Morse Road (Turkey Hill site and residual acreage)
OWNER(S): TH Midwest, Inc.
APPLICANT/AGENT: Skilken D.S.
DATE OF TEXT: June 9, 2011
July 5, 2011
APPLICATION #: Z11-018

1. INTRODUCTION: This site (Parcel ID# 010-011297) represents the balance of property remaining from a formerly vacated Chrysler dealership. The majority of the property is presently under construction and will be a Turkey Hill Minit Market store with fuel sales and a car wash. The property is currently zoned C-4 and the fuel sales and car wash uses were permitted by Council Variance # CV09-011. One of the conditions of that approval was that the applicant would file an application to rezone the subject site to the CPD, Commercial Planned Development District within eighteen (18) months of the date that the Council Variance became effective. The following text is hereby submitted in support of said rezoning application. The remaining property will be split into two parcels, one containing the Turkey Hill Minit Market store and the residual will be left over for future development; as such this text establishes two sub-areas with respect to the development of the subject property. Sub-Area A is the Turkey Hill Minit Market site and will have an area of around 1.815 acres and Sub-Area B is the residual commercial property contemplated for future development and will have an area of around 1.0 acre.

SUB-AREA "A" (1.815 ACRES)

2. PERMITTED USES: The permitted uses proposed for this sub-area would be those contained in Section 3356, C-4, Commercial District of the Columbus City Code but also includes fuel sales and a car wash.

3. USE EXCLUSIONS: From the permitted uses outlined above, the following uses shall be excluded: Business college, Electric substation, Funeral parlor, Hotel, Motel, Motor bus terminal, Motion picture theater, Off premises graphics, Public parking for pay, Trade school, Commercial radio transmitting or television station and appurtenances, Automobile salesroom, Bowling alley, Cabaret, Dance Hall, Garage repair shop, Private club, New or second hand car lot, Nightclub, Poolroom, Poultry (killing and dressing for retail on premises), Public parking garage for pay, Stable (not for more than 5 animals), Testing or experimental laboratory, Motor vehicle sales, service, maintenance, or leasing (except that fuel sales and car wash shall be permissible).

4. DEVELOPMENT STANDARDS: This sub-area is being developed in accordance with the attached CPD Site Plan.

A. Density, Height, Lot Coverage, and Setback Requirements:

1. The approximate two (2) acre site will be developed with a retail convenience store with a fuel sales canopy that includes eight (8) pump island dispensers totaling sixteen (16) fueling positions, and a one-bay automatic car wash.

B. Parking Standards, Access, and Traffic:

1. The development will be served by a maximum of twenty-two (22) parking spaces as illustrated on the attached CPD Site Plan.

2. The development will be served by two access points coming off of the public service drive south of Morse Road. To the west of the site there is a one-way access point coming from the service drive that will

be utilized by both Sub-Area "A" and "B". To the east of the site there is a full service curb cut on the public service drive that will also be utilized by both Sub-Area "A" and "B".

C. Building design and/or Interior-Exterior treatment commitments:

1. Building Height. Buildings constructed on the property shall not exceed thirty-five (35) feet in height as measured from finished grade at the base of the building, excluding parapets or other roof or wall extensions the purpose of which are to add architectural detail and screening of rooftop mechanical equipment.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments:

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

a. Outdoor displays shall only be permitted on an internal sidewalk.

b. Pump island end cap displays shall not exceed a footprint of 2' x 2' nor exceed a height of 4'.

E. Graphics 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, Commercial District, and as further restricted by Section 3372.806 (Graphics) of the Regional Commercial Overlay text, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Information/Commitments:

1. Given the intent of this CPD to address the interaction of the pedestrian with the built environment along Morse Road and the public service drive frontage, pedestrian connections will be made between the public sidewalks and the sidewalk in front of the store providing a safe, designated location for pedestrians to cross through the fuel station's parking lot. In addition, an inverted U-shaped bike rack will be installed in a central location for customers or employees that ride their bike to the facility either by choice or because of limited alternatives.

2. The site shall be developed in general conformance with the attached CPD Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. 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 his designee, upon submission of the appropriate data regarding the proposed adjustment.

3. 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.

SUB-AREA “B” (1.000 ACRE)

2. **PERMITTED USES:** The permitted uses proposed for this sub-area would be those contained in Section 3356, C-4, Commercial District of the Columbus City Code.

3. **USE EXCLUSIONS:** From the permitted uses outlined above, the following uses shall be excluded: Business college, Electric substation, Funeral parlor, Hotel, Motel, Motor bus terminal, Motion picture theater, Off premises graphics, Public parking for pay, Trade school, Commercial radio transmitting or television station and appurtenances, Automobile salesroom, Bowling alley, Cabaret, Dance Hall, Garage repair shop, Private club, New or second hand car lot, Nightclub, Poolroom, Poultry (killing and dressing for retail on premises), Public parking garage for pay, Stable (not for more than 5 animals), Testing or experimental laboratory, Motor vehicle sales, service, maintenance, or leasing (except that fuel sales and car wash shall be permissible).

4. **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), and 3372 (Regional Commercial Overlay), of the Columbus City Code.

A. Density, Height, Lot Coverage, and Setback Requirements:

1. **Building Height.** Buildings constructed on the property shall not exceed thirty-five (35) feet in height as measured from finished grade at the base of the building, excluding parapets or other roof or wall extensions the purpose of which are to add architectural detail and screening of rooftop mechanical equipment.

B. Parking Standards, Access, and Traffic:

1. The development will have access to the two access points coming off of the public service drive south of Morse Road that are being installed as part of the Sub-Area “A” development. There is a one-way access point coming into the site on the west side of Sub-Area “A” and a full access point coming into the site on the east side of Sub-Area “A”.

C. Building design and/or Interior-Exterior treatment commitments:

1. **Rooftop Mechanical Screening.** Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel; said screening may be in the form of parapet walls, scuppers, or other similar form which serves the same purpose. Ground mounted mechanical or utility equipment shall be screened from ground level view by a screen wall that utilizes finish materials that match the convenience store.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments:

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

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

b. The maximum height for any outside display and/or sales shall be three (3) feet, except for soda machines, ice chests, propane gas cabinets, or other comparable sales devices.

2. The dumpster enclosure will be finished on three sides with masonry to match the primary building and wood gates (or other comparable material) on the access side.

F. Graphics 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, Commercial District, and as further restricted by Section 3372.806 (Graphics) of the Regional Commercial Overlay text, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Information/Commitments:

1. Given the intent of this CPD to address the interaction of the pedestrian with the built environment along Morse Road and the public service drive frontage, pedestrian connections will be made between the public sidewalks and the sidewalk in front of the primary building providing a safe, designated location for pedestrians to cross through the parking lot. In addition, an inverted U-shaped bike rack will be installed in a central location for customers or employees that ride their bike to the facility either by choice or because of limited alternatives.

CPD Criteria (Applicable to both Sub-Areas):

A. **NATURAL ENVIRONMENT:** The site is the remainder of the former Bob Caldwell Chrysler automobile dealership. The property, located off of a public service drive on the south side of Morse Road directly across from the intersection with Heaton, is zoned C-4. Fuel sales, a car wash and an expanded maximum parking ratio were approved for this site by way of Council Variance # CV09-011 with the condition that a rezoning application be submitted within eighteen (18) months of the effective date of the Council Variance. The property is just east of the former Northland Mall site, which itself is experiencing much redevelopment and new growth with the recent opening of Menard's and several quick service restaurants. The site is located proximate to Interstate 71 and is within an area of Morse Road that is considered a heavy commercial corridor.

B. **EXISTING LAND USES:** Immediately north of the proposed site is two commercial properties on either side of the intersection of Morse Road and Heaton Road. On the northeast corner are two strip buildings with a variety of businesses on a property zoned LC-4 (Z88-1994); on the northwest corner is a newer Chrysler Jeep automobile dealership on property zoned C-4 (Z66-053). East of the site is the Fountain Square Shopping Center housing a variety of retail businesses on property zoned C-4 (Z66-106). The parcel immediately west of the site is a small private school and is zoned C-2 (Z70-141). Finally to the south, is a parcel zoned C-2 (Z70-141) and is home to an office of the Ohio Department of Natural Resources (ODNR). A portion of the parent parcel was split to the school and to ODNR around the time when the Council Variance was approved for Turkey Hill and after they closed on the property leaving the remaining 2.815 acres that is the subject of this rezoning.

C. **TRANSPORTATION AND CIRCULATION:** The proposed development will be served by two curb cuts on the public service drive just south of Morse Road. The western curb cut is a one-way entrance into the site that will be shared by Sub-areas "A" and "B". The public service drive just west of this curb cut becomes one-way westbound toward the Menard's site. This was a requirement of the Department of Public Service, Division of Planning & Operations during the Council Variance approval so that traffic leaving the Menard's site would not filter to the light at Morse and Heaton because there is not adequate stacking room because of the proximity of the public service road to that intersection. The eastern curb cut is a full service curb cut onto the public service road.

D. **VISUAL FORM OF THE ENVIRONMENT:** The Turkey Hill Minit Market store and the future development on Sub-Area B will continue the pattern of redevelopment starting by the Master Planning and ultimate redevelopment of the Northland Mall site. This development will replace a formerly vacated automobile dealership and will bring a measure of vitality and life to the Fountain Square area, which could serve as the catalyst to continue redevelopment down the Morse Road corridor at least within the boundaries of the Northland Area Plan.

E. VIEW AND VISIBILITY: The real impact to the Morse Road view corridor is as a continuation of the Northland Mall redevelopment signaling positive economic change in this sector of the Northland Area Plan boundary.

F. PROPOSED DEVELOPMENT: The proposed development has two sub-areas; Sub-Area "A" is for a Turkey Hill Minit Market store that is presently under construction and will include a convenience store, fueling canopy with eight (8) pump island dispensers totaling sixteen (16) fueling positions and a one-bay automatic car wash. Sub-Area "B" contemplates a C-4 retail use that will be developed sometime in the future.

G. EMISSIONS: No adverse effects from emissions shall result from the proposed development.

H. BEHAVIOR PATTERNS: The proposed development will not adversely impact the current behavior patterns of the surrounding area and roadway network, in fact if approved this site plan will improve the behavior patterns of the surrounding area and roadway network. A pedestrian circulation system has been designed that will provide a safe and convenient location for pedestrians or bicyclists to connect to the fuel center from the public sidewalks. Having a vacant lot redeveloped will be beneficial to the neighborhood in that certain activities that take place on vacant lots can be quelled by the operation of a thriving business.

Signature: _____

Date: _____

Signature: _____

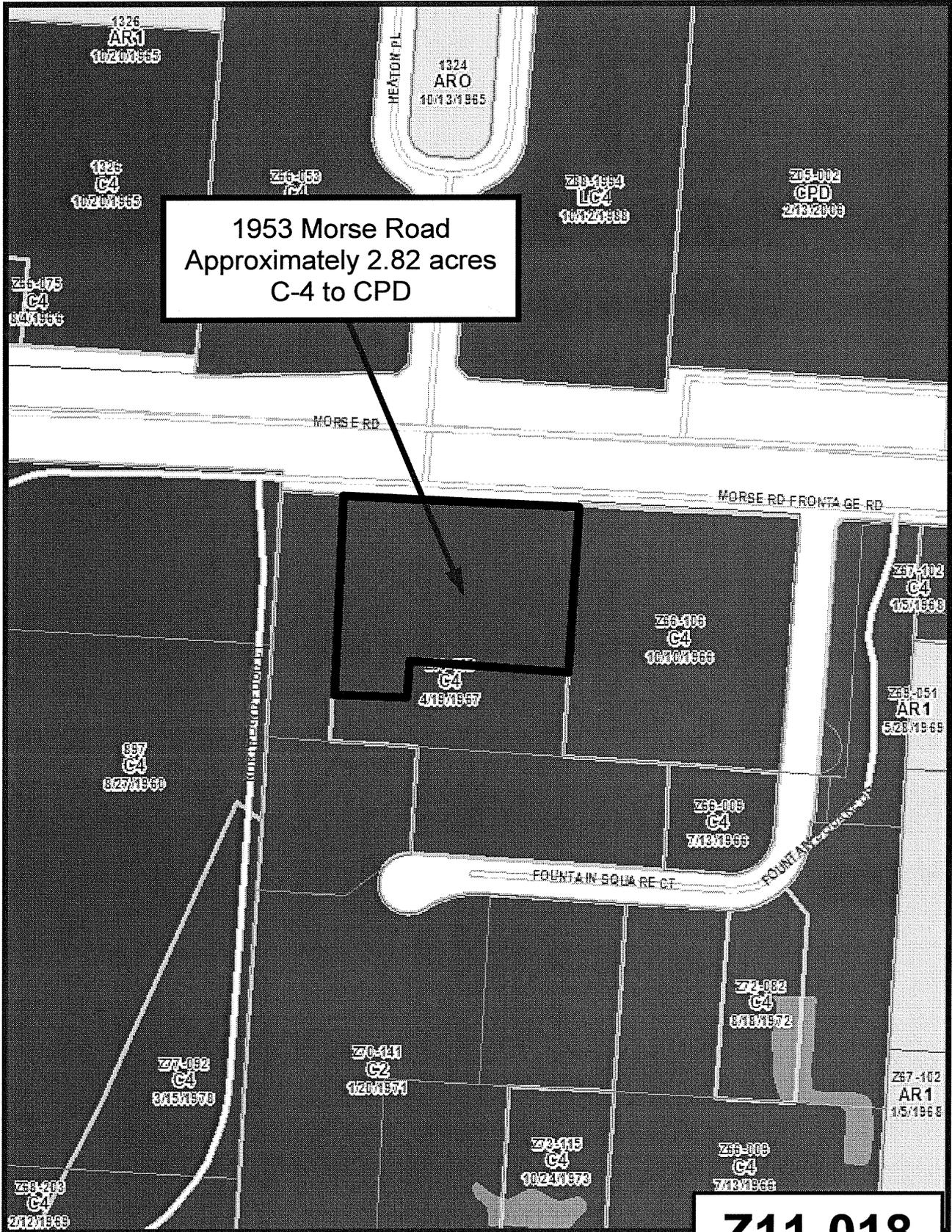
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Signature: _____

Date: _____

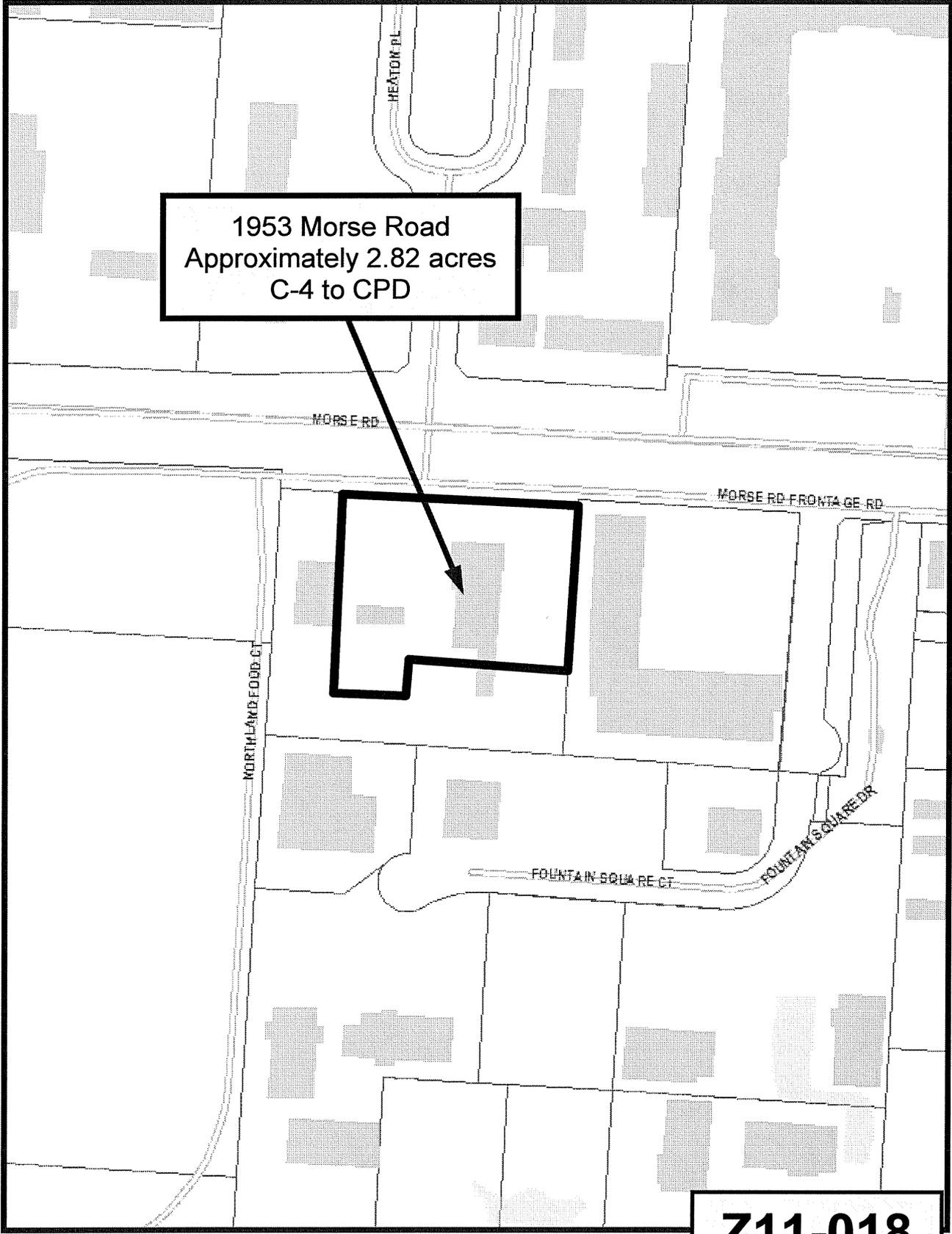
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Date: _____

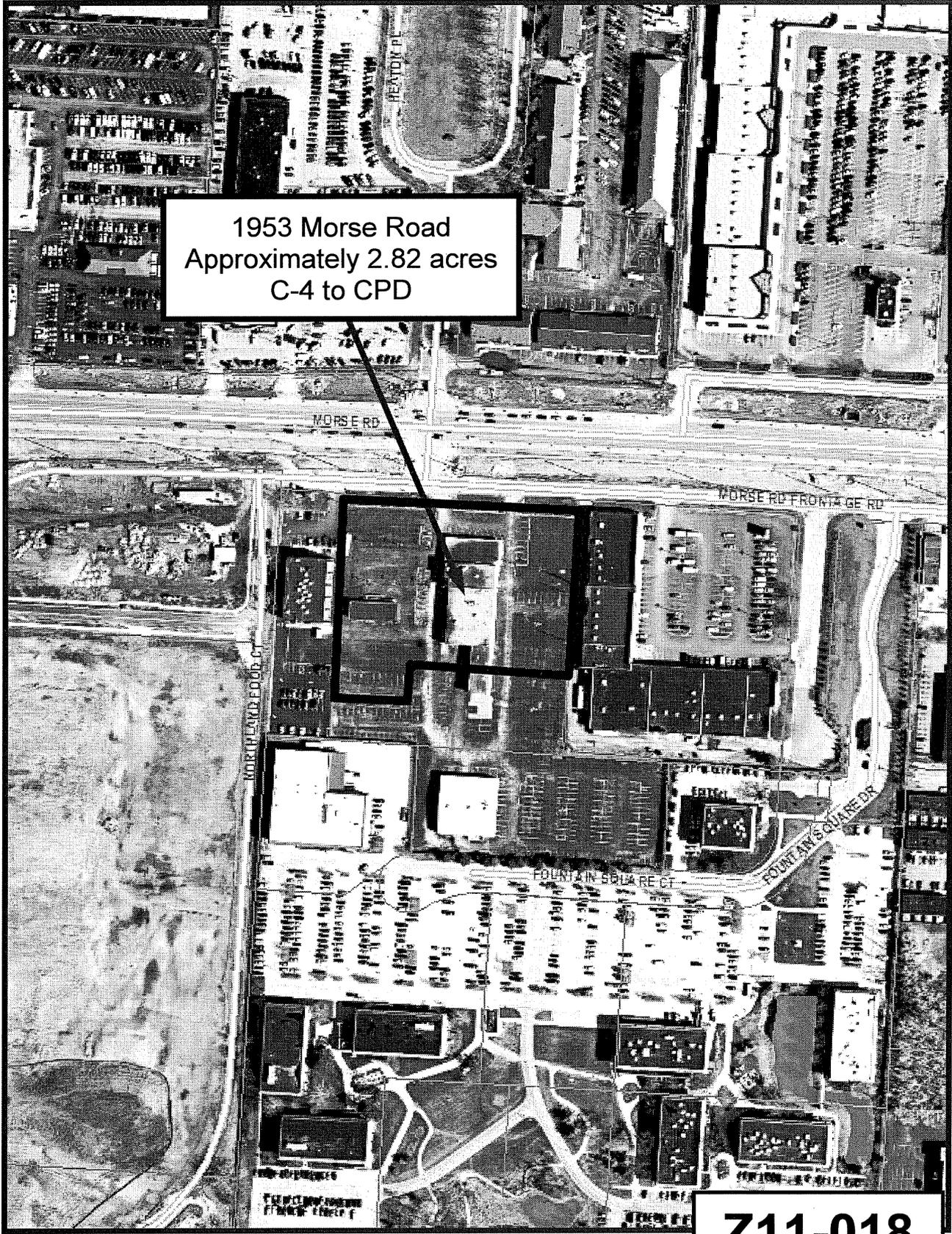


Z11-018

1953 Morse Road
Approximately 2.82 acres
C-4 to CPD



Z11-018

An aerial photograph of an industrial area. A large parcel is outlined in black and labeled with a callout box. The parcel is situated between Morse Road to the north and Fountain Square Ct to the south. To the west is Northland Road Ct, and to the east is Fountain Square Dr. The area contains several large industrial buildings, parking lots, and some undeveloped land. A callout box points to a specific parcel within the outlined area.

1953 Morse Road
Approximately 2.82 acres
C-4 to CPD

Z11-018