



OFFICE USE ONLY

Application # Z10-018

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

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

Total: _____

Date of Submittal: 6/29/10

Planning Area: _____

Received by: D Hitt

REZONING APPLICATION

LOCATION AND ZONING REQUEST

Certified Address (for Zoning Purposes) 4899 Sunbury Road Zip 43230

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 010-259856 and part (0.30 +/- Ac) of 600-103382

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

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

Recognized Area Commission or Civic Association Northland Community Council

See instructions in "Things to Remember" on front of application packet.

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

Proposed Height District: H-60 Acreage 4.1 +/- Acres

(Columbus City Code Section 3309.14)

APPLICANT

Name Easton Hotel Holdings LLC c/o David B. Perry, David Perry Co., Inc.

Address 145 East Rich Street, 3rd Flr City Columbus, OH Zip 43215

Phone# 228-1727 Fax # 228-1790 Email dave@daveperryco.net

PROPERTY OWNER(S) (2)

Name Easton Hotel Holdings LLC c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Flr City Columbus, OH Zip 43215

Phone# 947-8600 Fax # 228-1790 Email dplank@planklaw.com

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

ATTORNEY/AGENT (CIRCLE ONE IF APPLICABLE) For Easton Hotel Holdings LLC

Name Donald Plank, Plank Law Firm

Address 145 E. Rich Street, 3rd Flr. City Columbus, OH Zip 43215

Phone# 947-8600 Fax # 228-1790 Email dplank@planklaw.com

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

Applicant Signature Easton Hotel Holdings LLC by David B. Perry, Agent

Property Owner Signature s(2) Donald Plank Charles M. DeWitt / attorney

Attorney/Agent Signature Donald Plank Easton Hotel Holdings LLC / Lamb of God Evangelical Lutheran Church

Attorney for Easton Hotel Holdings LLC, 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.

Supplemental Property Owners List:

4899 Sunbury Road, Columbus, OH
Z10- 018

- 1). Easton Hotel Holdings LLC
c/o Mr. Kal Patel
7723 Tylers Place Boulevard
West Chester, OH 45069
Parcel: 010-259856

- 2). Lamb of God Evangelical Lutheran Church
c/o Mr. Charles Sigrist, President
634 Olde North Church Road
Westerville, OH 43081-3133
Parcel: 600-103382 (part of)



City of Columbus Zoning Plat



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: 010259856

Zoning Number: 4899

Street Name: SUNBURY RD

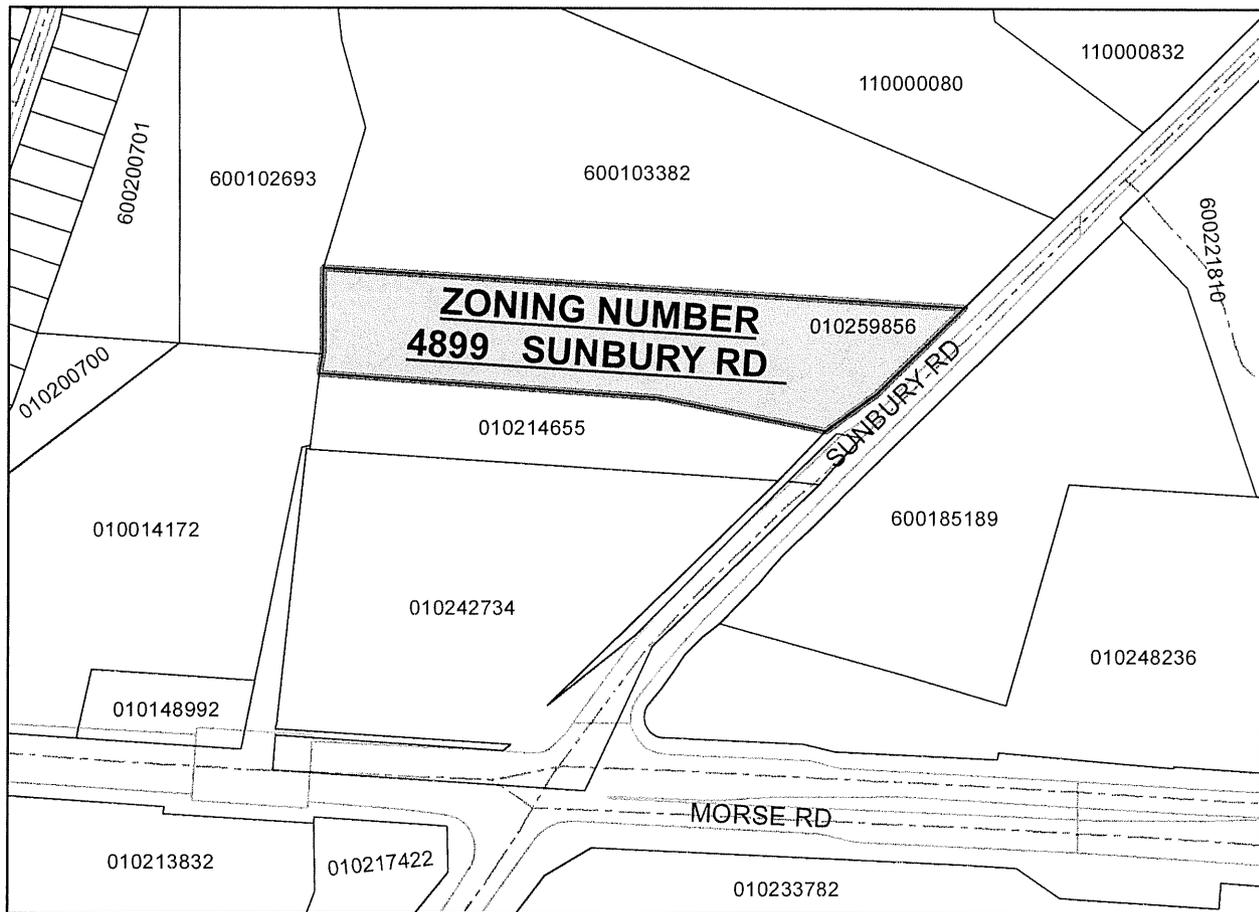
Lot Number: N/A

Subdivision: N/A

Requested By: THE DAVE PERRY CO

Issued By: *Adyana Amarian*

Date: 6/24/2010



SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 27



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



AFFIDAVIT

(See instruction sheet)

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # 210-018

Being first duly cautioned and sworn (1) NAME DAVID B. PERRY
of (1) MAILING ADDRESS 145 East Rich Street, 3rd. Flr., 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 4899 Sunbury Road
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) 6/29/10

(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) Easton Hotel Holdings LLC
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

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

Easton Hotel Holdings LLC
c/o David B. Perry, Agent
(614) 228-1727

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

(5) Northland Community Council
c/o Robert Thurman
4493 Flower Garden Drive
New Albany, OH 43054

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) David B Perry
Subscribed to me in my presence and before me this 29th day of June, in the year 2010
SIGNATURE OF NOTARY PUBLIC
Amy K Kuhn
My Commission Expires:

This Affidavit expires six months after date of notarization.

Notary Seal Here



Amy K. Kuhn, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Supplemental Property Owners List:

4899 Sunbury Road, Columbus, OH

Z10- 018

- 1). Easton Hotel Holdings LLC
c/o Mr. Kal Patel
7723 Tylers Place Boulevard
West Chester, OH 45069
Parcel: 010-259856

- 2). Lamb of God Evangelical Lutheran Church
c/o Mr. Charles Sigrist, President
634 Olde North Church Road
Westerville, OH 43081-3133
Parcel: 600-103382 (part of)

Exhibit A
4899 Sunbury Road
Z10-018
June 25, 2010

APPLICANT:

Easton Hotel Holdings LLC
c/o David B. Perry
David Perry Co., Inc
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

PROPERTY OWNER:

Easton Hotel Holdings LLC
c/o Donald Plank
Plank law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

ATTORNEY FOR APPLICANT

Donald Plank
Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215-5240

Lamb of God Evangel Lutheran Church
c/o Charles Sigrist, President
634 Olde North Church Road
Westerville, OH 43081-3133

COMMUNITY GROUP/COALITION:

Northland Community Council
c/o Mr. Robert Thurman, Chairman
4493 Flower Garden Dr.
New Albany, OH 43054

**SURROUNDING PROPERTY
OWNERS (125 Feet)**

CRI Easton Square LLC
c/o Amy Ryczko
191 W Nationwide Blvd., Suite 200
Columbus, OH 43215-2558

CarMax Auto Superstores, Inc.
12800 Tuckahoe Creek Parkway
Richmond, VA 23238

City of Columbus
Real Estate Management
90 West Broad Street, Room 425
Columbus, OH 43215

Thomas K. Ritchey
4955 Sunbury Road
Gahanna, OH 43230

Kim R. Knoppe
634 Bear Run Lane
Lewis Center, OH 43035

Lauer Real Estate LLC et. al.
c/o Nicholas J. and Gregory L. Ford
7340 Stone Gate Drive
New Albany, OH 43054

SHEET 1 of 2
June 25, 2010
Z10-_____
4899 Sunbury Road

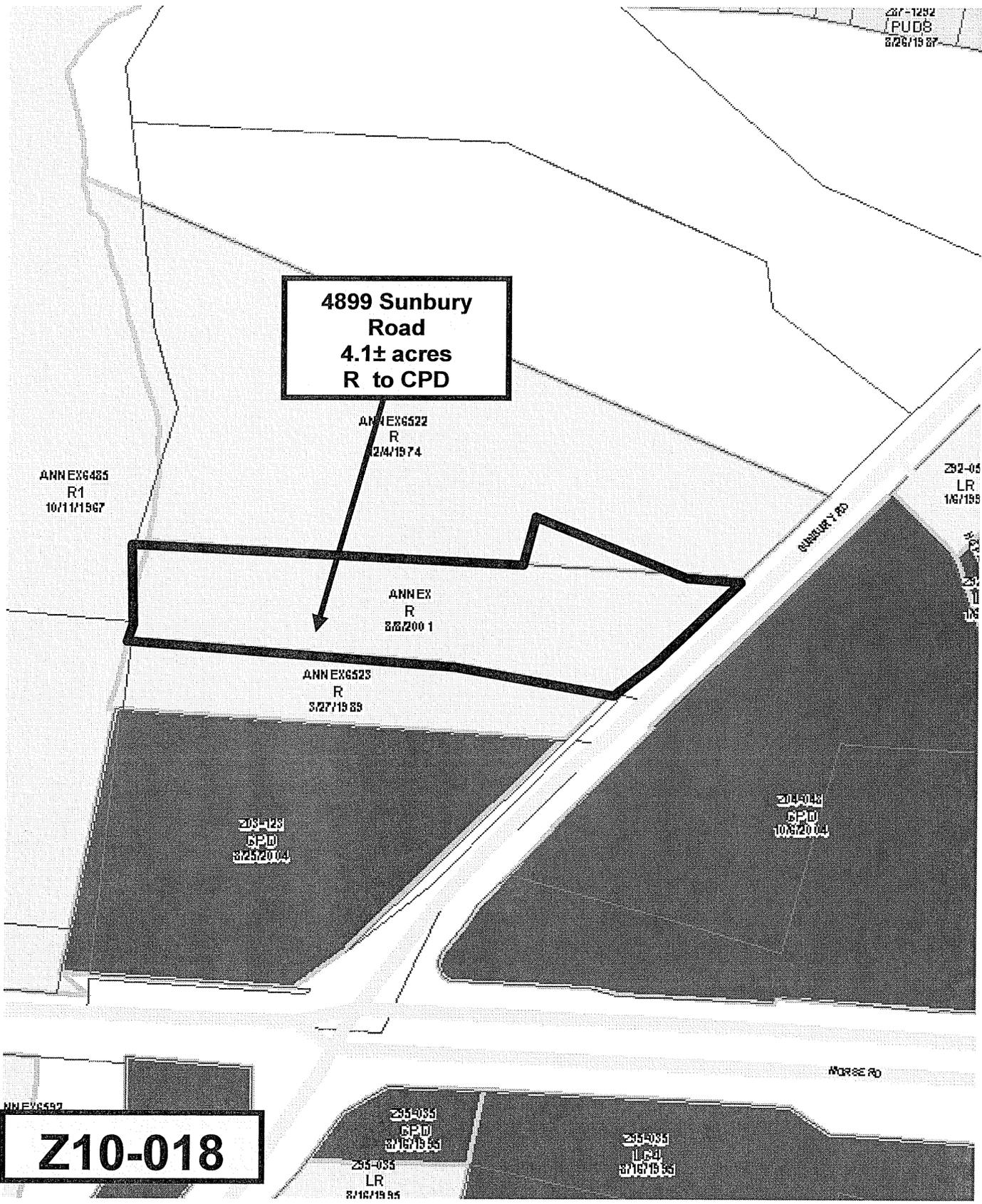
ALSO NOTIFY:

Easton Hotel Holdings LLC
7723 Tylers Place Boulevard
West Chester, OH 45069

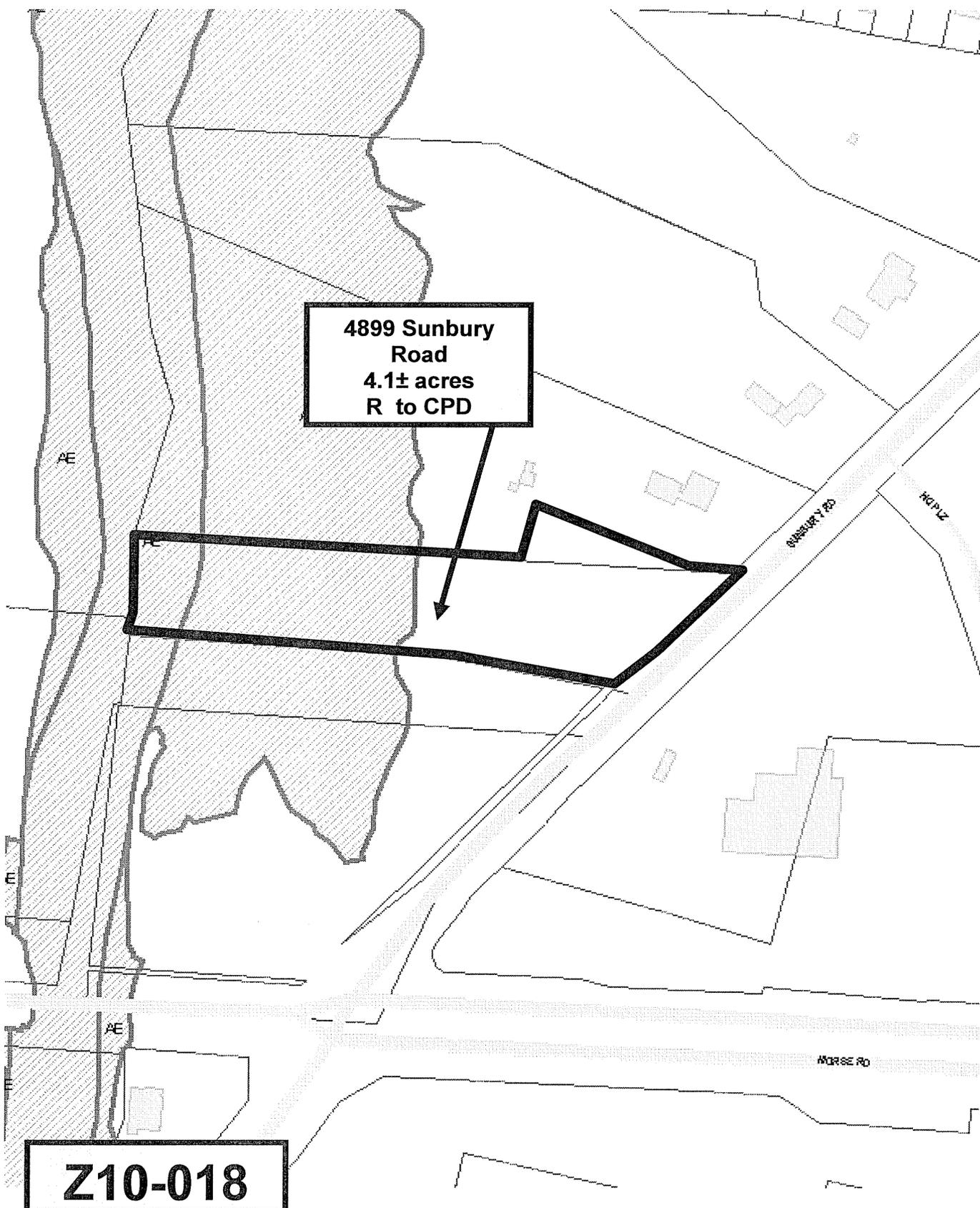
John A. Moses
Hi-Five Development Services
202 West Main Street
Mason, OH 45040

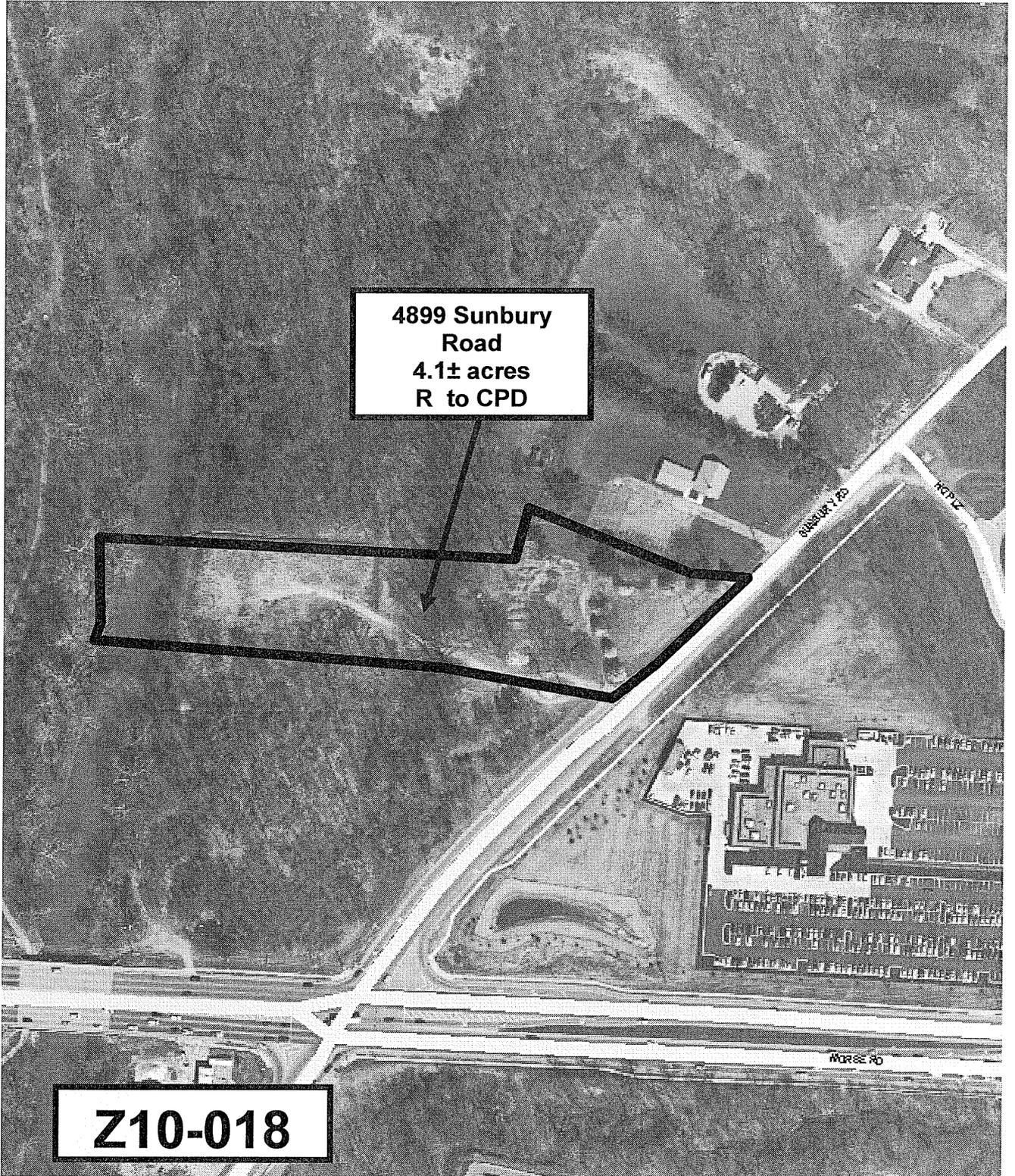
David Perry
The David Perry Company
145 East Rich Street, 3rd Flr.
Columbus, Ohio 43215

Pastor Darren Knoll
Lamb of God Evangelical Lutheran
Church
4925 Sunbury Road
Gahanna, OH 43230



Z10-018







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 # 210-018

Being first duly cautioned and sworn (NAME) DONALD PLANK
of (COMPLETE ADDRESS) 145 East Rich Street, 3rd Flr., 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. Easton Hotel Holdings LLC 7723 Tylers Place Boulevard West Chester, OH 45069 # Columbus Based Employees: 0 Contact: Kal Patel, (513) 442-3454</p>	<p>2. Lamb of God Evangelical Lutheran Church 634 Olde North Church Road Westerville, OH 43081-3133 # Columbus Based Employees: 1 Contact: Charles Sigrist (614) 882-1458</p>
<p>3. -----</p>	<p>4. -----</p>

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 June, in the year 2010

SIGNATURE OF NOTARY PUBLIC

Amy K. Kuhn

My Commission Expires:

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

Notary Seal Here



Amy K. Kuhn, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

**CPD, Commercial Planned Development
4899 Sunbury Road
Columbus, OH**

PROPOSED DISTRICT: CPD, Commercial Planned Development
EXISTING DISTRICT: R, Rural District
ACRES: 4.1 +/- acres
PROPERTY ADDRESS: 4899 Sunbury Road
OWNER(S): 1) Easton Hotel Holdings LLC c/o Donald Plank,
Plank Law Firm, 145 East Rich Street, 3rd Flr.,
Columbus, OH 43215 and
2) Lamb of God Evangelical Lutheran Church
c/o Charles M. Sigrist, 634 Olde North Church
Road, Westerville, OH 43081-3133

APPLICANT: Easton Hotel Holdings LLC c/o Dave Perry, David
Perry Co., Inc., 145 East Rich Street, 3rd Flr.,
Columbus, OH 43215 and Donald Plank,
Plank Law Firm, 45 East Rich Street, 3rd Flr.
Columbus, OH 43215

DATE OF TEXT: June 28, 2010
APPLICATION NUMBER: Z10- 019

INTRODUCTION: The site for rezoning is on the west side of Sunbury Road, north of the intersection of Morse Road. The rezoning site consists of all of PID 010-259856, which is undeveloped and 0.296 +/- acres of PID 600-103382, abutting to the north of 010-259856. PID 600-103382 is 8.970 acres, is zoned R, Rural, is developed with a church and accessory parking. Applicant proposes to rezone 0.296 acres of PID 600-103382 and all of PID 010-259856 to CPD, Commercial Planned Development for development of a hotel as depicted on the submitted site plan. The site plan for the hotel includes the 0.296 acre split. After rezoning is complete, there will be a split of the 0.296 acres. As a result of the development of Easton Town Center, commercial growth has expanded along Morse Road from the I-270 interchange to the west. Commercial zoning and uses are located along the Morse Road corridor. Development of the site with a hotel is supported by the Northland Plan. The site plan for the hotel development, titled "Site Plan, Holiday Inn Express, 4899 Sunbury Road, Columbus, OH", hereafter referred to as "Site Plan", is referenced in Section I., Miscellaneous commitments. The site landscape plan, titled "Site Landscape Plan, 4899 Sunbury Road, Columbus, OH", hereafter referred to as "Site Landscape Plan", is referenced in Section I., Miscellaneous commitments.

1. **PERMITTED USES:** Permitted uses shall be a hotel and accessory uses related to a hotel, as permitted in 3356.03, of Columbus City Code.

2. **DEVELOPMENT STANDARDS:** Unless other wise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District), Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards.

A. Density, Lot and/or Setback Commitments.

1. For structures and paved areas lot coverage shall not exceed eighty percent (80%).
2. Parking setback from Sunbury Road shall be 10 feet.
3. Building setback from Sunbury Road shall be 50 feet.
4. Height District shall be H-60, with a maximum height, as defined (3303.08, Letter H., "Height") of fifty (50) feet.

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

1. There shall be a single, full-turning movement curbcut that will provide access to Sunbury Road for this site and the adjacent property to the south. Applicable easements for use and maintenance of the curbcut shall be provided between the property owners. Developer of 4899 Sunbury Road shall construct pavement to the south property line of PID 010-259856, as depicted on the Site Plan.
2. Sunbury Road right of way totaling 50 feet from centerline shall be dedicated to the City of Columbus.

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

1. Street trees shall be provided along Sunbury Road at the rate of one (1) tree for every forty (40) lineal feet of street frontage, excepting the driveway pavement.
2. One (1) tree shall be planted for every ten (10) parking spaces. Trees shall be planted in islands or medians at least five (5) feet wide.
3. Site landscaping shall be provided as depicted on the plan titled "Site Landscape Plan, 4899 Sunbury Road, Columbus, OH", dated _____, as referenced in Section I, Miscellaneous.
4. All landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first. The size of the new material shall equal the size of the original material when it was installed.
5. The minimum size of all trees at installation shall be two and one half (2 ½) inch in caliper for deciduous trees, five (5) feet in height for evergreen trees, and one and one half (1 ½) inches in caliper for ornamental trees, Tree caliper shall be measured six (6) inches from the ground.

6. The developer shall establish a conservation easement (120 feet in width) along Alum Creek, measured from top of bank, subject to crossing the conservation easement for utilities and for compliance with the City's stormwater management requirements, as may be applicable.

7. Parkland Dedication Ordinance fees of \$400/acre shall be paid in conjunction with the Site Plan Compliance Review process.

D. Building Interior-Exterior commitments.

Mechanical equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment, so the equipment isn't visible from the property lines of the site.

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

1. Wiring within the site shall be underground.
2. Refuse service shall be provided by private hauler.

F. Graphics and/or Signage Commitments.

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 any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration. Any ground sign shall be monument style.

G). Other CPD Requirements.

1. Natural Environment: The natural environment of the site is flat at Sunbury Road with the grade declining to the west toward Alum Creek. The site is located north of the intersection of Morse Road and Sunbury Road. The site is undeveloped.
2. Existing Land Use: The site is undeveloped.
3. Circulation: Access to and from the site will be via a single shared full turning movement curbcut. The property to the south shall have access to the curbcut by easement.
4. Visual Form of the Environment: Commercial development exists on the east side of Sunbury Road, across from the site. Property at the northwest corner of Morse Road and Sunbury Road is zoned commercial. Abutting property to the south, while not zoned commercial, is undeveloped and designated for commercial development in the

Northland Plan. Sunbury Road is a 4-2 arterial on the Thoroughfare Plan. A church is located on abutting property to the north. Alum Creek is to the west.

5. Visibility: The site is located on Sunbury Road, north of Morse Road.

6. Proposed Development: Rezoning to CPD to permit development of a hotel and accessory uses, as depicted on the submitted site plan.

7. Behavior Patterns: Vehicular access will be from Sunbury Road.

8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H). Modification of Code Standards.

1. Section 3312.53, Minimum Number of Loading Spaces, which Section requires one (1) Loading Space, as defined, while developer will provide a loading area to the west of the building for typical delivery vehicles.

2. The hotel site includes 0.296 acres located in Tax District 600 (Columbus/Westerville) while the remainder of the site is located in Tax District 010 (Columbus/Columbus). The total 4.1 +/- acre hotel site, as depicted on the Site Plan, shall be developed and function as depicted. The District 010 and District 600 property, while separate parcels due to the different tax districts, which cannot be combined, shall, at all times be owned by the same entity. A lot split of the 0.296 acre area in District 600 shall be approved based on the Site Plan. The Tax District line shall be disregarded for all purposes related to Site Compliance Plan Review and the 4.1 acre site shall be treated as a single parcel for regulatory purposes. Due to the tax district line, the following code variances are provided:

- a. 3312.09, Aisle, to permit a tax district line to divide a parking lot aisle(s), while the total width of the parking lot aisle shall comply with minimum aisle width.
- b. 3312.25, Maneuvering, to permit parking spaces to have maneuvering area divided by a tax district line and to maneuver across a tax district line, while total code required maneuvering area shall comply.
- c. 3312.29, Parking Space, to permit a tax district line to divide parking spaces, while the total parking space shall comply with required dimensions.

3. 3312.21, Landscaping and Screening, B (3). Parking Setback and Perimeter Landscaping, which Section requires screening of parking lots within 80 feet of residentially zoned property, while the south property line of the subject site is adjacent to a 2 acre parcel (PID 010-214655) zoned R, Rural. The parcel is undeveloped and is designated as appropriate for commercial development in the Northland Plan. Applicant requests a variance to screening along the south property line required by this section.

I.) Miscellaneous commitments.

1. Development of the site shall be in accordance with the Site Plan and Site Landscape Plan titled "Site Plan, Holiday Inn Express, 4899 Sunbury Road, Columbus, OH" and "Site Landscape Plan, 4899 Sunbury Road, Columbus, OH", both dated _____ and signed _____ by David B. Perry, Agent, and Donald Plank, Attorney. The site plan and landscape plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

The undersigned, being the owner and/or applicant in the subject application, does hereby agree singularly and collectively for himself, his 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 be any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

David B. Perry, Agent

Date

Donald Plank, Attorney

Date

