



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

Fee: 1st acre (\$1,850 or \$5,200): 211-001
Each additional acre (\$185 or \$315) _____
Total: _____

Date of Submittal: 1/4/11
Planning Area: ~~South~~ Linden
Received by: SP

CASE PLANNER: Dana Hitt
645-2395
dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 675 E. Hudson Street Zip 43207
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 010-076526-00
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s) CPD and C5 Requested Zoning District(s) CPD
Recognized Area Commission Area Commission or Civic Association South Linden
Proposed Use or reason for rezoning request: Retail store

Proposed Height District: 35' Acreage 1,389 acres
[Columbus City Code Section 3309.14] (continue on separate page if necessary)

APPLICANT:

Name The Hutton Company c/o Laura MacGregor Comek, Esq.
Address 500 S. Front Street, Suite 1200 City/State Columbus Zip 43215
Phone # 229-4557 Fax # 229-4559 Email lcomek@cbjlawyers.com

PROPERTY OWNER(S):

Name BP Exploration & Oil, c/o Thomas A. Gattozzi, Esq.
Address 600 Superior Ave. East City/State Cleveland, OH Zip 44114
Phone # 216-830-6830 Fax # 216-930-6807 Email tgattozzi@brouse.com
 If applicable, check here if listing additional property owners on a separate page [Required]

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Laura MacGregor Comek
Address 500 South Front Street, Suite 1200 City/State Columbus Zip 43215
Phone # 229-4557 Fax # 229-4559 Email: lcomek@cbjlawyers.com

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

APPLICANT SIGNATURE [Signature]
PROPERTY OWNER SIGNATURE [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.
For all questions regarding this form and fees please call: 614-645-8637
Please make all checks payable to the Columbus City Treasurer



REZONING APPLICATION

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AFFIDAVIT

(See instruction sheet)

APPLICATION # Z11-001

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Laura MacGregor Comek
of (1) MAILING ADDRESS 500 South Front Street, Suite 1200, Columbus, Ohio 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 675 East Hudson Street
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) 1/6/11

(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) BP Exploration & Oil, Inc.
c/o Thomas A. Gattozzi, Esq.
Brouse McDowell
600 Superior Avenue East, Suite 1600
Cleveland, Ohio 44114

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

The Hutton Company c/o Laura MacGregor Comek
614-229-4557

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

South Linden Area Commission c/o George Walker Jr
1378 E. 23rd Avenue, Columbus, OH 43211

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 4th day of January, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]
Carol A. Stewart

My Commission Expires

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

This Affidavit expires six months after date of notarization.



Notary Seal Here

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Please make all checks payable to the Columbus City Treasurer

Norma J. Cameron
724 East Hudson Street
Columbus, Ohio 43211

Board of Education
Real Estate Coordinator
270 East State Street
Columbus, Ohio 43215

Norma J. Cameron
724 East Hudson Street
Columbus, Ohio 43211

Thomas 22 Limited
Suite 203
5131 Post Road
Dublin, Ohio 43017

Norma J. Cameron
724 East Hudson Street
Columbus, Ohio 43211

BVMS LLC
666 East Hudson Street
Columbus, Ohio 43211

Norma J. Cameron
724 East Hudson Street
Columbus, Ohio 43211

The Hutton Company
c/o Susan Crosbie
736 Cherry Street
Chattanooga, TN 37402

Norma J. Cameron
724 East Hudson Street
Columbus, Ohio 43211

South Linden Area Commission
c/o George Walker Jr.
1378 E. 23rd Avenue
Columbus, Ohio 43211

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270 East State Street
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666 East Hudson Street
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Suite 203
5131 Post Road
Dublin, Ohio 43017

Owner

Counsel for Applicant

Laura MacGregor Comek, Esq.
Crabbe Brown & James LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215

BP Exploration & Oil, Inc.
c/o Thomas A. Gattozzi
Brouse McDowell
600 Superior Court East, Suite 1600
Cleveland, Ohio 44114

BP Exploration & Oil, Inc.
P.O. Box 1548
Warrenville, Indiana 60555



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: 010076526

Zoning Number: 675

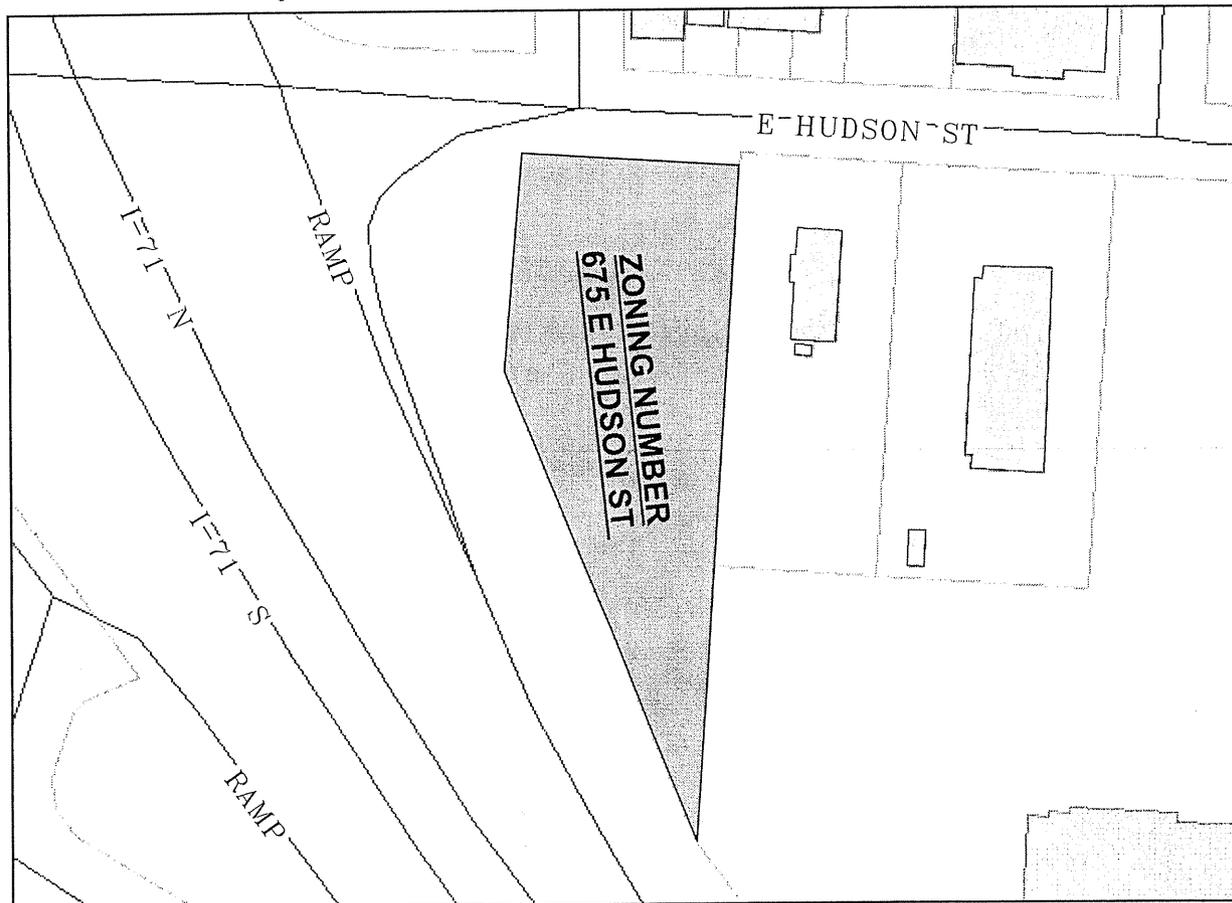
Street Name: E HUDSON ST

Lot Number: N/A

Subdivision: N/A

Requested By: CRABBE, BROWN, & JAMES, LLP (LAURA COMEK)

Issued By: James P. Reagan Date: 12/30/10



SCALE: 1 inch = 150 feet



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



Clarence E. Mingo II

Auditor, Franklin County, Ohio

Geographic Information System

PID: 010-076526
 BP EXPLORATION & OIL INC
 PO BOX 1548, WARRENVILLE IL 60555

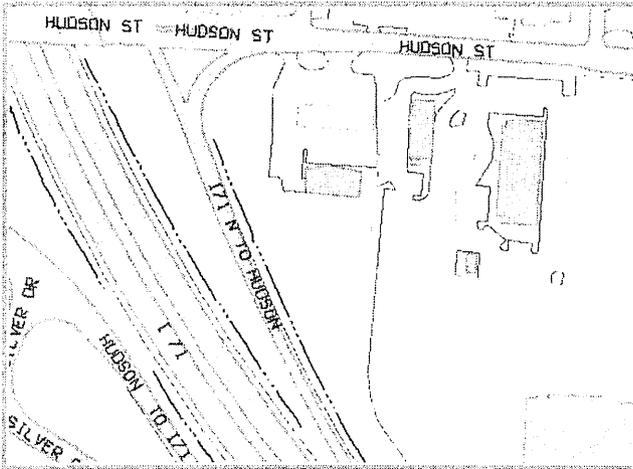
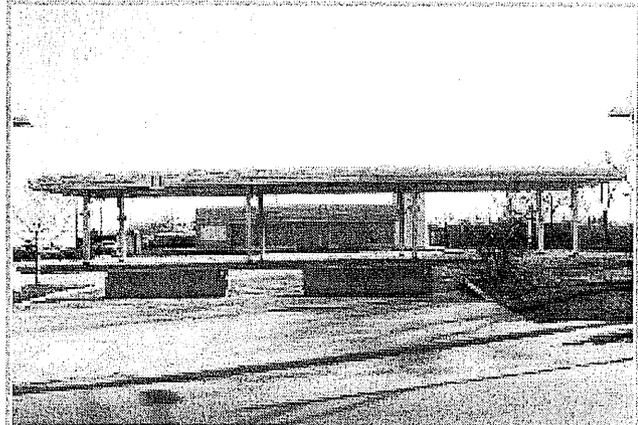


Image Date: 12/28/2010 11:00:36



010-076526 00 04/01/2010

Image Date:

Owner Name BP EXPLORATION & OIL INC
Site Address 675 E HUDSON ST
Mail Address BP AMERICA INC
 PROPERTY TAX DEPT
 PO BOX 1548
 WARRENVILLE, IL 60555
Tax District CITY OF COLUMBUS
Description 667 E HUDSON ST
 R18 T1 1/4T4
 1.389 ACRES

Transfer Date 11/16/2010
Sale Amount \$0
Year Built 2001
Auditor's Map O016 008.00
Neighborhood 01400
School Name COLUMBUS CSD
Annual Taxes \$11,922.76

Auditor's Appraised Values

	Taxable	Exempt	Other Exempt
Land	\$218,100	\$0	\$0
Building	\$226,200	\$0	\$0
Total	\$444,300	\$0	\$0

Accessed Acreage 1.363
Landuse 458 - OTHER COMMERCIAL
CAUV \$0
Homestead NO
Property Class COMMERCIAL

Building Information

Rooms 0 **Baths** 0
Bedrooms 0 **Half Baths** 0

Number of Cards 1
Square Feet 2,800 **Fireplaces** 0
Air Cond. **Stories** 0

Disclaimer

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

211-001



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DAR

DATE: 12/29/10



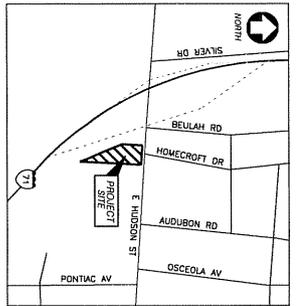
Disclaimer

Scale = 151'



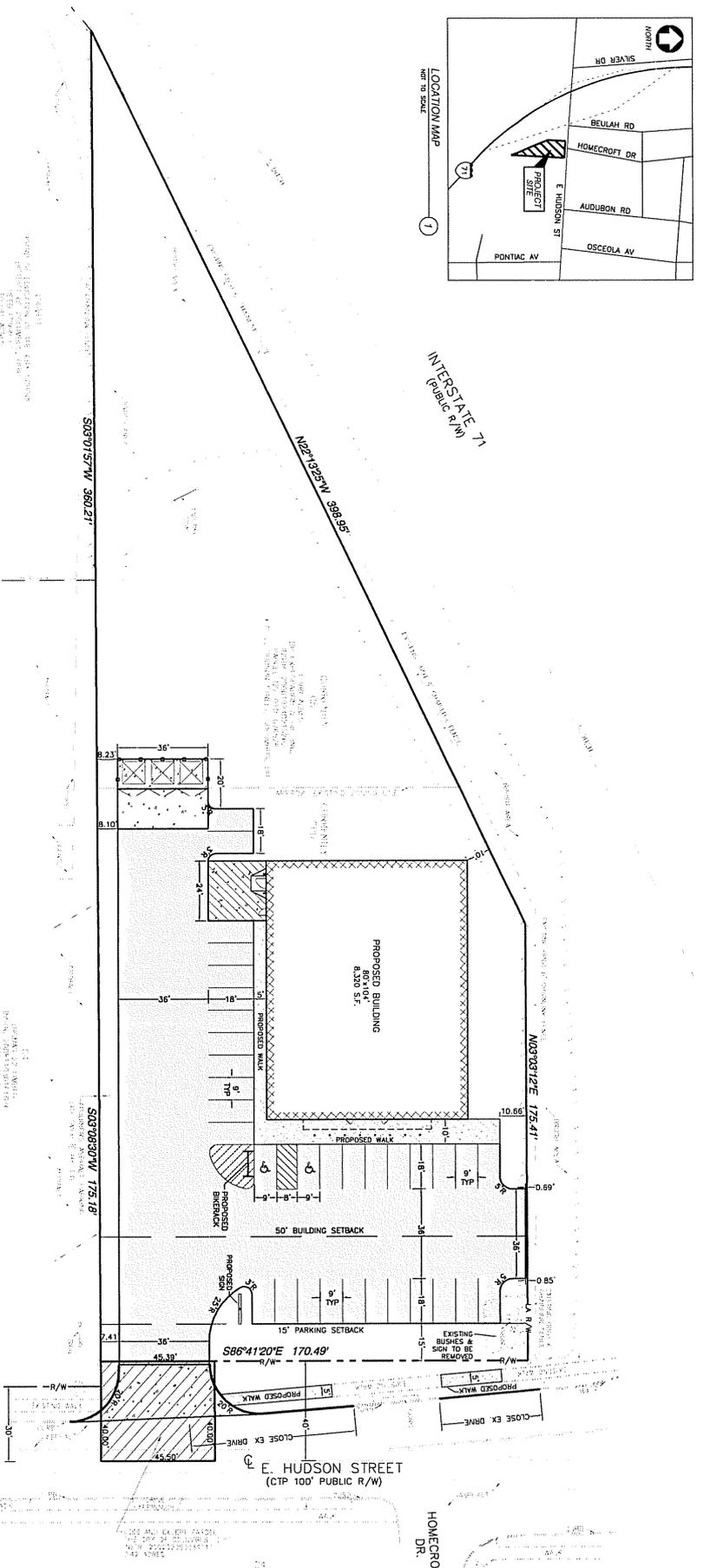
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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



LOCATION MAP
NOT TO SCALE

INTERSTATE 71
(PUBLIC R/W)



LEGEND

1	GAS LINE	1	WATER LINE
2	POWER POLE	2	TELEPHONE POLE
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FLOOD ZONE NOTE:
THE AREA SHOWN IS ON A FRANKLIN COUNTY NON-PRINTED PANEL. FLOOD INSURANCE RATE MAP (FIRM) L10 250400000R, COMMUNITY ID: 550400. NO SPECIAL FLOOD HAZARD AREA FOR THIS SITE.

ZONING:
THIS SITE IS ZONED ORD (COMMERCIAL PLANNED DEVELOPMENT DISTRICT) AND IS COMMERCIAL. THE OWNER/APPLICANT PROPOSES THE FOLLOWING USES AND DEVELOPMENTS:

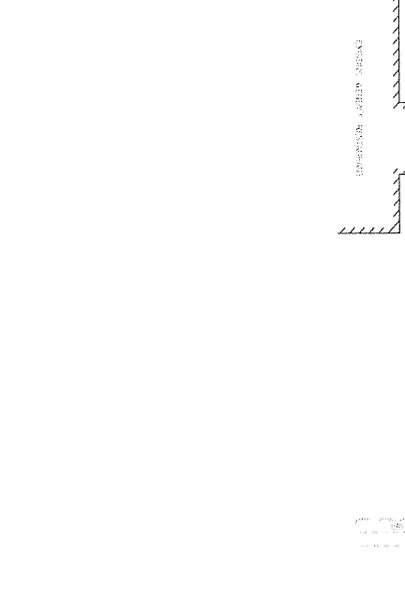
NOTES:
1. UNDERGROUND UTILITIES SHOWN WERE REVEALED FROM A FIELD SURVEY OF ABOVE GROUND STRUCTURES AND EXISTING UTILITIES PROVIDED TO THE SURVEYOR. THE SURVEYOR MAKES NO WARRANTY AS TO THE ACCURACY OF THE INFORMATION PROVIDED. THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE APPROXIMATE, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED.

2. ALL UTILITIES SHALL MEET ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS.

3. PARKING SPACES REQUIRED: 31
NON-PARKING SPACES: 21

4. LANDSCAPING WILL COMPLY WITH ORD DISTRICT REQUIREMENTS.

5. CONCRETE SPREADING TO COMPLY WITH CITY OF COLUMBUS CODE 353.74(B).



FAMILY DOLLAR
675 E HUDSON ST.
COLUMBUS, OH

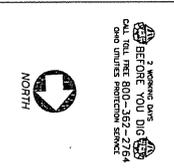
REZONING PLAN
2 OF 2
50% PROJECT NO. 248

SANDS DECKER CPS
ENGINEERS • SURVEYORS

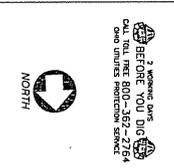
307 WEST FRONT ST
LOANS, OH 43138
760.363.2140
FAX: 760.363.5291

1455 OLD HENDERSON RD
COLUMBUS, OH 43229
FAX: 614-439-6987
TOLL FREE: 866-277-0600

507 MAIN STREET, SUITE 205
ZANESVILLE, OH 43085
FAX: 740-450-1441



3 Before You Dig
Call Toll Free 800-362-2754
Or Utilities Marking Service



01-03-11 REZONING

Vertical Curve: 248' x 1.25% x 248'

Stationing: 1+00.00 to 1+248.00

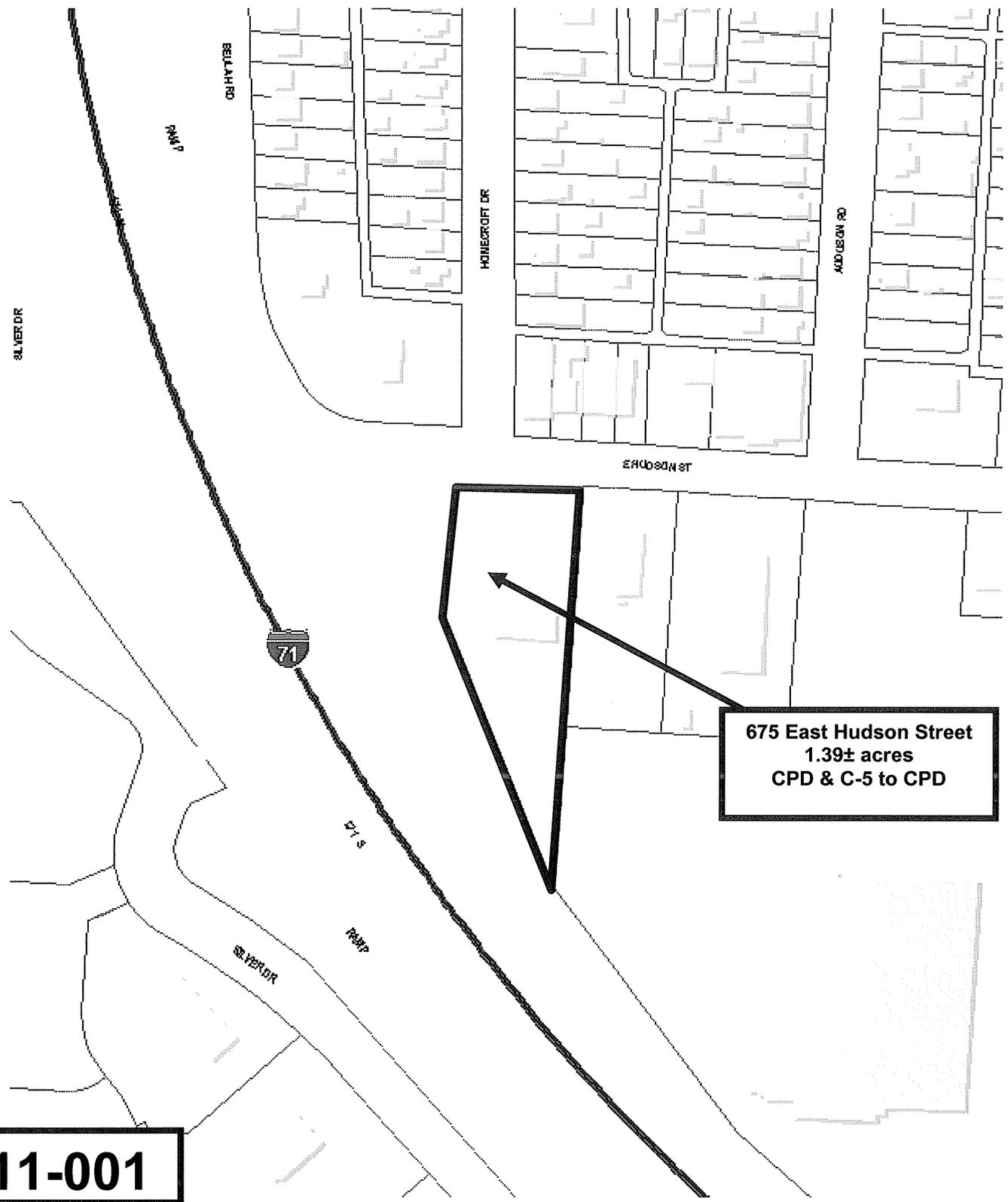
Vertical Curve: 248' x 1.25% x 248'

Stationing: 1+00.00 to 1+248.00

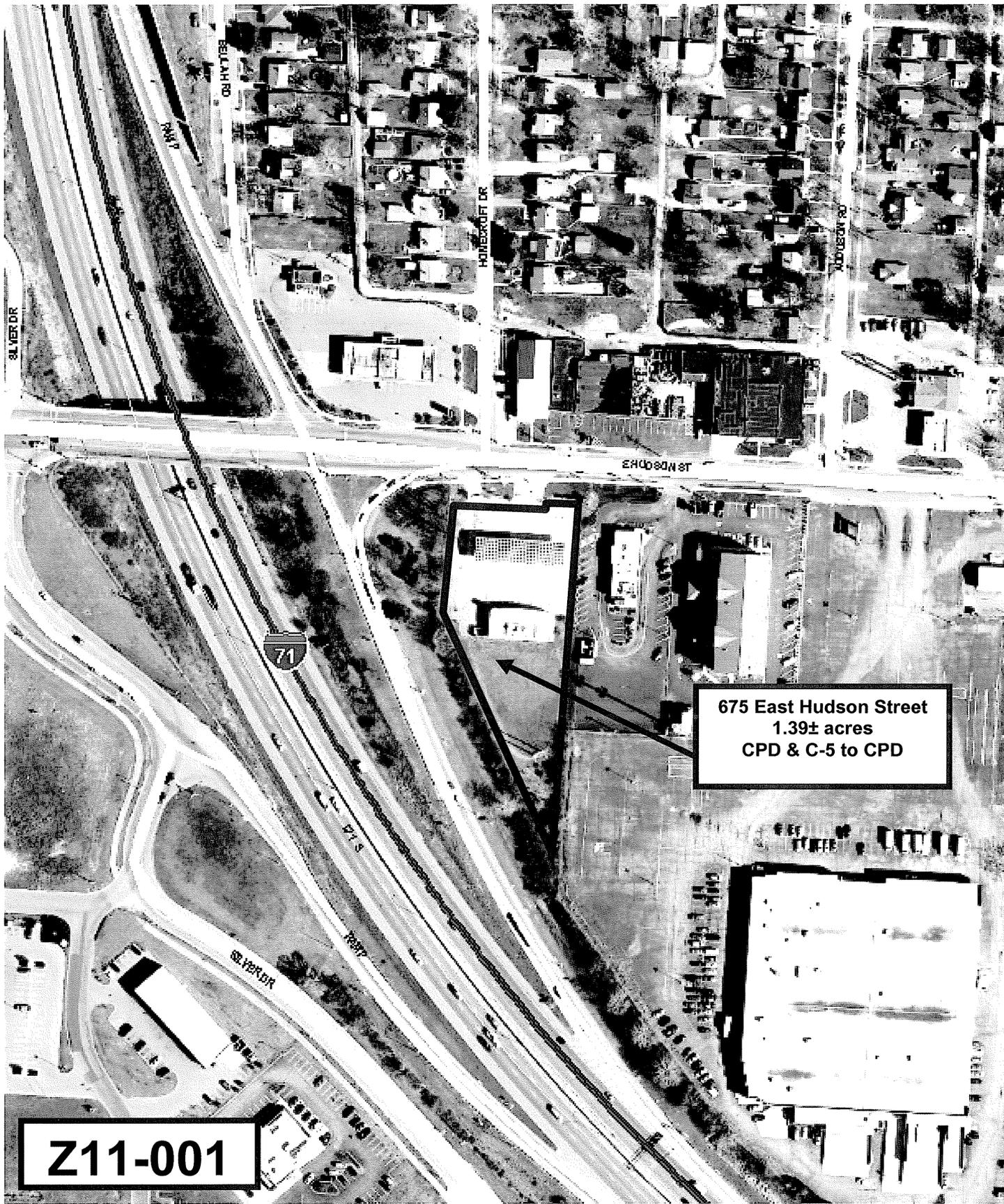
Vertical Curve: 248' x 1.25% x 248'

Stationing: 1+00.00 to 1+248.00

Z11-001



**675 East Hudson Street
1.39± acres
CPD & C-5 to CPD**



COMMERCIAL PLANNED DEVELOPMENT TEXT
675 E HUDSON ST 1.389 +/- Acres

CURRENT ZONING: C5 COMMERCIAL AND CPD, COMMERCIAL PLANNED DEVELOPMENT
PROPOSED DISTRICT: CPD, COMMERCIAL PLANNED DEVELOPMENT
PROPERTY ADDRESS: 675 E HUDSON ST (43207)

PARCEL ID: 010-076526-00

OWNER: BP EXPLORATION & OIL INC., PO BOX 1548
WARRENVILLE IL 60555

APPLICANT: The Hutton Company c/o Laura MacGregor Comek, Esq., CRABBE,
BROWN & JAMES, LLP, 500 S. Front St., Ste. 1200, Columbus, Ohio 43215,
lcomek@cbjlawyers.com.

DATE OF TEXT: January 4, 2011
APPLICATION NUMBER: Z11- 001

1. INTRODUCTION:

The subject property ("Site") is located along East Hudson Street, immediately east of and adjacent to I-71. The Site lies within the boundaries of the South Linden Area Commission and Plan.

The Site is zoned in the C5 Commercial and CPD, COMMERCIAL PLANNED DEVELOPMENT Districts, and developed with a gas station and convenience store (approved via City Council Ordinance 0773-01(Z01-007). The site is currently vacant.

This rezoning request is being filed to develop a Family Dollar store. The Site is surrounded by a variety of commercial uses:

North: LC4 retail commercial and CPD gas station;

South: I-71 and C4 use Columbus Public Schools Distribution Facility;

East: C4 fast food restaurant with drive-thru;

West: I-71

This text and the Site Plan ("Site Plan") are being submitted to visually depict the proposed conditions and use. The proposed use is favoured by the South Linden Area Plan which seeks to develop neighborhood oriented and transit oriented businesses in the I-71 corridor.

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 East Hudson St..

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 Planning and Operations 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 trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
3. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 inches; Ornamental - 1 inch; 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.

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 Building and Zoning Services, or his designee, upon submission of the appropriate data regarding the proposed adjustment.
2. Owner/Applicant will comply with the Parkland Dedication provisions of C.C.C. Chapter 3318. Such compliance shall be in the form of land dedication and/or a monetary contribution, the details of which shall be reviewed with and approved by the Recreation and Parks Department as a part of this rezoning ordinance.

G. CPD Requirements.

1. Natural Environment. The Site is developed with an existing gas station and convenience store, that are currently vacant.
2. Existing Land Use.
The Site is zoned and used as a gas station and convenience store (currently vacant).
3. Transportation and Circulation.
The Site will be accessed from East Hudson Street as depicted on the attached Site Plan, and will result in reduced curb cuts along East Hudson.

4. Visual Form of the Environment.

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

West: I-71 ;

North: C4 commercial and CPD gas station;

East: fast food with drive-thru

South: I-71 and CPS distribution facility (a C4 use)

5. View and Visibility.

Significant consideration has been given to visibility and safety issues.

6. Proposed Development.

A Family Dollar retail store.

7. Behavior Patterns.

This area has existing traffic flows, including E. Hudson as the major thoroughfare, and the major roadways in and around the area including I-71.

8. Emissions.

With the change in use from gas station to commercial store, there will be no relevant increase of or addition to emissions (in fact a likely decrease)

H. Variances Requested.

1. Variance to CCC8 3356(A)(2) to reduce building setback for I-71 from 25 feet to 10 feet.

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.

Respectfully submitted,

Signature: _____

Date: 1.4.2011



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 # Z11-001

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Laura MacGregor Comek
of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, 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

1. The Hutton Company 423-643-9236 736 Cherry Street Chattanooga, TN 37402 c/o Susan Crosbie - 0 - employees	2. BP Exploration & Oil P.O. Box 1548 Warrenville, Indiana 60555 - 0 - employees
3.	4.

Check here if listing additional parties on a separate page.



Subscribed to me in my presence and before me this 4th day of January, in the year 2011

[Handwritten Signature]
Carol A. Stewart

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

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

Notary Seal Here

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-8637
Please make all checks payable to the Columbus City Treasurer