

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
MARCH 13, 2003**

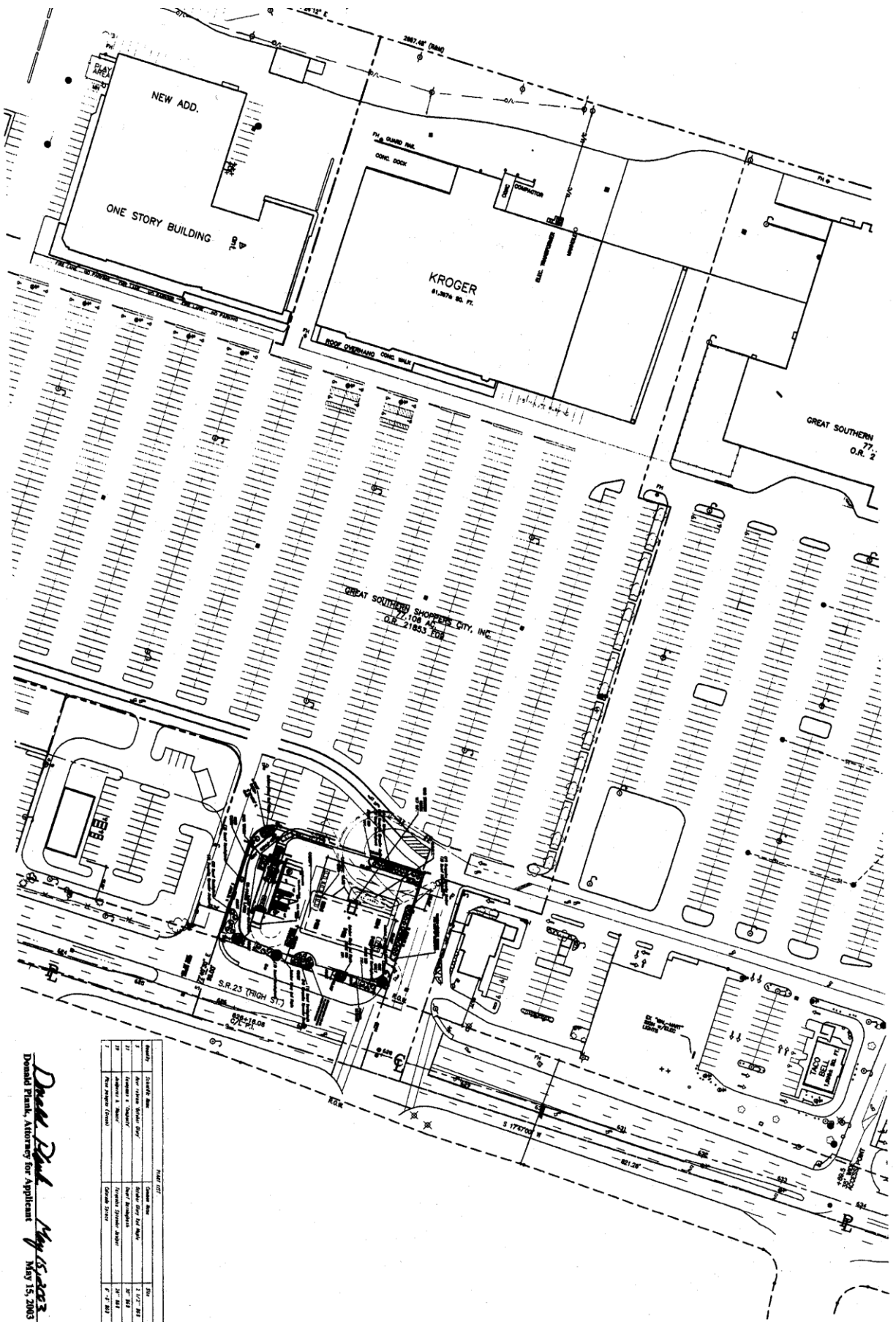
- 8. APPLICATION: Z02-112**  
**Location:** 3633 SOUTH HIGH STREET (43207), being 1.2± acres located on the west side of South High Street, 550± feet south of Highview Blvd, in the Great Southern Shopping Center.  
**Existing Zoning:** C-4, Commercial District.  
**Request:** CPD, Commercial Planned Development District.  
**Proposed Use:** Fuel sales with car wash development.  
**Applicant(s):** Kroger Company; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
**Property Owner(s):** PDV Midwest Refining, LLC.; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
**Planner:** John Turner, 645-2485; jmtturner@columbus.gov

**BACKGROUND:**

- The site is a 1.2-acre existing out lot within the Great Southern Shopping Center and is currently developed with an abandoned gas station and zoned in the C-4, Commercial District. The applicant requests the CPD, Commercial Planned Development District to redevelop the site with a gas station and car wash. City records indicate the existing structure was constructed as a legal use in 1955, before the 1972 establishment of the C-5, Commercial District and is most likely considered abandoned under Section 3391, Nonconforming Uses.
- The applicant submitted a companion Council Variance to permit the use, that Council Variance is on the March 10, 2003 City Council Agenda. The Variance requires the applicant to file for a rezoning to a district that permits the intended use and requires conformity to the enclosed site plan. The stated hardship is that a rezoning cannot be completed in time to satisfy contractual obligations of the applicant.
- The site is surrounded by various retail, restaurant, and similar commercial uses within the C-4, Commercial District. The site is one of several out-parcels along the South High Street frontage of the Great Southern Shopping Center with Southland Mall across the street.
- The CPD text, dated February 7, 2003, contains use restrictions, development standards including outdoor display controls, and landscaping commitments. The application contains a variance to the required building setback line, proposing a setback similar to the adjacent out-parcels. The CPD Site Plan, dated February 5, 2003, illustrates locations of the proposed canopy, car wash, and landscaping.
- South High Street is identified by the *Columbus Thoroughfare Plan* as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline.

**CITY DEPARTMENTS RECOMMENDATION:** Approval.

This application will permit the redevelopment of an abandoned service station on a 1.2-acre out lot within the Great Southern Shopping Center. City records indicate the existing structure was constructed as a legal use in 1955, before the 1972 establishment of the C-5, Commercial District. The application includes a site plan illustrating the layout of the proposed development and includes a reduced building setback line from South High Street. The applicant also filed a Council Variance (CV02-071) to establish the use, citing a timing hardship. The Council Variance requires this rezoning application.



The undersigned hereby certifies that the information shown on this plan is true and correct to the best of his knowledge and belief, and that he is a duly licensed professional engineer in the State of Ohio.

Z02-112 Sheet 1 of 2

NO.	DATE	BY	REVISION
1	05/15/2003	ROY J. YODER	ISSUED FOR PERMIT
2	05/15/2003	ROY J. YODER	REVISED PER CITY COMMENTS
3	05/15/2003	ROY J. YODER	REVISED PER CITY COMMENTS
4	05/15/2003	ROY J. YODER	REVISED PER CITY COMMENTS

*David Paul*  
 David Paul, Attorney for Applicant  
 May 15, 2003

PROGRESS REVIEW DATES
5/20/03
5/26/03

<b>FUEL CENT'R &amp; CAR WASH</b> <b>3633 SOUTH HIGH ST.</b> <b>05/15/2003 1"=50'</b>	 <b>N815</b>	<b>ROY J. YODER ARCHITECT INC.</b> 411 EXECUTIVE PARKWAY SUITE 301 WESTERVILLE, OHIO 43081 Phone: (614) 794-7328 Fax: (614) 794-7327 EMAIL: architecture@yoder.com	SHEET NO. 2000008 SD-4B
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THE ARCHITECT ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE USE OF THESE PLANS FOR ANY PROJECT OTHER THAN SPECIFICALLY AUTHORIZED BY THEM AND SHOULD BE KEPT FOR SUCH SPECIFIC LOCATION IN THE STATE SHOWN ON THE SEAL. THIS BUILDING USE IS ONLY APPLICABLE IN AREAS SUBJECT TO THE STATED ZONING CRITERIA.

Contractor shall verify all dimensions and locations of existing structures, utilities, and other site conditions. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

Z02-112

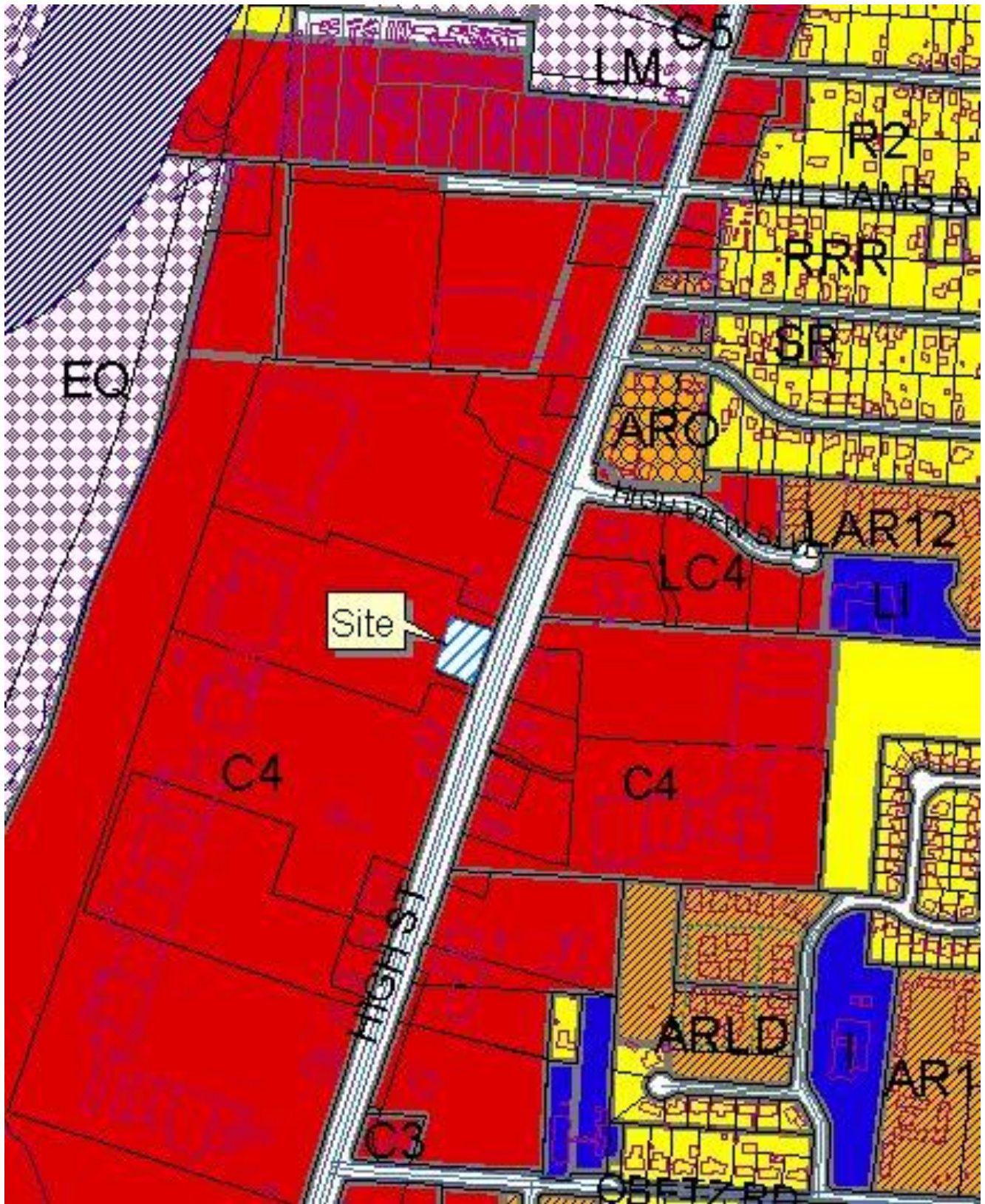
Sheet 2 of 2

*Donald Frank, Attorney for Applicant*  
 May 15, 2003

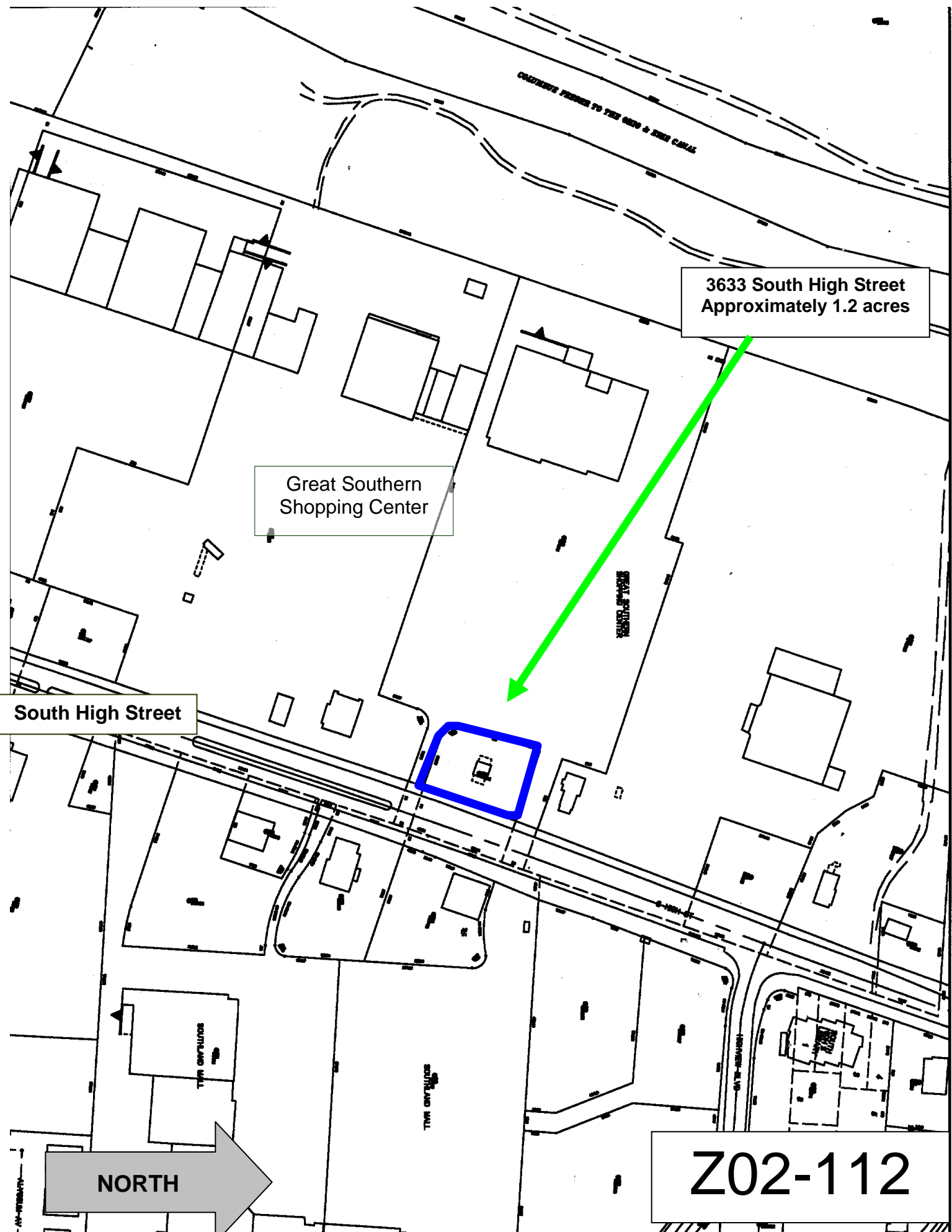
NO.	DATE	DESCRIPTION	BY	CHKD.
1	05/15/03	PRELIMINARY PLAN	DF	DF
2	05/15/03	FINAL PLAN	DF	DF
3	05/15/03	AS-BUILT PLAN	DF	DF

<p><b>SD-4C</b></p> <p>2000008</p>	<p><b>FUEL CENT'R &amp; CAR WASH</b>  <b>3633 SOUTH HIGH ST.</b>  <b>05/15/2003 1"-20'</b></p>	 <p>8 1000 ST. COLUMBIA, OH</p>	<p><b>ROY J. YODER ARCHITECT INC.</b>          410 EXECUTIVE PARKWAY SUITE 200 WESTERVILLE, OHIO 43081          PHONE: (614) 896-3542</p>	<p>PROGRESS REVIEW DATES          3/20/03 3/20/03</p>
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THE ARCHITECT ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE USE OF THESE PLANS FOR ANY PROJECT OTHER THAN SPECIFICALLY AUTHORIZED BY THE CLIENT AND SHOWN AND SEALED FOR SUCH SPECIFIC LOCATION BY THE STATE SHOWN ON THE SEAL. THIS SEALING IS ONLY APPLICABLE IN AREAS SUBJECT TO THE STATUTE DESIGN CRITERIA.



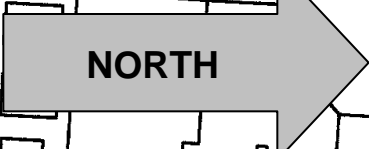
Z02-112



3633 South High Street  
Approximately 1.2 acres

Great Southern  
Shopping Center

South High Street



Z02-112



# 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 # 202-112

Being first duly cautioned and sworn (NAME) Donald Plank, Esq., Shuler, Plank & Brahm  
of (COMPLETE ADDRESS) 145 East Rich Street, 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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
<u>PDV Midwest Refining, LLC</u> <u>c/o Donald Plank, Esq.</u> <u>Shuler, Plank &amp; Brahm</u>	<u>145 East Rich Street</u> <u>Columbus, Ohio 43215</u>
<u>Kroger Company</u> <u>c/o Tom Cowen, Real Estate Dept.</u>	<u>4111 Executive Parkway</u> <u>Westerville, Ohio 43081</u>

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 30<sup>th</sup> day of December, in the year 2002

SIGNATURE OF NOTARY PUBLIC Zelma Nichols

My Commission Expires: 8-25-03

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



ZELMA L. NICHOLS  
Notary Public, State of Ohio  
My Commission Expires 08-25-03