

David B. Perry, Agent
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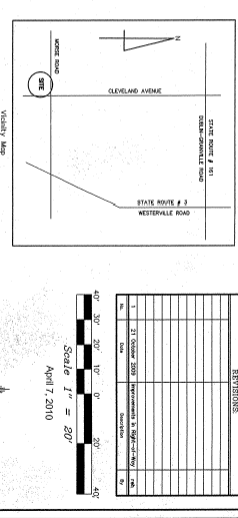
Z09-024
 2 WORKING DAYS BEFORE YOU DO
 CALL TOLL FREE
 800-362-2784
 OHIO UTILITIES PROTECTION SERVICE

General Notes
 1) Subject text located in final form "or as per FEMA, FEMA
 Zoning Case Number
 Z09-024

We hereby certify the foregoing Boundary Survey was prepared from actual field
 measurements and computations, and that the same are true and correct to the
 best of our knowledge and belief, and that we are duly qualified to perform
 such services. Witness my hand and the seal of my office this 7th day of April,
 2010.
 Joseph P. Meyer, Professional Surveyor No. 6279

Mygers Surveying
 7700 East Main Street
 Columbus, Ohio 43230-2577
 (614) 232-8877
 info@mygerssurveying.com
 www.mygerssurveying.com

LEGEND
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Z09-024

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
NOVEMBER 12, 2009**

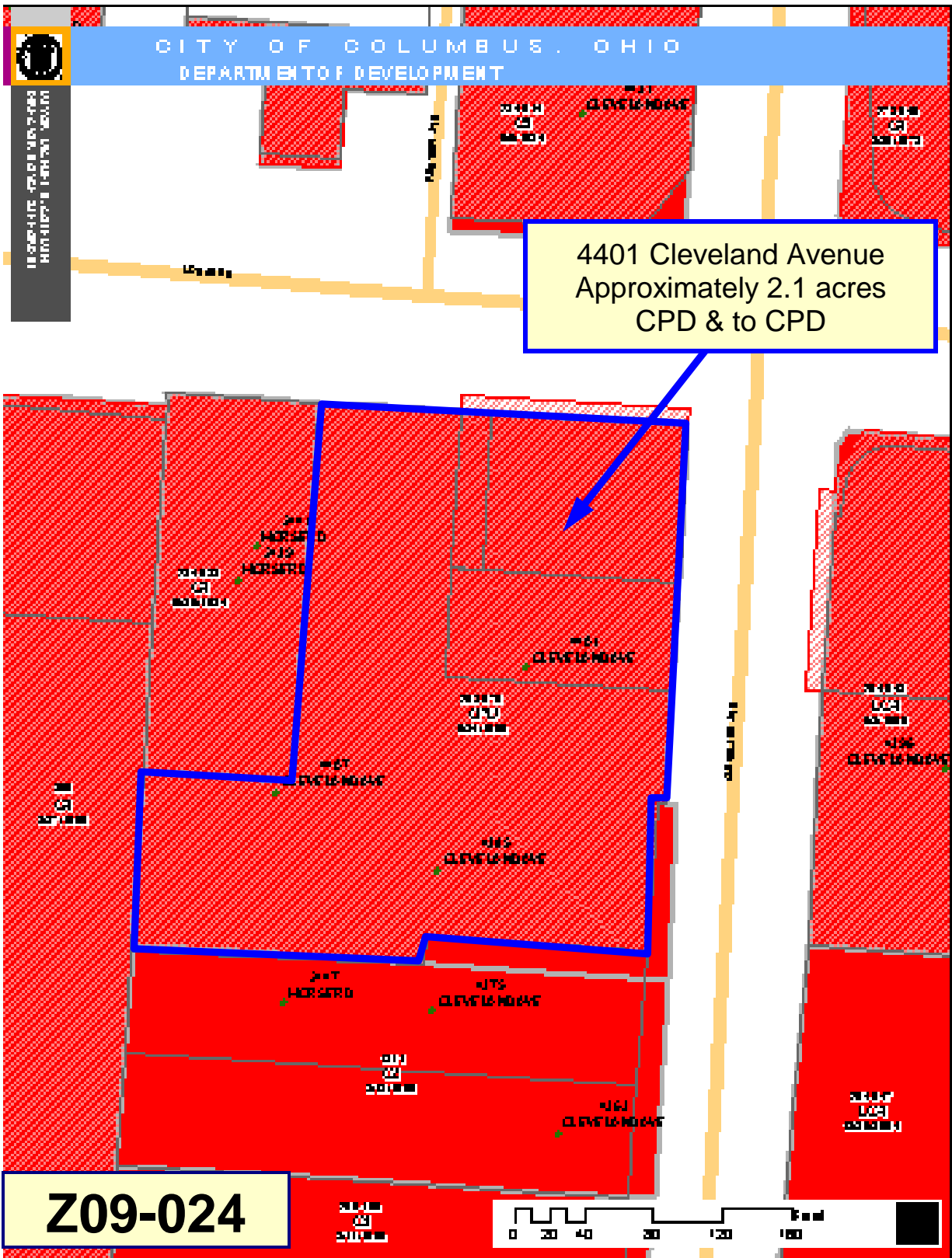
- 1. APPLICATION: Z09-024 (ACCELA # 09335-00000-00212)**
Location: 4401 CLEVELAND AVENUE (43231), being 2.1± acres located at the southwest corner of Cleveland Avenue and Morse Road (010-249182).
Existing Zoning: CPD, Commercial Planned Development District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Amending the CPD site plan to reflect right-of-way changes.
Applicant(s): Walgreens; c/o Dave Perry, The David Perry Co.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215 and Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.
Property Owner(s): LRC Morse Investors Ltd; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.
Planner: Dana Hitt, AICP; 645-2395; dahitt@columbus.gov.

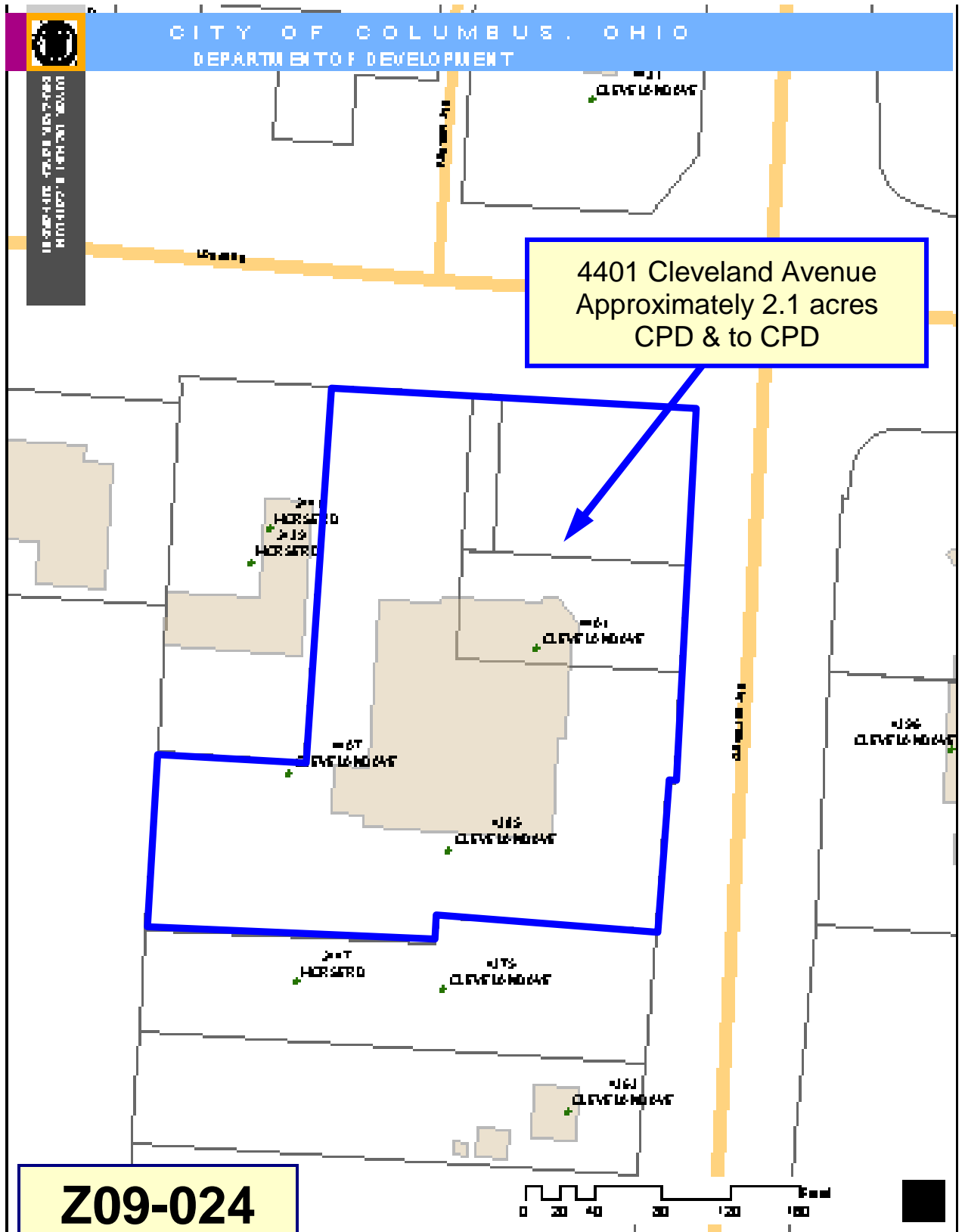
BACKGROUND:

- The applicants are applying for a rezoning to update their site plan and conform their site as the result of a right-of-way taking along Morse Road by the City of Columbus.
- To the north across Morse Road are a gasoline station and a car dealership zoned in the C-5, Commercial and C-4, Commercial Districts respectively. To the south is a vacant parcel zoned in the C-2, Commercial District. To the east across Cleveland Avenue is a retail development zoned in the L-C-4, Limited Commercial District. To the west is a car dealership zoned in the C-4, Commercial District.
- The site lies within the boundaries of Area 20 of the *Northland Plan Volume I* (2001), however the Plan offers no specific recommendation for this site. The site also lies within the boundaries of the Regional Commercial Overlay.
- The CPD text includes customary landscaping, lighting and building material limitations. The L-C-4 text carries forth the 1998 limitations and commitments with the exception of the elimination of outdated and /or redundant provisions.
- The applicant requests setback variances and to have four fewer parking spaces due to the right-of-way dedication. The applicant also requests a variance to have one loading space instead of two, as approved on the 1998 site plan. The applicant also reaffirms a variance to allow the development to cross parcel lines.
- The Columbus Thoroughfare Plan identifies Morse Road as a 6-2DS arterial requiring a minimum of 110 feet of right-of-way from centerline and Cleveland Avenue as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The Applicant's request for the CPD Commercial Planned Development District is consistent with the zoning and development patterns of the area. This rezoning maintains the commitments made in 1998 and any variances are either due to the dedication of right-of-way to the City or reaffirmations of variances that have been already granted.





4401 Cleveland Avenue
Approximately 2.1 acres
CPD & to CPD

Area 20
Morse Road: I-71 to Cleveland Avenue



This section of the Morse Road corridor is intensely developed and includes Northland Mall and a number of strip commercial centers. Zoning includes commercial (C2, C3, C4, LC4, and CPD), multi-family residential (R4 and ARO), parking (P1) and manufacturing (M).

Stabilization of older commercial corridors is crucial to the economic health of the city. Morse Road serves as the “Main Street” for the Northland community. Development activity occurring here should be sensitive to the corridor’s high visibility. The city’s Morse Road Market Analysis and Redevelopment Strategy, conducted as a part of this plan update, identifies steps the city and community can take to ensure the long-term viability of this important corridor. The report identifies Northland Mall as a key opportunity site and recommends that if the mall site is not sustained as a retail center, that the area be redeveloped as a mixed-use site with office, different types of high-quality residential and retail, and open space.

It is the recommendation of the Northland Plan that:

- recommendations of the Morse Road Market Analysis and Redevelopment Strategy and Morse Road Design Study, as well as any future design recommendations, be implemented.



**Ex NORTHLAND COMMUNITY COUNCIL
DEVELOPMENT COMMITTEE**

To: Dave Perry	From: Jeff Murray
Fax:	Pages: 1
Phone:	Date: 11/09/09
Z09-024	
Re: Walgreens, Morse and Cleveland	Email: dave@daveperryco.net

Dear Mr. Perry,

Our committee voted to support this application provided lot coverage not to exceed 85%.

If you have any questions please contact me at:

Work, 614-882-8558, ext. 207

Fax, 614-818-4399

Email, jeffmurray@wideopenwest.com.

Best regards,

Jeff S. Murray
Chairperson, Development Committee
Northland Community Council



City Of Columbus
Mayor Michael B. Coleman

Department of Public Service
Mark Kelsey, Director

May 20, 2010

Donald T. Plank
Plank & Brahm
145 E. Rich St.
Columbus, OH 43215

RE: Rezoning Application Z09-024
4401 Cleveland Avenue
Parcel Numbers: 010-103724; 010-015539; 010-249182; 010-103749
Request for Reduction of Right-of-Way Dedication Requirement

Dear Mr. Plank:

We have reviewed the request of your client to reduce the right-of-way dedication requirement for the subject property on the west side of Cleveland Avenue.

In consideration of the fact that this rezoning application was initiated by the City of Columbus as a result of right-of-way acquisition for the roadway improvements to Morse Road along the frontage of this property, we will not be requiring any additional right-of-way dedication along Morse Road or Cleveland Avenue in association with this rezoning application.

If you have any questions, please contact Dan Blechschmidt at (614) 645-1694.

Sincerely,

Patricia A. Austin, P.E.
Administrator
Division of Planning and Operations

PAA/drb

cc: Dan Blechschmidt, Department of Public Service, Division of Planning and Operations
Anthony Roseboro, City Attorney's Office, Real Estate Division

RECEIVED

614-645-8290 Department of Public Service
614-645-3111 Columbus Service Center (311)
614-645-6400 Parking Violations Bureau
614-645-7620 Division of Refuse Collection
614-645-8376 Divisions of Mobility Options, Planning & Operations and Design & Construction

City Hall, 90 West Broad Street, 3rd Floor, Columbus, Ohio 43215-9009
1111 East Broad Street, Columbus, Ohio 43205-1303
400 West Whittier Street, Columbus, Ohio 43215-5036
2100 Alum Creek Drive, Columbus, Ohio 43207-1705
109 North Front Street, Columbus, Ohio 43215-9023

FAX: 614-645-7805
FAX: 614-645-3053
FAX: 614-645-7357
FAX: 614-645-7296
FAX: 614-645-6938

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

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 # Z09-024

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) 145 East Rich Street, 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. LRC Morse Investors LLC 1585 Frederick Boulevard Akron, OH 44320 Number of Columbus based employees: 0 Contact: Majeed G. Maklouf, Esp. (216) 241-2838</p>	<p>2. Triple Net LLC 3095 Derby Road Columbus, OH 43221 Number of Columbus based employees: 0 Contact: James R. Rishel, Esq. 221-0717</p>
<p>3. Walgreens c/o Donald Plank Plank and Brahm 145 East Rich Street Columbus, Ohio 43215 Number of Columbus based employees: 0 <input type="checkbox"/> Check here if listing additional parties on a separate page.</p>	<p>4. _____</p>

contact: Don Plank, (614) 228-4546
SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 15th day of April, in the year 2010

SIGNATURE OF NOTARY PUBLIC

DA
NA

My Commission Expires:

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

Notary Seal Here



David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 147.88