

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
AUGUST 14, 2008**

- 4. APPLICATION: Z07-037**
- Location:** **1941 STELZER ROAD (43219)**, being 6.55± acres located at the southwest corner of Stelzer Road and Citygate Drive (Northeast Area Commission; 520-181149).
- Existing Zoning:** R, Rural District.
- Request:** CPD, Commercial Planned Development and L-M, Limited Manufacturing Districts.
- Proposed Use:** Commercial development.
- Applicant(s):** Sean & Barbara Brogan; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 725; Columbus, OH 43215.
- Property Owner(s):** Sean & Barbara Brogan; P.O. Box 09764; Columbus, OH 43219.
- Planner:** Walter Green; 645-2485; wagreen@columbus.gov

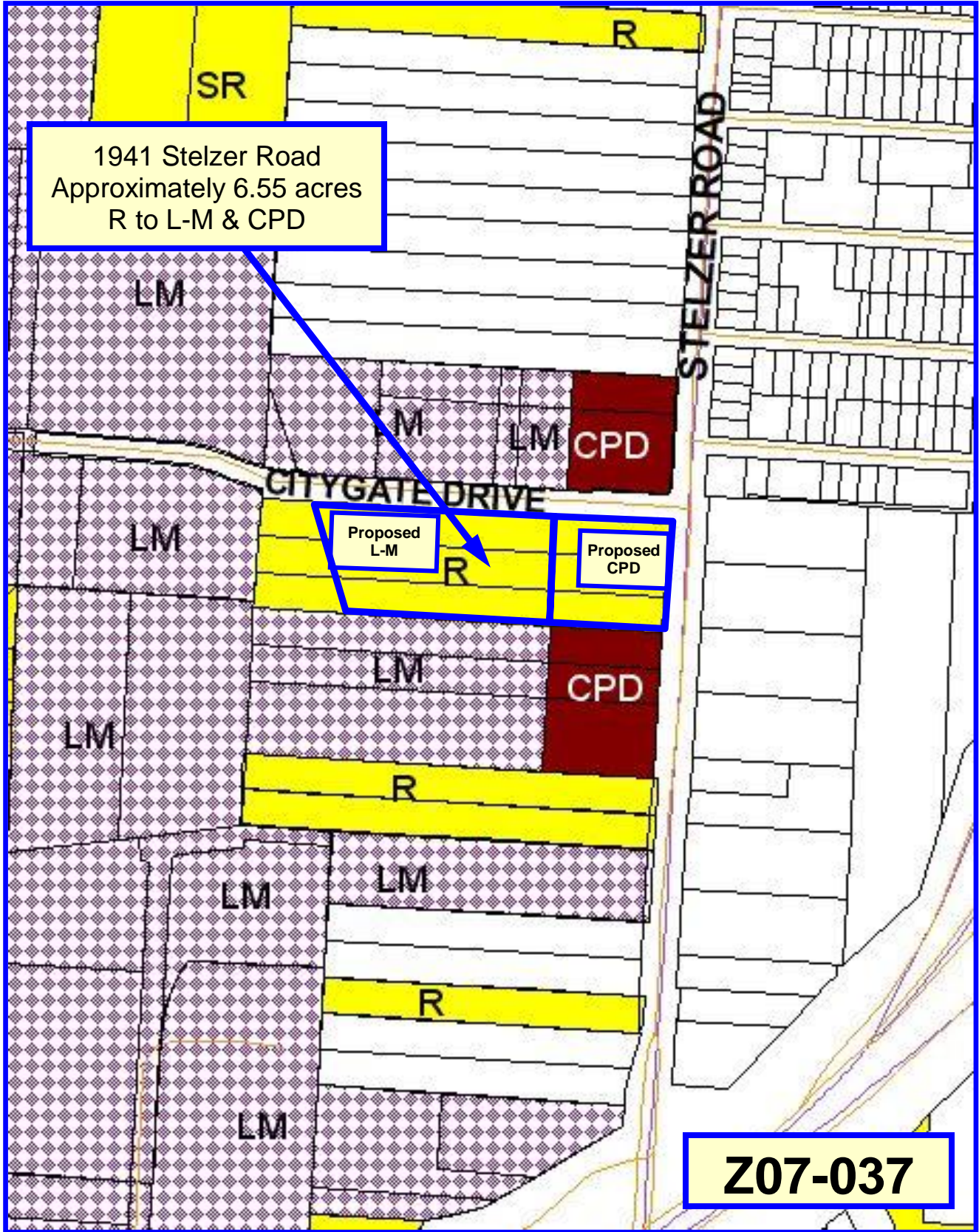
BACKGROUND:

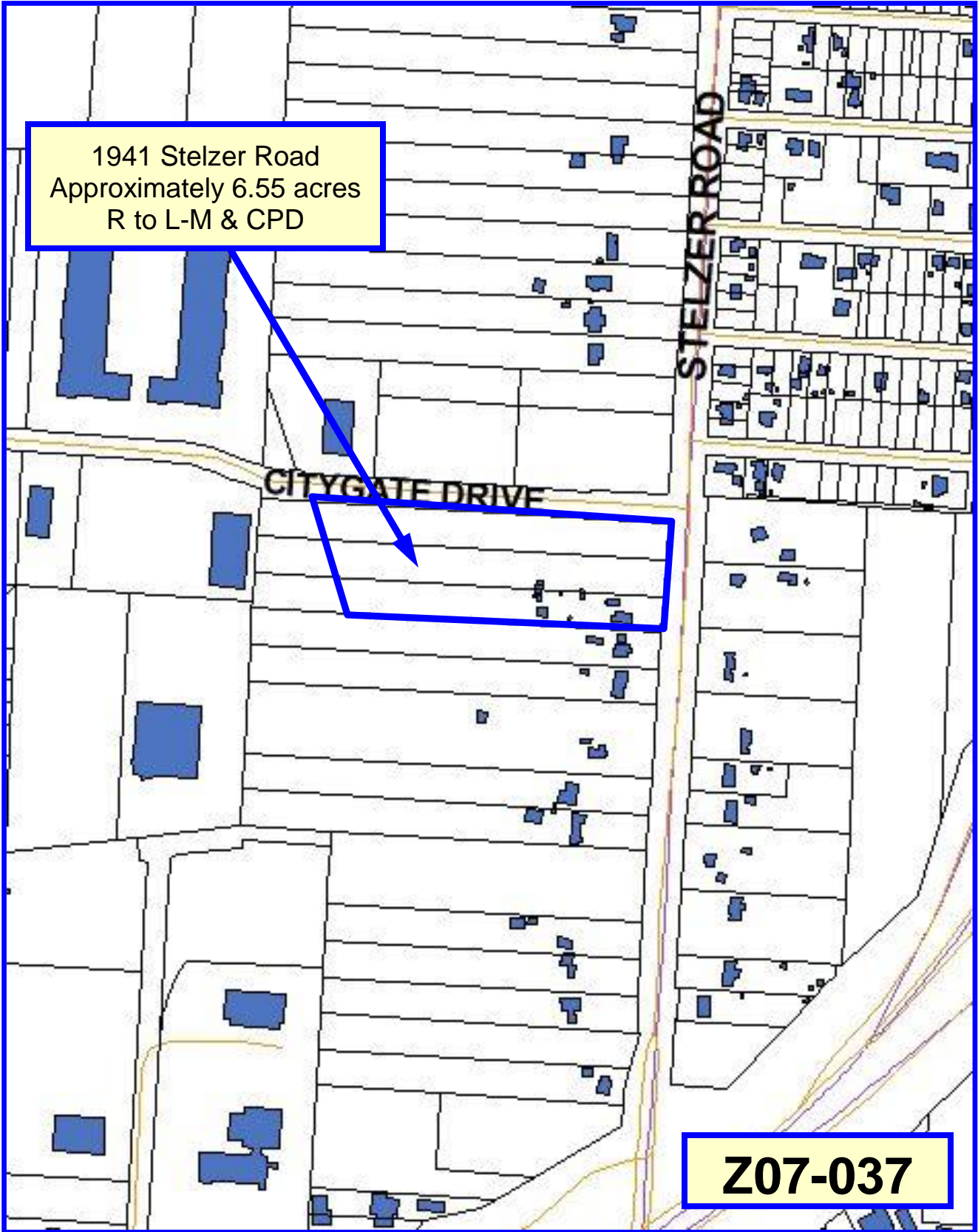
- The 6.55± acre site is undeveloped and zoned in the R, Rural District. The applicant is requesting the CPD, Commercial Planned Development District adjacent to Stelzer Road and the L-M, Limited Manufacturing District on the west portion of the property.
- To the north of the site, across Citygate Drive is undeveloped property zoned in the CPD, Commercial Planned Development and L-M, Limited Manufacturing Districts. To the east, across Stelzer Road, are single-family residences in Mifflin Township. To the south is undeveloped property zoned in the CPD, Commercial Planned Development and L-M, Limited Manufacturing Districts. To the west is undeveloped land in the R, Rural District.
- The proposed CPD would permit most C-4 uses and C-5 uses and includes development standards for setbacks, lot coverage, maximum retail development, landscaping and design requirements. The L-M district would permit commercial uses, less objectionable manufacturing uses, and cellular towers.
- The Northeast Area Plan, adopted July 17, 2007, recommends office/ light industrial uses for the site. The plan has been adopted since the zoning districts on adjacent property, permitting commercial uses, were approved. The plan supports airport related uses south of the subject site, between I-670 and Drake Road. The proposed CPD and L-M districts would permit private or public parking lots as the primary use, which are not consistent with the recommended office/light industrial uses recommended for the site.

- The *Columbus Thoroughfare Plan* identifies Stelzer Road as a 4-2d arterial requiring a minimum of 60 feet of right-of-way from the centerline.

CITY DEPARTMENTS RECOMMENDATION: Approval**

The Northeast Area Plan (2007) recommends office/light industrial uses for the site. The applicant is proposing most C-4, C-5 and less objectionable manufacturing uses for the site, with retail development limited to a maximum of 20,000 square feet for the entire site. These uses include private parking lots as a primary use, which are airport related uses, and not consistent with the area plan.



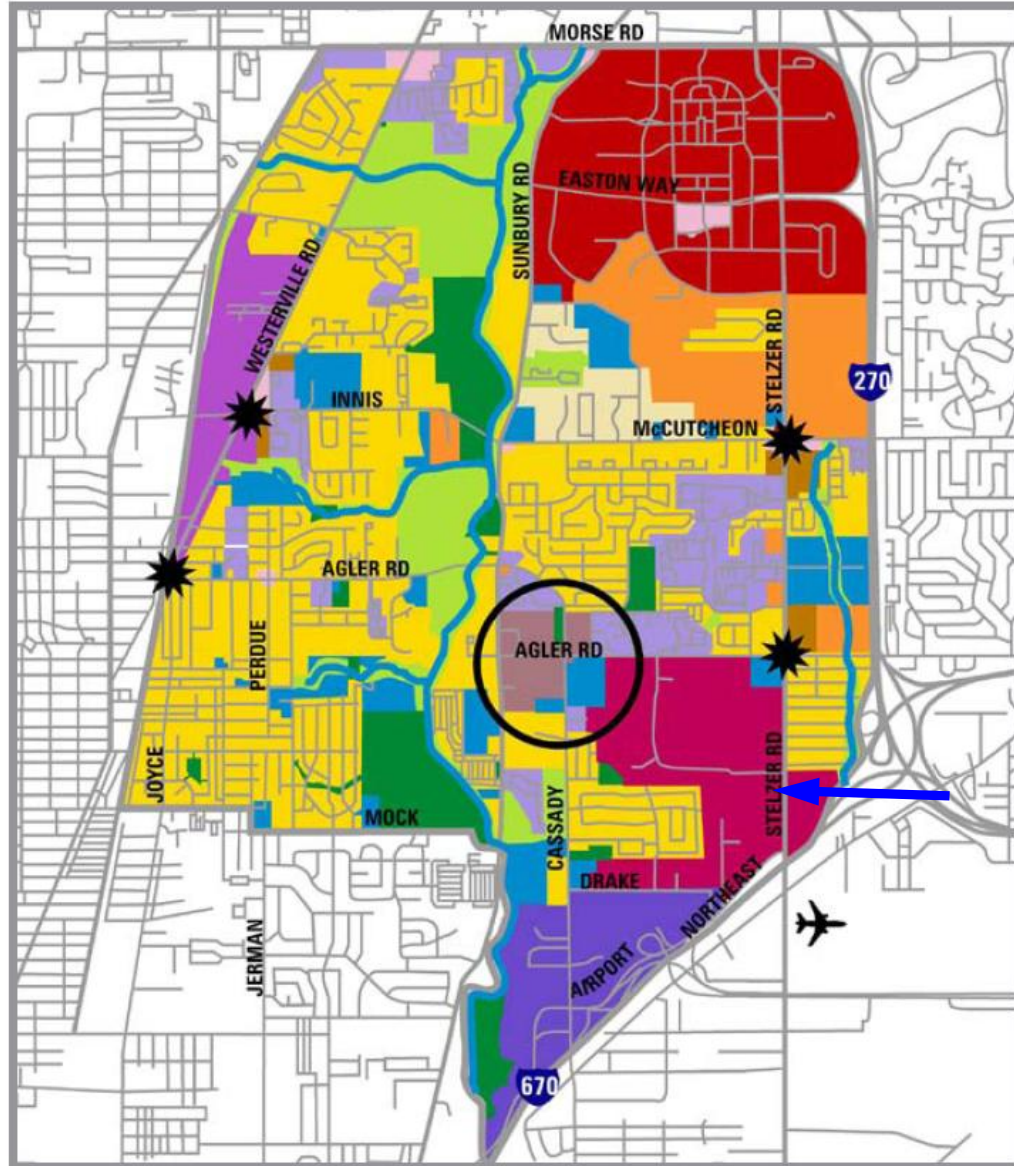


1941 Stelzer Road
Approximately 6.55 acres
R to L-M & CPD

Z07-037



Figure 5. Land Use Plan



- | | | | | |
|------------------------------|-------------------------------|---|-------------------------|--------------------------------|
| Open Space | Institutional | Neighborhood Commercial | Office-Light Industrial | Sub-Neighborhood Centers |
| Parks | Mixed Use Neighborhood Center | Mixed Use-Regional Retail/Office/Light Industrial | Airport Related | Agler Cassidy Mixed-Use Center |
| Very Low Density Residential | Office | Office-Commercial-Light Industrial | | |
| Low Density Residential | | | | |
| Medium Density Residential | | | | |
| High Density Residential | | | | |

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Land Use

Northeast Area Plan

COLUMBUS DEVELOPMENT COMMISSION
Basis for Recommendation

Date: August 14, 2008

Application #: Z07-037	Requested: CPD & LM	Address: 1941 STELZER ROAD (43219)					
# Hearings:	Length of Testimony:	Staff: <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval					
		Position: <input type="checkbox"/> Conditional Approval					
# Speakers Support:	Opposition: <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Abstain	Development Commission Vote:	Area Comm/ Civic Assoc: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval				
			<input type="checkbox"/> Conditional Approval				
Position Y=Yes N=No (write out ABSENT or ABSTAIN)	Fitzpatrick	Ingwersen	Barnes	Anderson	Cooley	Onwukwe	Conroy
+ = Positive or Proper - = Negative or Improper						-	
Land Use			-	-		-	-
Use Controls							
Density or Number of Units							
Lot Size							
Scale							
Environmental Considerations							
Emissions							
Landscaping or Site Plans							
Buffering or Setbacks							
Traffic Related Commitments			-	-			
Other Infrastructure Commitments							
Compliance with City Plans			-	-		-	-
Timeliness of Text Submission							
Area or Civic Assoc. Recommendation			+	+		+	+
Governmental or Public Input							
MEMBER COMMENTS:							
FITZPATRICK:							
INGWERSEN:							
BARNES: DOES NOT CONFORM TO AREA PLAN, DESPITE AREA COMMISSION APPROVAL, USE IS INAPPROPRIATE							
ANDERSON: Disapproval of staff (use); nonconformance to AREA plan							
COOLEY: Staff DISAPPROVAL WAS TECHNICAL NON-CONFORMANCE. CITY COUNCIL SHOULD REVIEW THIS ISSUE.							
ONWUKWE: Supports staff analysis and recommendation. Does not conform to Area plan.							
CONROY: Nonconformance with area plan + OF vision for the area. Support staff disapproval.							

DAVIS: Although pattern of development may tend align with proposal, the area plan is staff analysis and is supported.



"Together We Can Make a World of Difference"
North East Area Commission

December 15, 2008

Mr. Walter Green
Department of Development
Building and Development Services
757 Carolyn Ave
Columbus, OH 43224

Re: Revision of approval letter dated September 8, 2008

Mr. Green:

Subject: Z07-037, property known as 1941 Stelzer Road, Columbus, OH, 43219. The North East Area Commission at a public meeting on November 1, 2007, voted to approve the above application with conditions.

During a subsequent meeting with the agent in October 2008, it was determined that parking and buildings shall be in compliance with the Area Plan. No parking between gas use building and Stelzer Road. Other structures are permitted to have two rows of parking between street and right away, with adequate landscape screening.

The North East Area Commission and the community continue to pursue what is best for this area. It has been determined that the community would support a Café-Deli, Subway, Donatos, Papa John's Pizza, Panera Bread, mid-range restaurant, boutique grocery store, hotel chain or other respectable small business establishments.

What the North East Area Commission is most adamant about the construction of stand-alone service stations, convenient stores or carry-outs that would lead to an over saturation of liquor licenses being issued in this area, which in the past has ultimately lead to loitering, crime, drug use and distribution.

The NEAC asked the agent to request the developer/builder to commit to using some green material in his/her construction plans.

Sincerely,

Alice K. Porter – Zoning Chair

Cc: Elwood Rayford – NEAC Chair
Jeff Brown - Agent

attach ment
received 12/15

December 2008

Man fatally shot outside store on Northeast Side

By Mark Ferencik
THE COLUMBUS DISPATCH

A man was fatally shot in the parking lot of a convenience store on the Northeast Side last night.

The shooting occurred shortly before 9 p.m. in the parking lot of the Cassidy Market, 2466 Cassidy Ave., just north of Agler Road and next to Cassidy Alternative Elementary School.

Columbus police Sgt. Christ Holzhauser said the man was shot after he came out of the store and started arguing with a man who had just gotten out of a dark-colored car.

That man shot the victim three times, at least once in the chest, Columbus police

Sgt. Bruce Cobb said. The car then took off, Cobb said.

The victim was pronounced dead at the scene. His name wasn't released.

Holzhauser said he hopes a security camera mounted outside the store can give police clues.

Watching police was Carlos Bell, 36. He had been about to walk from the nearby Heritage Apartments to the store to buy cigarettes when he heard about the shooting, but he came over anyway.

He usually feels safe. Now, he said, he'll be more careful. "It's crazy," Cobb said.

The killing was the 105th homicide in Columbus this year.

mferencik@dispatch.com

This is Our Concern

This is exactly what we are trying to prevent. The store is approx 10 ft from the school and about 100 ft from the rec. center.

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 # 207-037

Being first duly cautioned and sworn (NAME) David Hodge / Smith & Hale LLC
of (COMPLETE ADDRESS) 37 W. Broad St., Suite 725, 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

1. Sean and Barbara Brogan P.O. Box 09764 Columbus, OH 43209 Zero Columbus based employees	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 23rd day of February, in the year 2009

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

David Hodge
Paula Price
 NOTARY PUBLIC
 Notary Public, State of Ohio
 My Commission Expires 07-13-2012

This Project Disclosure Statement expires six months after notarization.

Notary Seal Here