

**PARCEL TO BE REZONED FROM "R-1" TO "C-4"
PART OF PARCEL NO. 04-00-027-101-187
5.0000 Acres**

Situated in the City of Avon, County of Lorain and State of Ohio and known as being part of Original Avon Township Section No. 27, being more definitely described as follows:

Commencing at the intersection of the centerline of Nagel Road (width varies) and the centerline of Detroit Road (66.00 feet wide);

Thence, along the centerline of Nagel Road, North 02° 20' 12" East, 1000.00 feet;

Thence, leaving the centerline of Nagel Road, North 82° 29' 57" East, 50.75 feet to the proposed easterly right of way of Nagel Road, said point being the True Point of Beginning for the parcel herein described;

Thence, along the proposed easterly right of way of Nagel Road, North 02° 20' 12" East, 589.13 feet;

Thence, leaving the proposed easterly right of way of Nagel Road, South 87° 39' 48" East, 391.97 feet to the easterly line of land conveyed to Discount Drug Mart Inc. as recorded in Instrument No. 20080239739 of the Lorain County Records;

Thence, along Discount Drug Mart Inc.'s easterly line, South 02° 15' 08" West, 521.03 feet;

Thence, leaving said easterly line, South 82° 29' 57" West, 398.60 feet to the point of beginning.

Containing within said bounds about 5.0000 acres of land but subject to all legal highways.

The above description has been prepared from record information including Instrument No. 20080239739, Boundary Survey & Split Map by KS Associates dated November 27, 2007, LOR-90-19.95 Right of Way plans and LOR-90-22.26 Right of Way plans.

T. A. Bixler 10-18-13

Trevor A. Bixler, P.S.
Professional Surveyor, Ohio No. 7730

KS ASSOCIATES
Civil Engineers + Surveyors
260 Burns Road, Suite 100
Elyria, OH 44035
440 365 4730





KS ASSOCIATES

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October 18, 2013

Mr. Jim Piazza
City of Avon
36080 Chester Road
Avon, OH 44011

Land Development

Transportation

Government Services

Land Surveying

**RE: Rezoning of 5.00 Acres of the southerly portion of
Parcel No. 04-00-027-101-187 from R-1 to C-4
KS Project No. 13329**

Dear Mr. Piazza:

Per this letter, and the attached Avon Planning Commission Application and Rezoning Procedures and Application, we are requesting the 5 acre parcel which is part of Parcel No. 04-00-027-101-187, located on the east side of Nagel Road, north of the 6.14 acre Discount Drug Mart Parcel previously rezoned to C2 under Ordinance No. 443-69 (now C4 under rezoning in 2001), to be rezoned to C-4.

This request is being made under Ordinance No. 95-06, Article VII, Section 2(e)3.

We believe this rezoning will complement the existing and future development in the area.

We have attached a legal description, a rezoning map and a list of adjoining owners per Chapter 1236 of Avon's Codified Ordinances.

Please contact me with any additional questions.

Sincerely,

KS ASSOCIATES, INC.

Jeffrey R. Keefe, P.E., P.S., CPESC, CPSWQ
Director of Site Development Services

KS Associates, Inc.
Civil Engineers + Surveyors

260 Burns Road, Suite 100
Elyria, Ohio 44035

P 440 365 4730

F 440 365 4790

www.ksassociates.com



CITY OF AVON

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REZONING PROCEDURES AND APPLICATION

Per Chapter 1236 of Avon's Codified Ordinances

1. A Rezoning Application must be submitted to the Zoning Enforcement Officer, accompanied by the following:
 - a. A statement specifying the desired zone classification and proposed use of the property
 - b. A statement on the ways the proposed rezoning relates to the Master Plan.
 - c. A legal description of the property.
 - d. A vicinity map showing property lines, thoroughfares, existing and proposed zoning and any pertinent information required by the Zoning Enforcement Officer.
 - * e. A list of all property owners abutting, adjacent to, adjoining, or directly across a street or from the property, including their address and permanent parcel numbers, along with a \$10.00 fee per property owner (210.01 2 (D) of the Codified Ordinances of the City of Avon, Ohio) 10 * \$10.00 = \$100.00
 - * f. A non-refundable fee of \$200.00 (210.01 2 (D) of the Codified Ordinances of the City of Avon, Ohio) 1 * \$200.00 = 200.00
2. The Zoning Enforcement Officer will review the application and, upon his approval and upon payment of all fees, will submit the application to the Planning Commission. \$300.00
3. Planning Commission will establish the date and time of a Public Hearing during which the application will be reviewed and will subsequently be sent to Council of the City of Avon with a recommendation
4. The request will be considered by Council at three (3) consecutive Work Sessions, and read at three (3) consecutive Regular Meetings.
5. A Public Hearing will take place the evening of the Regular Meeting at which the third reading and vote Of Council will occur. The Clerk of Council will provide the applicant with the dates of each Council Meeting and the Public Hearing regarding this request

Property Location: Southern Portion of Parcel south of Avon Rd east of Nagel Road.

Present Zoning: R-1 Proposed Zoning: C-4

Name of Applicant: DISCOUNT DRUG MART INC.

Name of Property Owner: DISCOUNT DRUG MART INC.

Permanent Parcel Number(s): 04-00-027-101-187 (south)

Date: 10/23/13 Date of Referral to Planning Commission: _____

Richard Schneider
Richard Schneider, Zoning Enforcement Officer



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RECEIVED

OCT 22 2013

AVON PLANNING COMMISSION
PL# 20130123

PLANNING COMMISSION APPLICATION

PROJECT NAME: REZONING OF 04-00-027-101-187
SOUTH 5.00 acre

TYPE OF REQUEST: please check one that applies

- | | |
|--|--|
| <input type="checkbox"/> RESIDENTIAL SUBDIVISION-PRELIM. PLAT | <input type="checkbox"/> INFORMAL PRESENTATION |
| <input type="checkbox"/> RESIDENTIAL SUBDIVISION-FINAL PLAT | <input type="checkbox"/> LOT SPLIT/CONSOLIDATION |
| <input type="checkbox"/> GENERAL DEVELOPMENT PLAN | <input type="checkbox"/> MASTER PLAN AMENDMENT |
| <input type="checkbox"/> FINAL DEVELOPMENT PLAN | <input type="checkbox"/> REFERRAL TO COUNCIL |
| <input checked="" type="checkbox"/> ZONING CHANGE | <input type="checkbox"/> CODE AMENDMENT |
| <input type="checkbox"/> SPECIAL USE PERMIT-Requirements & procedures described in the attached Chapters of the Avon Planning And Zoning Code 1230.03, 1228.02, 1228.06, 1228.07 | |

DATE APPLICATION COMPLETED: _____
(Fee worksheet attached)
REQUIRED FEE: _____ DATE FEE PAID: _____

CONTACT PERSON: JEFFREY KEEFE

ADDRESS: 2600 BURNS Rd Elyria OH 44035 PHONE (440) 365-4730 x380
EMAIL: keefej@ksassociates.com

OWNER: Discount Drug Mart Inc.
211 Commerce Drive, Medina, Ohio 44256
OWNER ADDRESS: _____ PHONE (330) 725-2340
EMAIL: MMcIntire@discount-drugmart.com

PROPERTY IS ON THE HISTORIC PROPERTIES LIST: YES NO
LOCATION: North of Discount Drug Mart, south of Avon Rd and east of Nagel Rd.

PROJECT DESCRIPTION: REZONING of SOUTH END of 04-00-027-101-187

TOTAL ACRES: 5.0000 TOTAL # OF LOTS: - BUILDING SIZE: NA
P.P #'s INVOLVED: 04-00-027-101-187 south end

PLEASE FURNISH THE PLANNING OFFICE 10 COPIES OF 2 X 3 DRAWINGS AND 1 PDF OR ELECTRONIC FILE OF THE PROJECT ALONG WITH THIS APPLICATION AND THE REQUIRED FEE 29 DAYS BEFORE THE MEETING DATE.



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PLANNING COMMISSION REFERRAL TO COUNCIL

NAME OF PROJECT: DISCOUNT DRUG MART REZONING
FROM R-1 TO C-4
PPN:04-00-027-101-187-5 ACRES

CONTACT: JEFF KEEFE, KS ASSOCIATES
260 Burns Rd. Elyria, OH 44035
keefej@ksassociates.com 440-365-4730 x380

PLANNING COMMISSION RECOMMENDATION: DATE: 12-18-13
FOR COUNCIL APPROVAL BY A VOTE OF: 5 AGAINST

ATTACHMENTS:

- 1. LOCATION PLAN (on map provided) (X)
- 2. REDUCED SITE PLAN (X)
- 3. SUBDIVIDER'S AGREEMENT ()
- 4. DEVELOPER'S AGREEMENT ()
- 5. SPECIAL USE PERMIT ()
- 6. ORDINANCE (X)