



## Legislation Details (With Text)

**File #:** 3414-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/23/2022      **In control:** Zoning Committee

**On agenda:** 12/12/2022      **Final action:** 12/14/2022

**Title:** To rezone 3670 TRABUE RD. (43204), being 4.3± acres located at the northeast corner of Trabue Road and Mapleway Drive, From: C-4 Commercial District and L-C-5, Limited Commercial District, To: AR-2, Apartment Residential District (Rezoning #Z22-022).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#3414-2022\_Attachments, 2. ORD#3414-2022\_Labels

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Zoning Committee	Approved	Pass
12/5/2022	1	Columbus City Council	Read for the First Time	

### Rezoning Application: Z22-022

**APPLICANT:** Avenue Partners; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1<sup>st</sup> Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2<sup>nd</sup> Floor; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on October 13, 2022.

**WEST SCIOTO AREA COMMISSION RECOMMENDATION:** Disapproval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of two parcels zoned C-4, Commercial District, one of which is developed with a multi-tenant commercial building, and one parcel zoned L-C-5, Limited Commercial District, developed with a self-service car wash facility. The requested AR-2, Apartment Residential District will permit a multi-unit residential development. The site is within the planning area of the *Trabue Roberts Area Plan* (2011), which recommends "Commercial (Neighborhood)", land uses at this location. The Plan also includes early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff supports the zoning change as the request is generally consistent with the zoning pattern in the surrounding area, with consistent density, and does not represent the introduction of an incompatible use. A concurrent Council Variance (Ordinance #3417-2022; CV22-029) has been submitted and includes variances to landscaping and screening, parking setbacks, parking spaces, vision clearance, building setback lines, perimeter yard, and a reduction to the minimum number of required parking spaces required.

To rezone **3670 TRABUE RD. (43204)**, being 4.3± acres located at the northeast corner of Trabue Road and Mapleway

Drive, **From:** C-4 Commercial District and L-C-5, Limited Commercial District, **To:** AR-2, Apartment Residential District (Rezoning #Z22-022).

**WHEREAS**, application #Z22-022 is on file with the Department of Building and Zoning Services requesting rezoning of 4.3± acres from C-4, Commercial District and L-C-5, Limited Commercial District, to AR-2, Apartment Residential District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the West Scioto Area Commission recommends disapproval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed AR-2, Apartment Residential district will allow a residential development that is compatible with the density of nearby multi-unit residential developments, and does not introduce an incompatible use the area; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**3670 TRABUE RD. (43204)**, being 4.3± acres located at the northeast corner of Trabue Road and Mapleway Drive, and being more particularly described as follows:

Situated in the state of Ohio, County of Franklin, City of Columbus, being part of Virginia Military District Survey Number 544, and being part of a 1.873 acre tract as conveyed to Wright Family Investment, LLC in Instrument Number 202003050033345, a 2.015 acre tract as conveyed to Trabue Links, LLC, an Ohio limited liability company in Instrument Number 202201040001605, and the remainder of a 0.720 acre tract as conveyed to Myflori LLC, an Ohio limited liability company, in Instrument Number 201309040149504, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

**COMMENCING** at an easterly corner of said 1.873 acre tract, also being the intersection of the northwesterly right-of-way line of Trabue Road (width varies) and the southwesterly right-of-way line of a railroad right-of-way tract conveyed to New York Central Lines LLC, in Instrument Number 200212180325201, now known as CSX Transportation Inc., successor by merger, Instrument Number 200507210144733 and Instrument Number 20057210144738 (more fully defined by Instrument Number 200711080194030);

Thence along the northeasterly line of said 1.873 acre tract, also being the southwesterly line of said railroad right-of-way, North 39°16'33" West, 20.79 feet to **THE POINT OF TRUE BEGINNING**;

Thence across said 1.873 acre tract, across said 2.015 acre tract, and across the remainder of said 0.720 acre tract, South 66°35'31" West, 581.57 feet to a point on the southwesterly line of the remainder of said 0.720 acre tract, also being on the northeasterly right-of-way line of Mapleway Drive (50');;

Thence along the southwesterly line of the remainder of said 0.720 acre tract and a southwesterly line of said 2.015 acre tract, also along the northeasterly right-of-way line of said Mapleway Drive, North 23°31'42" West, 168.07 feet to a westerly corner of said 2.015 acre tract and the northeasterly corner of the right-of-way of said Mapleway Drive;

Thence along the northwesterly line of said 2.015 acre tract and along a southeasterly line of a 5.020 acre tract conveyed to Scioto, LLC, a Michigan limited liability company in Instrument Number 201309040149504, the following three (3) courses:

North 67°06'23" East, 21.87 feet to a corner;

Along a curve to the right having a delta angle of  $47^{\circ}03'42''$ , a radius of 425.00 feet, an arc length of 349.09 feet, and a chord bearing and distance of North  $27^{\circ}10'50''$  East, 339.36 feet to a point of tangency;

North  $50^{\circ}42'41''$  East, 198.70 feet to corner on the westerly line of said railroad right-of-way;

Thence along the northeasterly line of said 2.015 acre tract and along the northeasterly line of said 1.873 acre tract, also along the southwesterly line of said railroad right-of-way, South  $39^{\circ}16'33''$  East, 416.78 feet to an easterly corner of said 1.873 acre tract;

Thence along the northeasterly line of said 1.873 acre tract and along the southwesterly line of said railway right-of-way, the following two (2) courses:

South  $50^{\circ}43'27''$  West, 17.00 feet to a corner;

South  $39^{\circ}16'33''$  East, 33.43 feet to the **POINT OF TRUE BEGINNING**, containing 4.3 acres (189,044 S.F.), more or less.

**To Rezone From:** C-4, Commercial District and L-C-5, Limited Commercial District,

**To:** AR-2, Apartment Residential District.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the AR-2, Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.