



Legislation Text

File #: 0575-2020, **Version:** 2

Rezoning Application: Z19-049

APPLICANT: Metro Development, c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on December 12, 2019.

WEST SCIOTO AREA COMMISSION RECOMMENDATION: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of four parcels zoned in the R, Rural District: one parcel is undeveloped, and three parcels along the Trabue Road frontage are developed with single-unit dwellings and have been recently annexed from Franklin Township. The requested L-ARLD, Limited Apartment Residential District will permit a multi-unit residential development with a maximum of ~~312~~ **264** units (~~12.18~~ **10.31** units/acre gross density). The limitation text commits to a site plan which depicts pedestrian connectivity, open space, and tree preservation areas, and establishes supplemental development standards that address density, traffic commitments, including a monetary contribution towards a future Trabue Road regional traffic study, and graphics controls. Increased stormwater management facilities are depicted on the site plan to help alleviate existing drainage issues with the adjacent single-unit subdivision and Interstate 270. The site is within the boundaries of the *Trabue/Roberts Plan* (2011), which recommends low-medium density residential (4-6 units/acre) land uses for this location. Although the Plan recommends lower density residential for this location, Planning Division staff recognizes that the proposed use is compatible with existing surrounding residential density patterns, is adjacent to the freeway, and that the proposal would preserve a significant amount of open space. As such, staff supports increased densities at this location. Concurrent Council Variance (Ordinance #0576-2020; CV19-103) is also requested to reduce parking and building setbacks, to permit maneuvering and parking spaces to cross a parcel line, and to eliminate the perimeter yard along the internal property line as the site will be comprised of two separate parcels due to different taxing districts.

To rezone **4407 TRABUE RD. (43228)**, being 25.6± acres located on the south side of Trabue Road, 800± feet west of Arlingate Lane, **From:** R, Rural District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning #Z19-049).

WHEREAS, application #Z19-049 is on file with the Department of Building and Zoning Services requesting rezoning of 25.6± acres from R, Rural District, to the L-ARLD, Limited 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 requested L-ARLD, Limited Apartment Residential District is compatible with existing surrounding residential density patterns. The site is adjacent to the freeway and the proposal preserves a significant amount of open space. As such staff supports higher density than what is recommended by the *Trabue-Roberts Area Plan*; 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

4407 TRABUE RD. (43228), being 25.6± acres located on the south side of Trabue Road, 800± feet west of Arlingate Lane, and being more particularly described as follows:

TRACT I

4.2± acres

Situated in the State of Ohio, County of Franklin, Township of Franklin, Virginia Military Survey No. 3316, being 4.2± acres, said 4.2± acre tract of land being part of a 1.766 acre tract of land conveyed to John E. Gagnon of record in Instrument Number 201111290154946, part of a 1.836 acre tract of land conveyed to Pierre and Sherry Johnson of record in Instrument Number 200602280037620 and part of a 1.86 acre tract of land conveyed to Millicent D. Johnson of record in Deed Book 3264, Page 442 and Instrument Number 201712110174146, and being more particularly described as follows:

Beginning for Reference, at a northwesterly corner of said 1.766 acre tract, at a northeasterly corner of a 1.724 acre tract of land conveyed to Holly W. and Winnie K. Yee of record in Deed Book 3549, Page 52, said corner being in the northerly line of said Franklin Township and the southerly line of Norwich Township and also being in the centerline of Trabue Road (C.R. 27);

Thence **S 09° 34' 59" E**, along the westerly line of said 1.766 acre tract and the easterly line of said 1.724 acre tract, **132.0± feet** to a point, the **True Point of Beginning**;

Thence **N 79° 51' 45" E**, across said 1.766 acre tract, said 1.836 acre tract and said 1.86 acre tract, **449.9± feet** to the easterly line of said 4.2± acre tract and being in the westerly line of City of Columbus Corporation Line (Case No. 99-88, Ord. No. 633-89, O.R. 13294B09);

Thence along the easterly lines of said 4.2± acre tract and said 1.86 acre tract and along the westerly line of said City of Columbus Corporation Line, the following two (2) courses;

1. **S 09° 34' 59" E**, **440.0± feet** to an angle point thereof;
2. **S 11° 47' 21" W**, **12.0± feet** to the southeasterly corner of said 4.2± and said 1.86 acre tract;

Thence along the southerly lines of said 4.2± acre tract, said 1.86 acre tract, said 1.836 acre tract and said 1.766 acre tract and along the northerly line of said City of Columbus Corporation Line, the following two (2) courses;

1. **N 83° 56' 35" W**, **152.4± feet** to an angle point thereof;
2. **S 87° 05' 31" W**, **300.8± feet** to the southwesterly corner of said 4.2± acre tract and said 1.766 acre tract;

Thence **N 09° 34' 54" W**, along the westerly line of said 4.2± acre tract and said 1.766 acre tract, **370.8± feet** to the **True Point of Beginning**, and containing **4.2± acres**, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on March 14, 2019 and is based on existing records from the Franklin County Auditor's Office and the Franklin County Recorder's Office. A drawing of the above description is attached hereto and made a part thereof.

The total length of the annexation perimeter is about 1,726± feet, of which about 905± feet are contiguous with existing

City of Columbus Corporation Lines, being 52.4%± contiguous. This annexation does not create any islands of township property.

Bearings shown hereon are based on GIS line work provided by the Franklin County Auditor's Office.

This description is to be used for annexation purposes only and not to be used in the transfer of land.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

TRACT II
21.4± acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Virginia Military District 3316 and being the remainder of a 47 acre and three rods tract as conveyed to Millicent D. Johnson in Instrument Number 201706300089379, Instrument Number 201809200127702, and 201809200127703 as further described as follows;

Commencing at a magnail set at the northeast corner of the remainder of said 47 acre and three rods tract, the northwest corner of the remainder of a tract as conveyed to Mildred M. McFarland in Deed Book 2343, Page 470 (1/2 interest), Deed Book 2870, Page 99 (1/3 interest), Deed Book 2988, Page 386 (2/9 interest), and also to Malcolm McFarland (2/9 interest) and Richard McFarland Jr. (2/9 interest) in Deed Book 2870, Page 99, being the northeast corner of a 0.800 acre highway easement, designated as Parcel 1069-2, to the State of Ohio in Deed Book 2909, Page 12, the northwest corner of a 0.317 acre highway easement, designated as Parcel 1068-D, to the State of Ohio in Deed Book 2811, Page 86, and being within a 2.794 acre highway easement to the Board of County Commissioners of Franklin County in Deed Book 3151, Page 671, being in the centerline of right of way of Trabue Road (R/W Varies) delineated on the ODOT Right of Way plan set designed FRA-270-0.00N/0.00S, and being in the north line of Franklin Township and the south line of Norwich Township, also being the **TRUE POINT OF BEGINNING** of the land herein described as follows;

Thence with the east line of the remainder of said 47 acre and three rods tract, the west line of the remainder of said McFarland tract, the east line of said 0.800 acre highway easement, the west line of said 0.317 acre highway easement, the west line of Brookhollow Section 1 as recorded in Plat Book 85, Page 2, the west line of Brookhollow Section 2 as recorded in Plat Book 86, Page 71 and the west line of a 32.616 acre tract as conveyed to Star Leasing Co. in Instrument Number 201211010165739, **S 11° 37' 53" W, 2078.13 feet** to an iron pin set at the southeast corner of said 47 acre and three rods tract and being an angle point in the west line of said 32.616 acre tract;

Thence with the south line of the remainder of said 47 acre and three rods tract and the west line of said 32.616 acre tract, **N 76° 49' 26" W, 408.85 feet** to a 1" rebar at the southwest corner of the remainder of said 47 acre and three rods tract, being an angle point in the west line of said 32.616 acre tract, and being in a common point of the southeast corner of an 11.815 acre tract as conveyed to State of Ohio in Deed Volume 2909, Page 12 known as Parcel 1069-WL, and the northeast corner of a 66.908 acre tract as conveyed to the State of Ohio in Deed Book 2759, Page 423, known as Parcel 1067-WL, and being in the easterly right of way line of Interstate Route 270 as delineated on the ODOT Right of Way plan set designated FRA-270-0.00N/0.00S;

Thence the following four (4) courses along the west line of the remainder of said 47 acre and three rods tract, the east line of said Parcel 1069-WL and the easterly right of way line of Interstate Route 270:

1. **N 20° 31' 12" W, 129.80 feet** to a 1/2" rebar;
2. **N 04° 16' 14" W, 457.74 feet** to a 3/4" pipe;
3. **N 02° 57' 19" E, 600.08 feet** to an iron pin set;

4. **N 01° 48' 05" E, 514.61 feet** to the northwest corner of the remainder of said 47 acre and three rods tract and being in the west line of a 1.724 acre tract as conveyed to Holly K. Yee in Deed Volume 3549, Page 52, reference a 1 1/2" pipe, south 4.24 feet, east 1.95 feet;

Thence with the north line of the remainder of said 47 acre and three rods tract and the west line of said 1.724 acre tract, **S 09° 38' 30" E, 399.57 feet** to an iron pin set at an angle point in the north line of the remainder of said 47 acre and three rods tract and being the southwest corner of said 1.724 acre tract;

Thence with the north line of the remainder of said 47 acre and three rods tract and the south line of said 1.724 acre tract, **N 89° 20' 13" E, 151.64 feet** to a 5/8" rebar at an angle point in the north line of the remainder of said 47 acre and three rods tract and being the southeast corner of said 1.724 acre tract;

Thence with the north line of the remainder of said 47 acre and three rods tract and the east line of said 1.724 acre tract, **N 09° 36' 57" W, 11.30 feet** to an iron pin set at an angle point in the north line of the remainder of said 47 acre and three rods tract, being in the east line of said 1.724 acre tract, and being the southwest corner of a 1.766 acre tract as conveyed to John E. Gagnon in Instrument Number 201111290154946;

Thence with the north line of the remainder of said 47 acre and three rods tract, the south line of said 1.766 acre tract and the south line of a 1.836 acre tract as conveyed to Pierre Johnson and Sherry Johnson in Instrument Number 200602280037620, **N 87° 03' 38" E, 301.99 feet** to an iron pin set at the southeast corner of said 1.836 acre tract and the southwest corner of a 1.86 acre tract as conveyed to Millicent D. Johnson in Instrument Number 201809200127704;

Thence with the north line of the remainder of said 47 acre and three rods tract and the south line of said 1.86 acre tract, **S 83° 51' 31" E, 151.20 feet** to an iron pin set at the southeast corner of said 1.86 acre tract and being an angle point in the north line of said 47 acre and three rods tract;

Thence with the north line of the remainder of said 47 acre and three rods tract and the east line of said 1.86 acre tract, **N 11° 53' 03" E, 12.00 feet** to an iron pin set at an angle point in the east line of said 1.86 acre tract and being an angle point in the north line of said 47 acre and three rods tract;

Thence with the north line of the remainder of said 47 acre and three rods tract, the east line of said 1.86 acre tract, the west line of said 0.800 acre highway easement, the east line of a 0.467 acre highway easement, designated as Parcel 1068 -D, to the State of Ohio in Deed Book 2811, Page 106, and crossing said 2.794 acre highway easement, **N 09° 36' 57" W, 576.52 feet** to a magnail set at the northeast corner of said 1.86 acre tract, an angle point in the north line of said 47 acre and three rods tract, the northwest corner of said 0.800 acre highway easement, the northeast corner of said 0.467 acre highway easement and being in the centerline of right of way of Trabue Road;

Thence with the north line of the remainder of said 47 acre and three rods tract, the north line of said 0.800 acre highway easement and the centerline of right of way of Trabue Road across said 2.794 acre highway easement, **N 79° 15' 20" E, 279.69 feet** to the **TRUE POINT OF BEGINNING**, containing **21.401 acres**, more or less, 0.800 acre being in Present Road Occupied (PRO).

The above description was prepared by Advanced Civil Design Inc. and based on existing Franklin County records, along with an actual field survey performed March, 2019. A drawing of the above description is attached hereto and made a part thereof.

Iron pins set are 3/4" diameter, 30" long pipe with plastic cap inscribed "Advanced 7661".

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (NSRS2007). Said bearings were derived from GPS observation and determine a portion of the centerline of right of way of Trabue Road having a bearing of N79°15'20"E.

All references used in this description can be found at the Recorder's Office Franklin County, Ohio.

To Rezone From: R, Rural District,

To: L-ARLD, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-ARLD, Limited 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 change on the said original zoning map and shall register a copy of the approved L-ARLD, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," and site plan titled "~~CONCEPT PLAN - TRABUE FRONTAGE RD.~~" "**ILLUSTATIVE PLAN - CORNERSTONE DEVELOPMENT**," both signed by Jeffrey L. Brown, Attorney for the Applicant, and dated ~~February 24~~ **July 21, 2020**, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-ARLD
PROPERTY ADDRESS: 4407 Trabue Road
OWNER: Millicent D Johnson et al.
APPLICANT: Metro Development
DATE OF TEXT: ~~2/24/20~~ **7/21/20**
APPLICATION: Z19-049

1. **INTRODUCTION:** The site is located on the south side of Trabue Road adjacent to I-270.
2. **PERMITTED USES:** Those uses permitted in Section 3333.02, AR-12, ARLD and AR-1 Apartment Residential district use of the Columbus City Code.
3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3333 Apartment Residential of the Columbus City Code
 - A. Density, Lot, and/or Setback Commitments.
 1. The maximum number of dwelling units shall be ~~312~~ **264**.
 2. See accompanying Council variance #CV19-103 regarding the parking and building setbacks and perimeter yard requirements reflected on the attached site plan.
 - B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 1. Access is shown on the submitted site plan including a fire access lane along a portion of the east property line

2. The applicant shall install a left turn lane and a right turn drop lane on Trabue Road at its entrance, and install a right turn lane into Brook Hollow subdivision east of the site.

3. The applicant shall pay to the City of Columbus Department of Public Service ~~\$1,000 per unit~~ **\$550,000** at the time of filing for site compliance review. The money shall be used for traffic improvement along the Trabue Road Corridor in addition to what the applicant is required to do in item 3B2.

4. The applicant shall also contribute \$25,000 to the City of Columbus toward a traffic study of the Trabue Road corridor payable at the time of filing for site compliance review.

C. Buffering, Landscaping, Open Space, and/or Screening Commitments.

1. There is a tree preservation area along the east property line as shown on the submitted site plan. This tree preservation area is subject to stormwater connections.

2. The submitted site plan also shows mounding and landscaping around the ponds and around some of the garage buildings.

3. A 3.0± acre open space area shall be maintained in the south end of the site as shown on the submitted site plan.

D. Building Design and/or Interior-Exterior Treatment Commitments.

N/A

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

N/A

F. Graphics and Signage Commitments

All Graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus Code as it applies to the ARLD zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. The site shall be developed in accordance with the Site Plan titled "Concept Plan - Trabue Frontage Rd." however, the Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and when engineering plans are completed. Any slight adjustment shall be reviewed and may be approved by the Director of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

2. On site utility lines will be buried.

3. A resident's garden area will be part of the overall development.

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