



## Legislation Details (With Text)

**File #:** 1923-2019      **Version:** 1

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

**File created:** 7/2/2019      **In control:** Zoning Committee

**On agenda:** 7/29/2019      **Final action:** 7/31/2019

**Title:** To rezone 6159 HALL RD (43119), being 8.4± acres located on the south side of Hall Road, 210± feet west of Galloway Road, From: CPD, Commercial Planned Development District, To: L-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development District (Rezoning # Z19-003).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1923-2019\_Attachments, 2. ORD1923-2019\_Labels2, 3. ORD1923-2019\_Labels

Date	Ver.	Action By	Action	Result
7/31/2019	1	CITY CLERK	Attest	
7/30/2019	1	MAYOR	Signed	
7/29/2019	1	COUNCIL PRESIDENT	Signed	
7/29/2019	1	Zoning Committee	Approved	Pass
7/22/2019	1	Columbus City Council	Read for the First Time	

**Rezoning Application: Z19-003**

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

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on April 11, 2019.

**WESTLAND AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one undeveloped parcel zoned CPD, Commercial Planned Development District. The applicant is requesting the L-AR-1, Limited Apartment Residential District (Subarea 1) to permit a maximum of 138 apartment units on 7.1 acres; and the CPD, Commercial Planned Development District (Subarea 2) to permit commercial development on 1.3 acres. The limitation text includes supplemental development standards that address the maximum number of apartment units permitted, traffic access, landscaping, lightning controls, graphics restrictions, and commits to a site plan. The CPD text establishes use restrictions and supplemental development standards that address setbacks, landscaping, building materials, graphics restrictions, and includes a commitment to a site plan. The CPD text includes a variance to the building setback along Galloway Road. The site is within the boundaries of *The Westland Plan* (1994), which recommends "village center" land use at this location. Additionally this site is within an area that has adopted the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines. Staff finds the proposed multi-unit residential and commercial developments to be consistent with the Plan's land use recommendation.

To rezone **6159 HALL RD (43119)**, being 8.4± acres located on the south side of Hall Road, 210± feet west of Galloway Road, **From:** CPD, Commercial Planned Development District, **To:** L-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development District (Rezoning # Z19-003).

**WHEREAS**, application # Z19-003 is on file with the Department of Building and Zoning Services requesting rezoning of 8.4± acres from CPD, Commercial Planned Development District, to the L-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development District; and

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

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-AR-1, Limited Apartment Residential and CPD, Commercial Planned Development districts are consistent with *The Westland Plan's* land use recommendation of "village center" at this location, and contain appropriate development standards that address C2P2 Design Guidelines; 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:

**6159 HALL RD (43119)**, being 8.4± acres located on the south side of Hall Road, 210± feet west of Galloway Road and being more particularly described as follows:

**SUBAREA 1 - 7.1± ACRES:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 1473, being 7.1± acre, said 7.1± acre being part of an Original 9.3728 acre tract of land conveyed to STAZ, Ltd. of record in Instrument Number 201507160096739, and being more particularly described as follows:

Beginning for Reference, at a northeasterly corner of said Original 9.3728 acre tract, at a northwesterly corner of a tract of land deeded to Speedway SuperAmerica LLC of record in Instrument Number 200711300206543 and being in the southerly right-of-way line of Hall Road;

Thence N 83° 34' 09" W, along the northerly line of said Original 9.3728 acre tract and the southerly right-of-way line of said Hall Road, 30.01 feet to the True Point of Beginning;

Thence across said Original 9.3728 acre tract, the following three (3) courses;

S 07° 42' 30" W, 254.56'± feet to an angle point;

S 28° 56' 01" W, 157.32'± feet to an angle point;

S 52° 55' 13" E, 174.41'± to the southeasterly line of said Original 9.3728 acre tract and the northwesterly right-of-way line of Galloway Road;

Thence along the southeasterly and southwesterly lines of said Original 9.3728 acre tract and along the northwesterly and northeasterly right-of-way lines of said Galloway Road, the following five (5) courses;

S 47° 20' 44" W, 53.82± feet to an angle point thereof;

S 58° 24' 48" W, 248.77'± feet to an angle point thereof;

S 51° 16' 02" W, 211.99'± feet to an angle point thereof;  
N 47° 18' 54" W, 114.84'± feet to an angle point thereof;  
N 86° 39' 21" W, 20.00'± feet to a common corner thereof and being in the easterly line of a tract of land conveyed to Andrew Clark;

Thence the N 03° 20' 39" E, along the westerly line of said Original 9.3728 acre tract and along the easterly lines of said Clark tract and a tract of land conveyed to Galloway Presbyterian Church USA, 757.77'± feet to a northwesterly corner of said Original 9.3728 acre tract, to the northeasterly corner of said Galloway Presbyterian tract and being in the southerly right-of-way of said Hall Road;

Thence along the northerly lines of said Original 9.3728 acre tract and the southerly right-of-way lines of said Hall Road, the following two (2) courses;

S 86° 25' 55" E, 189.38'± feet to an angle point thereof;  
S 83° 34' 09" E, 260.78± feet to the True Point of Beginning, and containing 7.1± acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on January 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.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** L-AR-1, Limited Apartment Residential District

**SUBAREA 2 - 1.3 ± ACRES:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 1473, being 1.3± acre, said 1.3± acre being part of an Original 9.3728 acre tract of land conveyed to STAZ, Ltd. of record in Instrument Number 201507160096739, and being more particularly described as follows:

Beginning, at a northeasterly corner of said Original 9.3728 acre tract, at a northwesterly corner of a tract of land deeded to Speedway SuperAmerica LLC of record in Instrument Number 200711300206543 and being in the southerly right-of-way line of Hall Road;

Thence along the easterly and northerly lines of said Original 9.3728 acre tract, along the westerly and southerly lines of said Speedway tract and leaving said right-of-way, the following two (2) courses;

S 07° 42' 30" W, 225.23'± feet to a common corner thereof;  
S 82° 17' 30" E, 189.70'± feet to a common corner thereof and in the westerly right-of-way line of Galloway Road;

Thence along the southeasterly and southwesterly lines of said Original 9.3728 acre tract and along the northwesterly and northeasterly right-of-way lines of said Galloway Road, the following three (3) courses;

S 12° 45' 06" W, 31.47'± feet to an angle point thereof;  
S 29° 39' 53" W, 175.78'± feet to an angle point thereof;  
S 47° 20' 44" W, 88.05± feet to an angle point thereof;

Thence across said Original 9.3728 acre tract, the following three (3) courses;

N 52° 55' 13" W, 174.41'± feet to an angle point thereof;  
N 28° 56' 01" E, 157.32'± feet to an angle point thereof;  
N 07° 42' 30" E, 254.56'± feet to the northerly line of said Original 9.3728 acre tract and the southerly right-of-way line of said Hall Road;

Thence S 83° 34' 09" E, along said common line, 30.01± feet to the True Point of Beginning, and containing 1.3± acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on January 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.

Property Address: 6159 Hall Rd., Columbus, OH 43119.

**To Rezone From:** CPD, Commercial Planned Development District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development 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-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Sections 3311.12 and 3370.03 of the Columbus City Codes; said plan being titled, "SITE PLAN," and "ENLARGEMENT PLAN - PERIMETER LANDSCAPING," drawn by Faris Planning & Design, and text titled, "DEVELOPMENT TEXT," all dated July 1, 2019, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

#### **DEVELOPMENT TEXT**

**PROPOSED DISTRICT:** L-AR-1, Limited Apartment Residential District, and CPD Commercial Planned Development District

**PROPERTY ADDRESS:** 6159 Hall Road

**OWNER:** Staz Ltd.

**APPLICANT:** Metro Development, LLC

**DATE OF TEXT:** 7/1/19

**APPLICATION NUMBER:** Z19-003

**1. INTRODUCTION:** The site is located on the west side of Galloway Road, south of Hall Road. This site was rezoned in 2007 for a shopping center with outlots. The proposed development is for multi-family with a single commercial outlot along Galloway Road.

#### **SUBAREA 1 - L-AR-1**

**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 138.
2. Building and parking setbacks are shown on the submitted site plan.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments:

The applicant shall install a 225 feet long southbound right turn lane at the existing access point to Galloway Road, the design of which will need to be coordinated with the Franklin County Engineer's Office. Also, the existing northbound left turn lane at the existing access point to Galloway Road will be required to be extended to a length of 285 feet.

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

Landscaping is 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:

Parking lot light poles shall not exceed 14 feet in height.

F. Graphics and/or Signage Commitments:

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the AR-1 zoning classification and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

Site Plan Revision Allowance: The Property shall be developed in accordance with the Site Plan and Enlargement Plan - Perimeter Landscaping; however, these Site Plans shall be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department of Building and Zoning Services or the Director's designee may approve any slight adjustment to these Site Plans upon submission of the appropriate data regarding the proposed adjustment.

## SUBAREA 2 - CPD

**2. PERMITTED USES:** Those uses permitted in Chapter 3356 C-4, Commercial of the Columbus City Code along with car wash and/or, convenience store with gasoline sales. The following uses shall be prohibited:

Auto sales, new or used  
Animal shelter  
Astrology, fortune telling, palm reading  
Billboards  
Blood and organ banks  
Bars, Cabarets and night clubs  
Community food pantry  
Crematory  
Halfway house  
Missions/temporary shelters  
Outdoor power equipment sales  
Pawn broker  
Check cashing and loans

**3. DEVELOPMENT STANDARDS:** Except as listed in the zoning text and on the submitted site plan, the applicable development standard are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements:

Building and parking setbacks are shown on the submitted site plan.

B. Access, Loading, Parking and/or Traffic Related Commitments:

N/A

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

Landscaping is shown on the submitted site plan.

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

The building elevation excluding doors and windows facing Galloway Road will be finished with brick, stone, glass, stucco, hardy plank individually or in any combination thereof.

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

No outdoor displays shall be permitted.

F. Graphics and Signage Commitments:

The applicable graphics standards shall be those contained in the City Code as they apply to C-4, Commercial District. No billboards or off-premise graphics shall be permitted. Any variances shall be submitted to the Columbus Graphics Commission and the applicant shall file a graphics plan application for any freestanding signs on this parcel.

G. Miscellaneous:

1. Site Plan Revision Allowance: The Property shall be developed in accordance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department Building and Zoning Services or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

2. Abandoned service stations, filling stations or fuel sales establishments will be addressed in accordance with Section 3357.18 of the Columbus City Code.

3. Variance: 3356.11 C-4 district setback line: to reduce the building setback along Galloway Road from 30 to 25 feet.

4. **CPD REQUIREMENTS:**

A. Natural Environment: The site is located on the west side of Galloway Road south of Hall Road.

B. Existing Land Use: The area to the west and south is undeveloped; to the north is a convenience store with gas and across Galloway Road is a strip shopping center and single family houses.

C. Transportation and Circulation: Access from Galloway Road and from Hall Road via an access driveway.

D. Visual Form of the Environment: The user has not be selected and therefore the look of the building has not been established.

E. View and Visibility: The applicant considered pedestrian and vehicular movement in layout the site.

F. Proposed Development: C-4, Commercial uses.

G. Behavior Patterns: The Property will serve existing traffic traveling home or shopping in the area as well as pedestrian traffic.

H. Emissions: No adverse effect from emissions shall result from the proposed development.

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