



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 2358-2018, Version: 1

Rezoning Application: Z17-057

APPLICANT: Preferred Living; c/o David Hodge, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-1) on May 10, 2018.

WEST SCIOTO AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with single-unit dwellings in the R, Rural District. The applicant requests the CPD, Commercial Planned Development to permit commercial development. This rezoning will put the subject site into a similar zoning district as the property adjacent to the east, allowing for a mixed-use development as proposed in rezoning application Z16-080 (ORD # 3116-2017). This proposal includes appropriate use restrictions, supplemental development standards, and variances to reduce setbacks and to permit parking spaces, driveways, and maneuvering over internal parcel lines consistent with the CPD district to the east. This site is located within the boundaries of the *Trabue/Roberts Area Plan* (2011), which recommends "Mixed-Use (Neighborhood)" land uses for this location. The proposed commercial development as part of a larger mixed-use development is consistent with the land use recommendations of the *Trabue/Roberts Area Plan*, and with the adjacent CPD district.

To rezone **3467 TRABUE ROAD (43204)**, being 5.5± acres located on the south side of Trabue Road, 1,300± feet west of McKinley Avenue, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z17-057).

WHEREAS, application # Z17-057 is on file with the Department of Building and Zoning Services requesting rezoning of 5.5± acres from R, Rural District, to CPD, Commercial Planned Development District; and

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

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

WHEREAS, a letter is included as requested by the Department of Public Service, Division of Traffic Management that explains the collaborative Traffic Impact Study that has been agreed upon by this applicant and the developer(s) and /or applicant(s) of the Dublin Trabue Property; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will allow a commercial development as part of a larger mixed-use town center development that is consistent with the land use recommendation of the *Trabue/Roberts Area Plan* and adjacent CPD district; 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:

3467 TRABUE ROAD (43204), being 5.5± acres located on the south side of Trabue Road, 1,300± feet west of McKinley Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, being in Virginia Military Survey No. 530 and being 5.5+/- acres, said 5.5+/- acres being part of that tract of land as conveyed to Jeffrey P. Ferrelli and Deborah K. Ferrelli of record in Instrument No. 201405200062549 (P.I.D. 140-000509), part of those tracts of land as conveyed to Angelo J. Dallas of record in Instrument No. 201703300042154 (P.I.D. 140-000508 and P.I.D. 140-000977), part of that tract of land as conveyed to Angelo J. Dallas of record in Instrument No. 201008030098211 (P.I.D. 140-000507), part of that tract of land as conveyed to Dallas Mobile Home Village, Inc. of record in Instrument No. 201106210077072 (P.I.D. 140-000451) and part of that tract of land as conveyed to Angelo Dallas of record in Instrument No. 200509280202925 (P.I.D. 140-001400), said 5.5+/- acres more particularly described as follows;

Beginning at the southeasterly corner of said Ferrelli tract, said corner also being the southwesterly corner of that tract of land as conveyed to Joseph A. Castorano and Rebecca T. Castorano of record in Instrument No. 199903030054023 (P.I.D. 425-287912) and in the northerly line of that tract of land as conveyed to Joseph S Dallas, Trustee, Angelo J. Dallas III, Trustee and John G. Damico of record in Instrument No. 200103260060473;

Thence with the southerly lines of said Ferrelli tract, said Angelo J. Dallas tracts, said Dallas Mobile Home Village, Inc. tract and said Angelo Dallas tract and with the northerly line of said Dallas, Dallas and Damico tract, the following two (2) courses and distances:

S 66° 51' 43" W, 116.2+/- feet to a point of curvature;

With a curve to the right having a central angle of 41° 07' 57" and a radius of 459.34+/- feet, an arc length of 329.8+/- feet and a chord bearing and distance of N 82° 17' 40" W, 322.7+/- feet to a southwesterly corner of said Angelo Dallas tract (P.I.D. 140-001400), said corner also being the southerly corner of that tract of land as conveyed to John M. Lombardi of record in Instrument No. 200607250145532 (P.I.D. 140-000304) and being in the easterly right-of-way line of the Railroad (100');

Thence with the westerly line of said Angelo Dallas tract (P.I.D. 140-001400), the easterly line of said Lombardi tract (P.I.D. 140-000304) and partially with the easterly line of that tract of land as conveyed to John M. Lombardi, also of record in Instrument No. 200607250145532 (P.I.D. 140-001382), N 23° 24' 07" W, 490.1+/- feet to a point in the southerly right-of-way line of Trabue Road (R/W Varies);

Thence across said Angelo Dallas tract, said Dallas Mobile Home Village, Inc. tract, said Angelo J. Dallas tracts, said Ferrelli tract and with the southerly right-of-way line of Trabue Road (R/W Varies), N 66° 35' 53" E 390.0+/- feet to a point in the easterly line of said Ferrelli tract and the westerly line of said Castorano tract;

Thence with said common line, S 23° 36' 49" E, 657.4+/- feet to the True Point of Beginning and containing 5.5+/- acre more or less.

The above description was prepared by Advanced Civil Design Inc. on 12/20/2017 and is based on existing County Auditor records, County Recorder records and Franklin County GIS.

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

To Rezone From: R, Rural District

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of sixty (60) feet is hereby established on the 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 CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, “**TRABUE / MCKINLEY AVENUE MIXED USE CONCEPT PLAN**,” and text titled, “**DEVELOPMENT TEXT**,” both dated July 19, 2018, and signed by David Hodge, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

Application: Z17 - 057

Address: 3467 Trabue Road

Owner: Dallas Mobile Home Village, Inc., et al.

Applicant: Preferred Living

Zoning Districts: CPD

Date: July 19, 2018

Introduction: The subject property was recently annexed from Franklin Township to the City of Columbus, fulfilling a commitment made by the applicant during the rezoning of adjacent property - Z16 - 080. The property is 5.5+/- acres along the south side of Trabue Road, west of its intersection with McKinley Avenue. The properties immediately to the south and east were rezoned to the L-AR-1 and CPD district respectively, the CPD to the east being the same classification requested here. That rezoning, Z16 - 080 was approved by Ordinance 3116 - 2017. The applicant seeks to rezone the property to CPD to ready the property for neighborhood scale mixed-use redevelopment in accordance with the land use recommendations for the property from the Trabue/Roberts Area Plan - San Margherita Subarea (the “Plan”). This rezoning furthers the mixed-use development goal promulgated by the Plan, and fulfills a commitment made by the applicant to first annex, then rezone the property to incorporate the same development commitments made with the property to the east.

1. Location: The property consists of 5.5+/- acres and is located south of Trabue Road, west of its intersection with McKinley Avenue.

2. Permitted Uses: Those uses permitted by C.C. 3356.03 (C-4 permitted uses), excluding the following:

Extended Stay Hotels
Automobile and Light Truck Dealers
Automotive Sales, Leasing and Rental
Cabarets and Nightclubs
Blood and Organ Banks
Check Cashing and Loans
Community Food Pantry
Missions / Temporary Shelters
Motorcycle, Boat, and Other Motor Vehicle Dealers
Motor Vehicle Accessories and Parts Dealers
Outdoor Power Equipment Sales
Pawn Brokers
Recreational Vehicle Dealers
Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing
Used Merchandise Stores
Drive-In Motion Picture Theaters

Farm Equipment and Supply Stores
Garden, Landscaping and Nursery Centers and Sales
Hospitals
Lawn and Garden Equipment and Supplies Stores
Performing Arts, Spectator Sports and Related Industries
Animal Shelter
Halfway House
Veterinarians (Unlimited practice)

3. Development Standards: Except as otherwise noted herein, the applicable development standards of the Urban Commercial Overlay, Sections 3372.601 through 3372.609 shall apply. If not addressed therein, the standards of Chapter 3356 (C-4) shall apply.

A. Density, Height, Lot, and/or Setback Commitments.

1. Permitted uses shall not exceed 35,000 square feet per gross acre.
2. The maximum building setback shall be 20 feet from Trabue Road, neither parking nor drive aisles may be permitted between buildings and Trabue Road.
3. There shall be no required setback for interior property lines for parking, maneuvering and buildings.
4. Building overhangs, stoops, steps, patios, and other architectural features shall be permitted to encroach up to 5 feet into the building setback.
5. The maximum permitted building setback along any internal north/south drive aisle shall be 10 feet and the minimum setback for parking lots shall be 5 feet. A maximum of 50 percent of required parking may be located at the side of a principal building.

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

1. The exact location of access points are subject to the review and approval of the City of Columbus, Department of Public Service.
2. If required, right-of-way shall be dedicated along Trabue Road.
3. Internal drive aisles may be developed without regard to interior parcel lines to enable seamless development across the subject property. Cross-access easements will be provided.
4. Interconnectivity, for motorists and pedestrians, shall be provided, cross-access easements shall be provided.
5. It is anticipated that property located east of Dublin Road, north of Trabue Road (the “Dublin Trabue Property”), in proximity to the northeast of the 5.5+/- acres the subject of this rezoning, will redevelop over the coming years. To appropriately mitigate traffic impacts, and to create efficiencies, the applicant has agreed to a collaborative Traffic Impact Study with the developer(s) and /or applicant(s) of the Dublin Trabue Property and the City of Columbus, Department of Public Service. In the event the Dublin Trabue Property does not redevelop as anticipated, the subject property shall fulfill the same Traffic Impact Study commitment made in Z16-080, Ordinance # 3116-2017 mandating that prior to submittal and approval of a site compliance plan for any commercial development of the commercial to the east rezoned by Z16-080 and / or the subject site, a revised Traffic Impact Study shall be prepared to evaluate the impacts of the commercial development. This revised traffic impact study will need to evaluate the proposed access points to Trabue Road as well as off-site intersections, as determined by the City of Columbus, Department of Public Service and the Franklin County Engineer’s Office, if applicable.

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

1. Any loading area located within twenty-five (25) feet of a residentially zoned or used property shall be screened from such residential property by buildings or view-obstructing treatment such as landscaped mounds, a wall or fence, dense planting strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of six (6) feet and an opacity of not less than seventy-five percent (75%). All such view obscuring measures shall be maintained in good condition and appearance at all times.
2. All open areas on each developed parcel not occupied by buildings, structures, outside display areas, parking areas, street right-of-way paved areas, driveways, signs, walkways, plazas, and off-street loading areas shall be landscaped with lawns, grass, seasonal plantings, mulch, trees, and shrubs.
3. The frontage along Trabue Road shall include street trees spaced 1 every 40 feet, trees may be grouped where appropriate as long as the minimum numbers are provided. The spacing and species shall be subject to the approval of the City of Columbus Forester. Minimum street tree size at installation shall be 2 ½ inch caliper.
4. Dumpsters and mechanical equipment shall be fully screened from off-site view by a solid wall or fence consisting of materials that are consistent with one or more of the primary or secondary materials that are used on the nearest structure that is served by the relevant dumpster or mechanical equipment.
5. New tree plantings shall consist of those tree species native to Ohio.

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

The appearance and architecture shall be consistent and compatible throughout. Building materials shall be predominately brick, brick veneer, stone or stucco stone, metal, vinyl, stucco, synthetic stucco (EFIS), wood, and glass, in various combinations thereof. No exposed or painted concrete block shall be permitted. Commercial decorative finished block may be used for the sides and rear of buildings not fronting streets.

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

Light poles shall be black, dark brown or bronze in color, consistent throughout, and coordinated with the overall architectural scheme.

F. Graphics and/or Signage Commitments.

The developer may submit a Graphics Plan for part or all of the development. If no Graphics Plan is submitted, all signage and graphics shall conform to Section 3372.606 Graphics within the Urban Commercial Overlay of the Columbus City Code. Any variance to the standards of this text or Columbus City Code shall be submitted to the Columbus Graphics Commission.

G. Variances Requested.

The following variances are requested:

1. Section 3312.09, Aisle, to permit aisles to be divided by property lines, subject to applicable total code required aisle width being provided and applicable easements.
2. Section 3312.13, Driveway, to permit driveways to be divided by property lines, subject to applicable total code required driveway width being provided and applicable easements.

3. Section 3312.25, Maneuvering, to permit maneuvering areas (including aisles, driveways, and parking spaces) to be divided by property lines, subject to applicable total code required maneuvering being provided for parking spaces and applicable easements.
4. Section 3312.49, Minimum number of parking spaces required, code required parking may occur on separate tax parcels provided the sum of parking shall be used to determine compliance with core required parking for uses within separate tax parcels. The minimum number of parking spaces required shall be determined by C.C. 3372.609 Parking and circulation of the Urban Commercial Overlay.
5. Section 3312.29 to allow parking spaces to be divided by property lines subject to code required dimensions being provided.
6. Section 3356.11, C-4 District setback lines, to reduce the setback requirements identified in that provision in accordance with this text to achieve a setback consistent with the goal of an Urban Commercial Overlay form of development.

H. CPD Criteria.

1. Natural Environment: The property is located along the south side of Trabue Road, west of its intersection with McKinley Avenue. It is currently developed with single-family residential rental homes with deep back yards.
2. Existing Land Use: The site is generally underdeveloped being deep lots with single-family residential uses along the north of the property. The property to the west is a restaurant, Johnny's, and railroad tracks. To the south is a trailer park, recently rezoned for a multi-family residential neighborhood. The east is single-family residential rental homes recently rezoned to this CPD district, and north a Trabue Road is a mixture of residential and commercial uses.
3. Circulation: All access for the property will be approved by the City of Columbus Public Service Department. Presently individual residential lots have direct access to Trabue Road.
4. Visibility: Consideration has been given to the visibility and safety of motorists and pedestrians both on and off the subject property in the development of the site.
5. Proposed Development: Commercial development to achieve a mixed-use redevelopment overall in accordance with previous commitments made by this applicant to the City to rezone the property to the same district recently rezoned to the east, and further with the Trabue/Roberts Area Plan - San Margherita Subarea land use recommendation for the property.
6. Behavior Patterns: The property is targeted as a prime mixed use redevelopment area, as planned this redevelopment will provide commercial uses to service both existing and anticipated residential growth in the immediate area.
7. Emissions: No adverse effect from emissions will result from the proposed development.

I. Miscellaneous Commitments.

1. There shall be multiple points of pedestrian connectivity to the development to the south and east and to adjacent streets, drives, and walkways.
2. There shall be an interconnected system of walkways throughout the development. Pedestrian walkways shall be a minimum 5 feet in width and may be along one side of drive aisles. Where pedestrian paths and sidewalks cross internal drive aisles or streets, striped crosswalks shall be provided. Final locations to be determined at the time of final engineering.

3. Developer shall comply with applicable requirements of Chapter 3318, Parkland Dedication.
4. All new wiring shall be underground.

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