



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1308-2023, **Version:** 1

Rezoning Application: Z22-089

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

PROPOSED USE: Mixed-use development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on March 9, 2023.

WESTLAND AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site includes mostly undeveloped land and a single-unit dwelling on two parcels that recently underwent annexation from Prairie Township. The applicant proposes to rezone the property from the R, Rural District to the L-AR-1, Limited Apartment Residential and CPD, Commercial Planned Development districts to permit a mixed-use development with two subareas (Subarea 1; L-AR-1 and Subarea 2; CPD). The requested L-AR-1 subarea permits a maximum of 552 dwelling units (16.48 du/ac) and the requested CPD subarea permits limited C-4 commercial uses. The text commits to a site plan, building elevations for the L-AR-1 subarea, and includes supplemental development standards addressing setbacks, building design, landscaping, and lighting. The site is located within the boundaries of the *Big Darby Accord Watershed Master Plan* (2006), which recommends “Tier 3” and “Rural 0.2 - 0.5 du/ac” land uses at this location. This site is also within the Hellbranch Planning Overlay, which is intended to minimize the impact of development on Hellbranch Run. Despite the “Tier 3 Conservation” recommendation as a land use for this site, staff notes that *The Westland Plan* (1994), recommends “Village Center” for the property directly to the south of this site. Furthermore, as the Plan provides recommendations for locations within the watershed, staff views the proposed land uses and densities to be appropriate based upon surrounding land uses and the Plan's recommendations nearby. A concurrent Council Variance (Ordinance #1309-2023; CV22-122) has been submitted to permit commercial traffic in the residential portion of the site, and includes variance to screening requirements, building setbacks, perimeter yard and private garage height.

To rezone **795 GALLOWAY RD. (43119)**, being 36.4± acres located at the northwest corner of Galloway Road and Hall Road, From: R, Rural District, To: L-AR-1, Limited Apartment Residential District and CPD, Commercial Planned Development District (Rezoning #Z22-089).

WHEREAS, application #Z22-089 is on file with the Department of Building and Zoning Services requesting rezoning of 36.4± acres from R, Rural District, to 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 will allow a mixed-use development that is

consistent with the surrounding land uses and the *Big Darby Accord Watershed Master Plan*'s recommendations nearby; 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:

795 GALLOWAY RD. (43119), being 36.4± acres located at the northwest corner of Galloway Road and Hall Road, and being more particularly described as follows:

L-AR-1, Limited Apartment Residential District, 33.3 acres:

Situated in the State of Ohio, County of Franklin, Prairie Township, being in Virginia Military Survey Numbers 5742 and 9221 and also being part of Parcels 1, 2, 3, 4, 5, 6, 7 as all are conveyed to Luther E. Kaderly, Trustee of the Luther E. Kaderly Trust dated November 19, 1992, and Marie E. Kaderly, Trustee of the Marie E. Kaderly Trust dated November 19, 1992 in Official Record 21723, Page A01, all of a 2.672 acre tract (Tract 1) and the remainder of a 2.427 acre tract (Tract 2) as both are conveyed to Julia G. Steward in Instrument Number 201001200006996 as further described as follows;

Commencing at FCGS 1132 at a point of tangent in the centerline of relocated Hall Road, being in the south line of a 1.2665 acre tract (48-WD) as conveyed to Franklin County Commissioners in Official Record 16674, page J12 and being in the south line of Virginia Military Survey Numbers 5742 & 9221 and the north line of Virginia Military Survey Number 1473;

Thence with the centerline of Hall Road, the south line of said 1.2665 acre tract (48-WD), the south line of a 1.9937 acre tract (30-WD) as conveyed to Franklin County Commissioners in Official Record 25690, Page E17, the south line of Virginia Military Survey Numbers 5742 & 9221 and the north line of Virginia Military Survey Number 1473, **S 86° 26' 19" E, 50.6± feet;**

Thence crossing Hall Road right of way and said 1.9937 acre tract (30-WD), **N 03° 33' 41" E, 40.1± feet** to the northerly right of way line of Hall Road, the north line of said 1.9937 acre tract (30-WD), the south line of said Kaderly Parcels 1 to 7 and being the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence the following fourteen (14) fourteen courses across said Kaderly Parcels 1 to 7:

1. **N 15° 21' 48" E, 41.4± feet;**
2. **N 29° 03' 58" E, 189.3± feet;**
3. **N 26° 01' 21" E, 88.8± feet;**
4. Along a curve to the left having a central angle of **44° 10' 11"**, a radius of **330.61 feet**, an arc length of **254.9± feet**, and a chord bearing and distance of **N 01° 32' 35" E, 248.6± feet;**
5. Along a curve to the left having a central angle of **26° 13' 55"**, a radius of **495.34 feet**, an arc length of **226.8± feet**, and a chord bearing and distance of **N 36° 03' 08" W, 224.8± feet;**
6. Along a curve to the left having a central angle **14° 38' 06"**, a radius of **1302.39 feet**, an arc length of **332.7± feet**, and a chord bearing and distance of **N 56° 29' 08" W, 331.8± feet;**
7. **N 68° 05' 13" W, 451.7± feet;**
8. **N 62° 41' 37" W, 334.2± feet**
9. Along a curve to the right having a central angle of **32° 58' 31"**, a radius of **237.22 feet**, an arc length of **136.5± feet**, and a chord bearing and distance of **N 46° 12' 22" W, 134.7± feet;**
10. Along a curve to the right having a central angle of **51° 20' 26"**, a radius of **113.75 feet**, an arc length of **101.9± feet**, and a chord bearing and distance of **N 04° 02' 53" W, 98.6± feet;**
11. Along a curve to the right having a central angle of **09° 47' 10"**, a radius of **457.32 feet**, an arc length of **78.1± feet**, and a chord bearing and distance of **N 26° 30' 55" E, 78.0± feet;**

12. **N 34° 07' 19" E, 185.2± feet;**
13. **N 39° 03' 39" E, 187.0± feet**
14. **N 41° 04' 49" E, 390.2± feet** to the north line of said Kaderly Parcels 1 to 7, the south line of The Village at Galloway Run Forty-Seventh Amendment to Condominium in Condominium Plat Book 216, Page 35, the north line of Virginia Military Survey Numbers 5742 and 9221 and the south line of Virginia Military Survey Number 5242;

Thence with the north line of said Kaderly Parcels 1 to 7, the south line of said Village at Galloway Run Forty-Seventh Amendment to Condominium in Condominium, the south line of a 6.326 acre tract as conveyed to Columbia Heights United Methodist Church in Instrument Number 200602270036905, the north line of Virginia Military Survey Numbers 5742 and 9221 and the south line of Virginia Military Survey Number 5242, **S 39° 06' 16" E, 1275.7± feet** to an angle point in the north line of said Kaderly Parcels 1 to 7, the southwest corner of said 6.326 acre tract and the northwest corner of said 2.672 acre tract;

Thence with the south line of said 6.326 acre tract, the north line of said 2.672 acre tract and the south line of a 2.076 acre tract as conveyed to Karen Basel in Instrument Number 200311130363739, **S 76° 20' 01" E, 687.4± feet** to the northeast corner of said 2.672 acre tract, the southeast corner of said 2.076 acre tract, the southwest corner of a 0.296 acre tract (38-WD) as conveyed to Franklin County Commissioners in Official Record 25166, Pg. H11, the northwest corner of a 0.038 acre tract (36-WD) as conveyed to Franklin County Commissioners in Official Record 26753, Page B05 and being in the westerly right of way line of Galloway Road;

Thence with the east line of said 2.672 acre tract, the west line of said 0.038 acre tract (36-WD) and the westerly right of way line of Galloway Road, **S 13° 08' 36" W, 186.9± feet** to the southeast corner of said 2.672 acre tract, the northeast corner of the remainder of said 2.427 acre tract and being an angle point in the westerly right of way line of Galloway Road;

Thence with the east line of the remainder of said 2.427 acre tract, the west line of said 0.038 acre tract and the westerly right of way line of Galloway Road, **S 12° 23' 00" W, 117.2± feet** to the southeast corner of the remainder of said 2.427 acre tract, the southwest corner of said 0.038 acre tract, the northwest corner of a 1.9937 acre tract (30-WD) as conveyed to Franklin County Commissioners in Official Record 25690, Page E17 and being an angle point in the northeast corner of said Kaderly Parcels 1 to 7;

Thence with the east line of said Kaderly Parcels 1 to 7, the west line of said 1.9937 acre tract (30-WD) and the westerly right of way line of Galloway Road, **S 12° 23' 00" W, 70.1± feet;**

Thence the following six (6) courses across said Kaderly Parcels 1 to 7:

1. **N 77° 37' 00" W, 57.2± feet;**
2. Along a curve to the left having a central angle of **21° 05' 21"**, a radius of **62.00 feet**, an arc length of **22.8± feet**, and a chord bearing and distance of **S 48° 34' 45" W, 22.7± feet;**
3. Along a curve to the left having a central angle of **57° 11' 36"**, a radius of **87.00 feet**, an arc length of **86.8± feet**, and a chord bearing and distance of **S 09° 26' 16" W, 83.3± feet;**
4. Along a curve to the right having a central angle of **15° 40' 38"**, a radius of **113.00 feet**, an arc length of **30.9± feet**, and a chord bearing and distance of **S 11° 19' 13" E, 30.8± feet;**
5. **N 82° 13' 57" W, 196.9± feet ;**
6. **S 17° 10' 36" W, 510.4± feet** to the south line of said Kaderly Parcels 1 to 7, the north line of said 1.9937 acre tract (30-WD) and the northerly right of way line of Hall Road;

Thence with the south line of said Kaderly Parcels 1 to 7, the north line of said 1.9937 acre tract (30-WD) and the northerly right of way line of Hall Road, **N 88° 30' 17" W, 157.6± feet** to an angle point in said line;

Thence continuing with the south line of said Kaderly Parcels 1 to 7, the north line of said 1.9937 acre tract (30-WD) and the northerly right of way line of Hall Road, **N 86° 26' 06" W, 239.0± feet** to the **TRUE POINT OF BEGINNING**,

containing **33.3± acres**, more or less.

The above description was prepared by Advanced Civil Design Inc. and is based on existing County Auditor records, County Recorder records.

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-AR-1, Limited Apartment Residential District.

CPD, Commercial Planned Development District, 3.1 acres:

Situate in the State of Ohio, County of Franklin, Prairie Township, being in Virginia Military Survey Numbers 5742 and 9221 and also being part of Parcels 1, 2, 3, 4, 5, 6, 7 as conveyed to Luther E. Kaderly, Trustee of the Luther E. Kaderly Trust dated November 19, 1992, and Marie E. Kaderly, Trustee of the Marie E. Kaderly Trust dated November 19, 1992 in Official Record 21723, Page A01 as further described as follows;

Commencing at FCGS 1132 at a point of tangent in the centerline of relocated Hall Road, being in the south line of a 1.2665 acre tract (48-WD) as conveyed to Franklin County Commissioners in Official Record 16674, page J12 and being in the south line of Virginia Military Survey Numbers 5742 & 9221 and the north line of Virginia Military Survey Number 1473;

Thence with the centerline of Hall Road, the south line of said 1.2665 acre tract (48-WD), the south line of a 1.9937 acre tract (30-WD) as conveyed to Franklin County Commissioners in Official Record 25690, Page E17, the south line of Virginia Military Survey Numbers 5742 & 9221 and the north line of Virginia Military Survey Number 1473, **S 86° 26' 19" E, 50.6± feet**;

Thence crossing Hall Road right of way and said 1.9937 acre tract (30-WD), **N 03° 33' 41" E, 40.1± feet** to the northerly right of way line of Hall Road, the north line of said 1.9937 acre tract (30-WD) and the south line of said Kaderly Parcels 1 to 7;

Thence with the northerly right of way line of Hall Road, the north line of said 1.9937 acre tract (30-WD) and the south line of said Kaderly Parcels 1 to 7, **S 86° 26' 06" E, 239.0± feet**;

Thence continuing with the northerly right of way line of Hall Road, the north line of said 1.9937 acre tract (30-WD) and the south line of said Kaderly Parcels 1 to 7, **S 88° 30' 17" E, 157.6± feet** to the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence the following five (5) courses across said Kaderly Parcels 1 to 7:

1. **N 17° 10' 36" E, 510.4± feet**;
2. **S 82° 13' 57" E, 196.9± feet**;
3. Along a curve to the left having a central angle of **15° 40' 38"**, a radius of **113.00 feet**, an arc length of **30.9± feet**, and a chord bearing and distance of **N 11° 19' 13" W, 30.8± feet**;
4. Along a curve to the right having a central angle of **57° 11' 36"**, a radius of **87.00 feet**, an arc length of **86.8± feet**, and a chord bearing and distance of **N 09° 26' 16" E, 83.3± feet**;
5. Along a curve to the right having a central angle of an angle of **21° 05' 21"**, a radius of **62.00 feet**, an arc length of **22.8± feet**, and a chord bearing and distance of **N 48° 34' 45" E, 22.7± feet**;
6. **S 77° 37' 00" E, 57.2± feet** to the east line of said Kaderly Parcels 1 to 7, the west line of said 1.9937 acre tract (30-WD) and the westerly right of way line of Galloway Road;

Thence with the east line of said Kaderly Parcels 1 to 7, the west line of said 1.9937 acre tract (30-WD) and the westerly

right of way line of Galloway Road, **S 12° 23' 00" W, 189.5± feet** to an angle point in said line;

Thence continuing with the east line of said Kaderly Parcels 1 to 7, the west line of said 1.9937 acre tract (30-WD) and the westerly right of way line of Galloway Road, **S 17° 50' 34" W, 417.9± feet** to the southeast corner of said Kaderly Parcels 1 to 7, the intersection of the westerly right of way line of Galloway Road and the northerly right of way line of Hall Road, and being an angle point in the west line of said 1.9937 acre tract (30-WD);

Thence with the south line of said Kaderly Parcels 1 to 7, the west line of said 1.9937 acre tract (30-WD) and the northerly right of way line of Hall Road, **N 88° 30' 17" W, 257.7± feet** to the **TRUE POINT OF BEGINNING**, containing **3.1± acres**, more or less.

The above description was prepared by Advanced Civil Design Inc. and is based on existing County Auditor records, County Recorder records.

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 thirty-five (35) feet is hereby established on the L-AR-1, Limited Apartment Residential and CPD, Commercial Planned Development districts 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 CPD, Commercial Planned Development District and L-AR-1, Limited Apartment Residential 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 plans being titled, "**SITE PLAN - PARKSIDE VILLAGE**," elevations titled, "**ELEVATIONS, SHEETS 1-4**," and text titled, "**TEXT**," all dated March 31, 2023, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

TEXT

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

PROPERTY ADDRESS: 795 Galloway Road

OWNER: Julie Marie Conklin TR et al.

APPLICANT: Metro Development LLC

DATE OF TEXT: 3/31/23

APPLICATION NUMBER: Z22-089

1. INTRODUCTION: The site is on the west side of Galloway Road, north of Hall Road. The parcels are being annexed into the city. The site is within the boundaries of the Hellbranch Planning Overlay but is outside of the Darby Watershed. Since the site is outside of the Darby Watershed this application does not require the review and recommendation of the Big Darby Accord Advisory Panel.

Subarea 1 - L-AR-1, Limited Apartment Residential District

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 of the Columbus City Code.

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

1. The residential area consists of two separate residential communities. The maximum number of dwelling units in Community 1 is 216 and in Community 2 is 336.
2. The building setback will be reduced from 60 feet to 25 feet along the Galloway Road and from 50 feet to 25 feet along Hall Road per CV22-122.
3. The perimeter yard along the west and south property line will be reduced from 25 feet to 0 feet for buildings, parking, and dumpster and along the east property and north property lines which are adjacent to the commercial subarea from 25 to 5 feet for building and parking per CV22-122.
4. The Development will be done in two phases and the perimeter setback between the two phases shall be reduced from 25 feet to zero feet for buildings and parking per CV22-122.
5. The height of the garage will increase from 15 feet to 16 feet per CV22-122.
6. The parking and building setback shall be 25 feet along both Galloway Road and Hall Road.

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

1. At the full access point on Hall Road, the developer shall install a westbound right turn lane with a length of 300 feet (inclusive of a diverging taper length of 50 feet) and an eastbound left turn lane with a length of 235 feet (inclusive of a diverging taper length of 60 feet).
2. At the full access point on Galloway Road, the developer shall install a southbound right turn lane with a length of 225 feet in length (inclusive of a diverging taper length of 50 feet) and a northbound left turn lane with a length of 235 feet in length (inclusive of a diverging taper length of 60 feet). The southbound left turn lane at the intersection of Galloway Road and Hall Road shall be extended to a length of approximately 450 feet in length (inclusive of a diverging taper length of 60 feet).
3. The developer shall be responsible for a contribution of \$108,917.82 to the Department of Public Service to be applied toward future roadway improvements at the intersection of Galloway Road and Sullivant Avenue or other future roadway improvements within Galloway Road as determined by the Department of Public Service.

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

1. The area at the northwest corner of the site which is shown on the submitted site plan shall remain as open space. The existing trees within the open space shall be preserved subject to the removal of dead or diseased trees and shrubbery.
2. There will be no parking lot screening required along northwest and south property lines per CV22-122.
3. The developer shall install fencing and landscaping along the north property line as shown on the submitted site plan.

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

The buildings shall be constructed in accordance with the submitted building elevations. The building elevations may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development plan and when engineering and architectural drawings are completed. Any slight adjustments to the building elevations shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon

submission of the appropriate data regarding proposed adjustment.

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

N/A

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.

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. The applicant shall comply with the City's PAWG dwelling unit fee at the time of filing for site plan compliance review.

Subarea 2 - CPD, Commercial Planned Development District

2. **PERMITTED USES:** Those uses permitted in Section 3356 C-4, Commercial of the Columbus City Code.

The following uses shall be prohibited: Auto sales, new or used; Automotive accessories, parts and tire store; Animal shelter; Astrology, fortune telling, palm reading; Billboards; Bars, cabarets and night clubs; Check cashing and loans; Community food pantry; Crematory; Daycare; Halfway house; Missions/temporary shelters; Outdoor power equipment sales; Pawn broker

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

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

The proposed development shall comply with Sections 3372.704 A, B, D and E (setback requirements of the Regional Commercial Overlay) of the Columbus City Code.

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

1. At the right-in/right-out access point to Galloway Road, the developer shall install a southbound right turn lane with a length of 175 feet in length (inclusive of a diverging taper length of 50 feet).

2. The development shall comply with Section 3372.709, Parking and Circulation, of the Columbus City Code.

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

The development shall comply with Section 3372.707, Landscaping and Screening, of the Columbus City Code.

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

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

2. The proposed buildings shall comply with Section 3372.705 Building Design Standards of the Columbus City Code.

E. Dumpster, 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 the 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 3357.18 of the Columbus City Code.

H. Modification of Code Standards:

Section 3356.11 C-4 district setback line: to reduce the building setback along Galloway Road from 60 to 25 feet and along Hall Road from 50 feet to 25 feet.

4. CPD REQUIREMENTS:

A. Natural Environment: The site is located on the west side of Galloway Road north of Hall Road and is being annexed into the city.

B. Existing Land Use: The area to the northwest and west are farm fields; the area to the north has a church and across Galloway Road is residential development; at the southeast corner of Galloway Road and Hall Road is a shopping center and there is a multifamily development and a gas/convenient store on the south side of Hall Road.

C. Transportation and Circulation: Access from Galloway Road and from Hall Road.

D. Visual Form of the Environment: The users have not determined for the site and therefore the look of the building has not been established.

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

F. Proposed Development: Commercial uses.

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

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.