



## Legislation Details (With Text)

**File #:** 0464-2023      **Version:** 1

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

**File created:** 2/3/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 3/6/2023      **Final action:** 3/8/2023

**Title:** To authorize the Director of the Department of Public Service to execute the necessary documents for the City to grant encroachments to LV Collective allowing them to extend into the public rights-of-way at 222 West Lane Avenue. (\$0.00) (AMENDED BY ORD. 1747-2024 PASSED 6/24/2024)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0464-2023 Exhibits.pdf

Date	Ver.	Action By	Action	Result
3/8/2023	1	CITY CLERK	Attest	
3/7/2023	1	MAYOR	Signed	
3/6/2023	1	COUNCIL PRESIDENT	Signed	
3/6/2023	1	Columbus City Council	Approved	Pass
2/27/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from LV Collective, owner of the site, asking that the City allow building encroachments into the public right-of-way. These encroachments consist of one canopy into Lane Avenue and building area extending into an alley approximately 20 feet above street level. This project is located at 222 West Lane Avenue. This project is a new mixed-use building on Lane Avenue that will be replacing the Harrison House building. These encroachments are located within the easements as described below and within the attached exhibits. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments to legally allow them to extend into the public rights-of-way. Allowing these elements to extend into the public right-of-way will allow the building to fit into the architectural desire. A value of \$500.00 for the encroachment easements was established.

### 2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

To authorize the Director of the Department of Public Service to execute the necessary documents for the City to grant encroachments to LV Collective allowing them to extend into the public rights-of-way at 222 West Lane Avenue. (\$0.00) (AMENDED BY ORD. 1364-2023 PASSED 6/12/2023) BA

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from LV Collective, owner of the site, asking that the City allow building encroachments into the public right-of-way. These encroachments consist of one

canopy into Lane Avenue and building area extending into an alley approximately 20 feet above street level. This project is located at 222 West Lane Avenue; and

**WHEREAS**, this project is located at 222 West Lane Avenue. This project is a new mixed-use building on Lane Avenue that will be replacing the Harrison House building. These encroachments are located within the easements as described below and within the attached exhibits; and

**WHEREAS**, the installation of these building elements will enhance the building and fit into the architectural desire; and

**WHEREAS**, a value of \$500.00 to be deposited in Fund 7748, Project P537650, for the encroachment easements was established; and

**WHEREAS**, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments to legally allow these private elements to extend into the public rights-of-way; **now, therefore**,

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

**SECTION 1.** Authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments to legally allow them to extend into the public rights-of-way. Allowing these elements to extend into the public right-of-way will allow the building to fit into the architectural desire; to-wit:

**3 Dimensional Encroachment Easement  
FROM 768.19' (NAVD 88) TO 836.75' (NAVD 88)  
0.0005 ACRE**

Situated in the State of Ohio, County of Franklin, in the City of Columbus, and being in Quarter Township 3, Township 1, Range 18, United States Military Lands, being part of Lot 15 of C.E. Justice's Northern Heights Addition, of record in Plat Book 7, Page 372, also being part of a 0.085 acre tract as conveyed to the City of Columbus, Ohio for right-of-way purposes in Instrument Number 202208240122148, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

This description has a vertical component. The intent of this description is to include an area from an elevation 1 foot below the bottom of a building overhang up to an elevation 5 feet above the building parapet. The bottom of the area is 768.19 feet (NAVD88) and the top is 836.75 feet (NAVD 88). The elevations given go along with the horizontal metes and bounds described below, creating an extruded block of air-space.

**COMMENCING** at the northeasterly corner of said 0.085 acre tract, being on the southerly right-of-way line of Norwich Avenue (50°);

Thence along the easterly line of said 0.085 acre tract, South 03°19'58" West, 4.89 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Thence along the easterly line of said 0.085 acre tract, South 03°19'58" West, 40.97 feet to a point, being from elevation 768.19 (NAVD 88) to 836.75 (NAVD88);

Thence across said 0.085 acre tract, the following three (3) courses:

North 86°40'02" West, 0.50 feet to a point, being from elevation 768.19 (NAVD 88) to 836.75 (NAVD88);

North 03°19'58" East, 40.97 feet to a point, being from elevation 768.19 (NAVD 88) to 836.75 (NAVD88);

South 86°40'02" East, 0.50 feet to a point, being from elevation 768.19 (NAVD 88) to 836.75 (NAVD88), said point being the **POINT OF TRUE BEGINNING**, containing 0.0005 acres (20 S.F.), more or less.

Subject however to all legal easements and restrictions of record in the respective utility offices.

The bearings referenced herein are based on the Ohio State Plan Coordinate System, South Zone, NAD83 (2011) being the southerly line of Norwich Avenue, bearing South 86°11'07" East. The bearing originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected station in the Ohio Department of Transportation Virtual Reference Station Network.

The elevations are based on the North American Vertical Datum of 1988 (NAVD 88, Geoid 12A). Elevations were established using GPS observations of select control points utilizing the Ohio Department of Transportation's Virtual

Reference Station and transferred to the site via bench circuit. All other elevations were calculated from proposed dimension and the established elevations from local benchmarks.

This description was prepared on January 20, 2023 by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342, of E.P. Ferris and Associates, Inc. based on field work from February 2020 through June 2020.

**3 Dimensional Encroachment Easement  
FROM 756.27' (NAVD 88) TO 836.75' (NAVD 88)  
0.003 ACRE**

Situated in the State of Ohio, County of Franklin, in the City of Columbus, and being in Quarter Township 3, Township 1, Range 18, United States Military Lands, being part of Lots 5 through 7 of R.P. Woodruff's Subdivision of the East End of Lot No. 26 of Sidney L Chaffee's Northwood Place, of record in Plat Book 2, Page 284, being part of a 0.086 acre tract as conveyed to the City of Columbus, Ohio in Instrument Number 202210070141858, being within the right-of-way of Lane Avenue (varies), all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

This description has a vertical component. The intent of this description is to include an area from an elevation 1 foot below the bottom of a building overhang up to an elevation 5 feet above the building parapet. The bottom of the area is 756.27 feet (NAVD88) and the top is 836.75 feet (NAVD 88). The elevations given go along with the horizontal metes and bounds described below, creating an extruded block of air-space.

**COMMENCING** at the northeasterly corner of said 0.086 acre tract, being on the northerly right-of-way line of said Lane Avenue;

Thence along the northerly line of said 0.086 acre tract and said Lane Avenue, North  $86^{\circ}18'55''$  West, 30.97 feet to a point, said point being the **TRUE POINT OF BEGINNING**:

Thence across said 0.086 acre tract and said Lane Avenue, the following three (3) courses:

South  $03^{\circ}31'29''$  West, 2.43 feet to a point, being from elevation 756.27 (NAVD 88) to 836.75 (NAVD88);

North  $86^{\circ}28'31''$  West, 60.50 feet to a point, being from elevation 756.27 (NAVD 88) to 836.75 (NAVD88);

North  $03^{\circ}31'29''$  East, 2.30 feet to a point, being on the northerly line of said 0.086 acre tract and said Lane Avenue, being from elevation 756.27 (NAVD 88) to 836.75 (NAVD88);

Thence along the northerly line of said 0.086 acre tract and said Lane Avenue, the following two (2) courses:

Along a curve to the right having a radius of 5779.58 feet, a delta angle of  $00^{\circ}34'47''$ , an arc length of 58.47 feet, and a chord bearing and distance of South  $86^{\circ}36'18''$  East, 58.47 feet to a point of tangency, being from elevation 756.27 (NAVD 88) to 836.75 (NAVD88);

South  $86^{\circ}18'55''$  East, 2.03 feet to a point, being from elevation 756.27 (NAVD 88) to 836.75 (NAVD88), said point being the **POINT OF TRUE BEGINNING**, containing 0.003 acres (146 S.F.), more or less.

Subject however to all legal easements and restrictions of record in the respective utility offices.

The bearings referenced herein are based on the Ohio State Plan Coordinate System, South Zone, NAD83 (2011) being the southerly line of Norwich Avenue, bearing South  $86^{\circ}11'07''$  East. The bearing originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected station in the Ohio Department of Transportation Virtual Reference Station Network.

The elevations are based on the North American Vertical Datum of 1988 (NAVD 88, Geoid 12A). Elevations were established using GPS observations of select control points utilizing the Ohio Department of Transportation's Virtual Reference Station and transferred to the site via bench circuit. All other elevations were calculated from proposed dimension and the established elevations from local benchmarks.

This description was prepared on January 20, 2023 by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342, of E.P. Ferris and Associates, Inc. based on field work from February 2020 through June 2020.

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.