

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
AUGUST 8, 2019**

1. **APPLICATION:** **Z19-040**
Location: **1050 N. 4TH ST. (43201)**, being 0.68± acres located at the southeast corner of North Fourth Street and Detroit Avenue (010-053405; Italian Village Commission).
Existing Zoning: M-2, Manufacturing District.
Request: AR-3, Apartment Residential District (H-60).
Proposed Use: Multi-unit residential development.
Applicant(s): DSC Holdings 1050 N Fourth St, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.
Property Owner(s): The Applicant.
Planner: Kelsey Priebe; 614-645-1341; krpriebe@columbus.gov

BACKGROUND:

- The site is developed with a vacant commercial warehouse building in the M-2, Manufacturing District. The applicant proposes the AR-3, Apartment Residential District to permit a multi-unit residential development.
- To the north is a mixed-commercial development in the CPD, Commercial Planned Development District. To the south is an eating and drinking establishment in the C-3, Commercial District. To the east are single-unit dwellings in the R-4, Residential District, and a storage building in the M-2, Manufacturing District. To the west are eating and drinking establishments in the R-4, Residential and L-M, Limited Manufacturing Districts.
- Companion CV19-058 has been filed to vary lot area, building lines, and rear yard. That request will be heard by City Council and will not be considered at this Development Commission meeting.
- The site is included in the Italian Village Urban Commercial Overlay (UCO) and is located within the boundaries of the *Italian Village East Redevelopment Plan (2000)*, which recommends “Commercial” land uses for this location. The Plan also states that the Fourth Street corridor should have a mix of commercial, residential, and office land uses. The corridor should support retail and office uses on the first floor of new and existing non-residential buildings, with mixed uses (commercial and/or residential) on the second and third floors. The plan also discourages additional manufacturing in this specific area.
- The site is located within the boundaries of the Italian Village Commission, whose recommendation is for approval.
- The *Columbus Thoroughfare Plan* identifies North Fourth Street as a 3-1 arterial requiring a minimum of 40 feet of right-of-way from centerline.

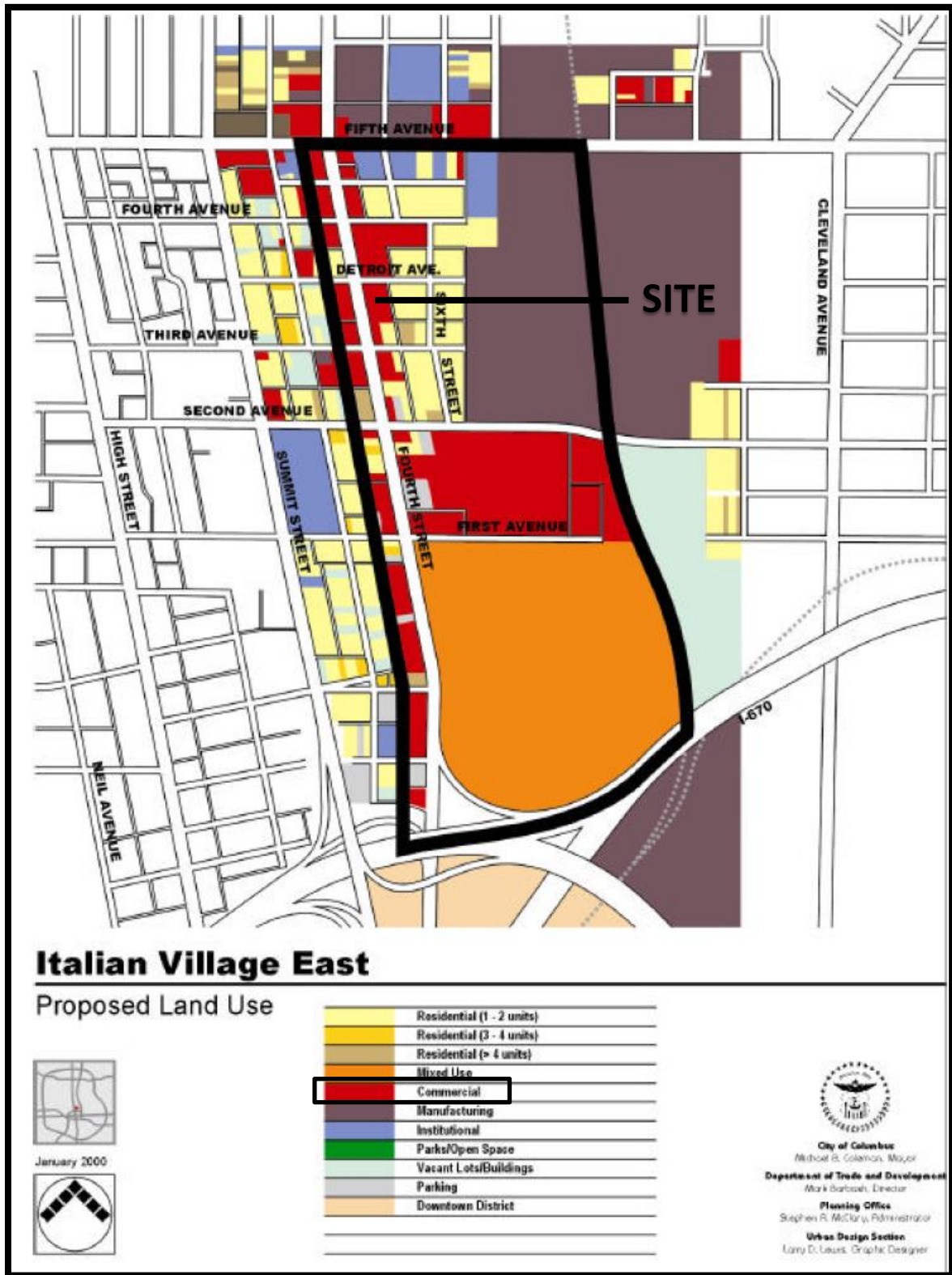
CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested AR-3, Apartment Residential District will allow a multi-unit residential development that is compatible with the density and development standards of adjacent residential developments. While the *Italian Village East Redevelopment Plan* recommends commercial uses for this site, the Plan also recommends that the North Fourth Street corridor be developed with a mix of commercial, residential, and office uses. The Planning Division has indicated that it considers this proposal to be consistent with this recommendation for a mixed-use corridor.



Z19-040
1050 North Fourth Street
Approximately 0.68 acres
M-2 to AR-3

Italian Village East Redevelopment Plan (2000)



Z19-040
 1050 North Fourth Street
 Approximately 0.68 acres
 M-2 to AR-3



Z19-040
1050 North Fourth Street
Approximately 0.68 acres
M-2 to AR-3

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION**

ITALIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 1050 North Fourth Street

APPLICANT'S NAME: DSC Holdings 1050 N Fourth Street, LLC –Dave Perry (Owner)

APPLICATION NO.: 19-7-21

COMMISSION HEARING DATE: 07-09-19

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Variance or Zoning Change Request

- | | |
|---|---|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Special Permit |
| <input type="checkbox"/> Parking Variance | <input type="checkbox"/> Setbacks |
| <input checked="" type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split | |

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of application # 19-7-21, 1050 North Fourth Street, as submitted with any/all clarifications noted:

Variance Recommendation Request

- Section 3333.03, AR-3, Apartment Residential District use, to permit a maximum of 2,500 SF of retail commercial and/or art gallery use.
- Section 3333.15(C), Basis of Computing Area, to increase permitted lot coverage from 50% to 89% coverage.
- Section 3333.18(F), Building Lines, to reduce the calculated building setback line of buildings to the north and south from 20 feet to zero (0) feet.
- Section 3333.24, Rear Yard, to reduce rear yard from 25% of lot area to 2% of lot area.

MOTION: Fergus/Goodman (5-0-0) RECOMMENDED.

RECOMMENDATION:

- RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

DAVID PERRY COMPANY, INC.
ZONING/REAL ESTATE DEVELOPMENT CONSULTANTS

411 East Town Street, 1st Floor
COLUMBUS, OHIO 43215
TELEPHONE: (614) 228-1727
TELECOPIER: (614) 228-1790

July 16, 2019

Mr. Daniel E. Moorhead, P.E.
Transportation Planning Engineer
Division of Traffic Management
Department of Public Service
111 N. Front St., 4th Floor
Columbus, OH 43215

VIA EMAIL
demoorhead@columbus.gov

RE: Z19-040 CV19-058 1050 N Fourth Street, Columbus, OH 43201
PID: 010-053405
Partial Waiver of Right of Way dedication

Daniel:

We recently met on the referenced pending rezoning and zoning variance applications. Redevelopment of the site with a 67 dwelling unit apartment building and about 2,000 SF of retail commercial space is proposed.

N. Fourth Street, between Livingston Avenue and Hudson Street, is designated as a 3 – 1 arterial type (80' of right of way, 40' from centerline). Thirty (30) feet of right of way from centerline in presently existing along the frontage of the development site, as is the case with almost all of N. Fourth Street in Italian Village. N Fourth Street has, historically, been treated under the Section of the Thoroughfare Plan ordinance which refers to urban areas where extensive development has occurred the Thoroughfare Plan designation being treated as a functional classification vs. right of way requirement. Ten (10) feet of right of way dedication would be very detrimental to the site.

You and I recently met with staff from Transportation Planning to discuss right of way and planned improvements. Per the discussion, City proposes a wider sidewalk, street trees and possibly a COTA stop in the future. The conclusion of the discussion was that City needs nine (9) feet from back of curb, which will require about 3 feet of right of way dedication from the site. StructurePoint is the

civil engineer for the project. StructurePoint has confirmed right of way totaling nine (9) feet from back of curb can be accommodated without significant damage to the site or redesign of the building. You and the Transportation Planning staff at our meeting indicated right of way dedication totaling nine (9) feet from back of curb would be acceptable to accomplish City goals.

I'm writing to request a waiver of right of way dedication to reduce N. Fourth Street right of way dedication from 40 feet from centerline to approximately 33 feet from centerline, with the exact dedication being based on right of way totaling nine (9) feet from back of current curb. You also requested a radius on the right of way at the intersection of N. Fourth Street and Detroit Avenue. A StructurePoint drawing depicting the proposed N. Fourth Street right of way dedication and a radius at the southeast corner of N. Fourth Street and Detroit Avenue is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "David B. Perry". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

David B. Perry
President

Enclosure: 7-9-19 StructurePoint site plan

SITE NOTES
 ALL ASPECTS OF THIS DEVELOPMENT SHALL CONFORM TO THE CITY OF COLUMBUS ZONING CODE, INCLUDING SECTIONS 3312 AND 3321.

SHADE TREES IN PARKING AREAS SHALL CONFORM TO SECTION 3312.21A. PARKING LOT SCREENING SHALL CONFORM TO SECTION 3312.21 AND LANDSCAPING PER 3321.07. VISION CLEARANCE SHALL CONFORM TO SECTION 3321.05. SCREENING SHALL CONFORM TO 3321.09.

SITE LIGHTING SHALL CONFORM TO SECTION 3321.03. LIGHTING SHALL NOT EXCEED 18 IN HEIGHT AND SHALL HAVE FULLY SHIELDED RECESSED LAMPS DIRECTED AWAY FROM ADJUTING PROPERTIES AND DIRECTED DOWNWARD TO PREVENT GLARE AND SHINE ABOVE THE HORIZONTAL PLANE.

ALL PARKING SPACES SHALL BE A MINIMUM OF 9'X18' (90 DEGREE) AND SHALL CONFORM TO SECTION 3312.29 AND 3312.48 FOR SURFACE COMPOSITION, SECTION 3312.39 FOR STRIPING AND MARKING AND SECTION 3312.45 FOR WHEEL STOP-SCURBS.

DUMPSTERS SHALL BE SCREENED ON ALL SIDES IN ACCORDANCE WITH SECTION 3321.01.

ALL DRIVERS WITHIN THE SUBJECT DEVELOPMENT ARE PRIVATE.

ALL SIDEWALKS SHALL BE CONNECTED IN A NETWORK AND A MINIMUM OF FOUR FEET IN WIDTH.

THE SUBJECT PARCEL IS LOCATED WITHIN THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NUMBER 39049C0238K (DATED JUNE 17, 2008) AND IS LOCATED WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN).

PROPOSED BUILDING FOUNDATIONS AND ALL OTHER BUILDING ELEMENTS MAY NOT ENCROACH THE RIGHT-OF-WAY AT ANY TIME.

BUILDING MECHANICAL ELEMENTS ON ROOFTOP SHALL BE SCREENED FROM ROADWAYS.

FOR THE DIVISION OF POWER
 THE DIVISION OF POWER MAY HAVE OVERHEAD AND UNDERGROUND PRIMARY, SECONDARY, AND STREET LIGHTING AT THIS WORK LOCATION. THE CONTRACTOR IS HEREBY REQUIRED TO CONTACT OUPS AT 811 OR 1-800-368-2764 FORTY-EIGHT HOURS PRIOR TO CONDUCTING ANY ACTIVITY WITHIN THE CONSTRUCTION AREA.

ANY REQUIRED RELOCATION, SUPPORT, PROTECTION, OR ANY OTHER ACTIVITY CONCERNED WITH THE CITY'S ELECTRICAL FACILITIES IN THE CONSTRUCTION AREA IS TO BE PERFORMED BY THE CONTRACTOR UNDER DIRECTION OF DOP PERSONNEL AND AT THE EXPENSE OF THE PROJECT. DOP SHALL MAKE ALL FINAL CONNECTIONS TO DOP'S EXISTING ELECTRICAL SYSTEM AT THE EXPENSE OF THE PROJECT. THE CONTRACTOR SHALL USE MATERIAL AND MAKE REPAIRS TO A CITY OF COLUMBUS STREET LIGHTING SYSTEM BY FOLLOWING DOP'S MATERIAL AND INSTALLATION SPECIFICATIONS (MIS) AND THE CITY OF COLUMBUS CONSTRUCTION AND MATERIAL SPECIFICATIONS (CMS). ANY NEW OR RE-INSTALLED UNDERGROUND STREETLIGHT SYSTEM SHALL REQUIRE TESTING AS REFERRED TO IN SECTION 1000.18 OF THE CMS MANUAL. THE CONTRACTOR SHALL CONFORM TO DOP'S EXISTING STREET LIGHT LOCKOUT/ITAGOUT (LOTO) PROCEDURE, MIS-1, COPIES OF WHICH ARE AVAILABLE FROM DOP.

IF ANY ELECTRICAL FACILITY BELONGING TO DOP IS DAMAGED IN ANY MANNER BY THE CONTRACTOR, ITS AGENTS, SERVANTS, OR EMPLOYEES, AND REQUIRES EMERGENCY REPAIRS, THE DOP DISPATCH OFFICE SHOULD BE CONTACTED IMMEDIATELY AT (614) 945-7827. DOP SHALL MAKE ALL NECESSARY REPAIRS, AND THE EXPENSE OF SUCH REPAIRS AND OTHER RELATED COSTS SHALL BE PAID BY THE CONTRACTOR TO THE DIVISION OF POWER, CITY OF COLUMBUS, OHIO.

SANITARY SEWER NOTES
 CONNECTION TO SANITARY SEWER CANNOT BE MADE WITHOUT OBTAINING A PERMIT FROM SEWER PERMIT OFFICE, 1111 N. FRONT ST, 1ST FLOOR, 645-7490.

PRIOR TO DEMOLITION PERMIT, A PERMIT FOR SANITARY LATERALS TO BE CAPPED OFF MUST BE OBTAINED FROM 1111 N. FRONT ST, 1ST FLOOR, 645-7490.

ALL SANITARY SERVICE CONNECTIONS SHALL BE INSTALLED WITH CITY APPROVED BACKWATER PREVENTION DEVICES.

FIRE DEPT NOTE
 ALL BUILDINGS WILL BE SUBJECT TO OHIO FIRE CODE 510.0, WHICH REQUIRES RADIO RESPONDER COMPLIANCE.

EXPANSION JOINT

CONTRACTION JOINT (TYP)

U-RACK

U-RACK

3' (TYP)

30"

30"

30"

3.75' (TYP)

PLAN VIEW

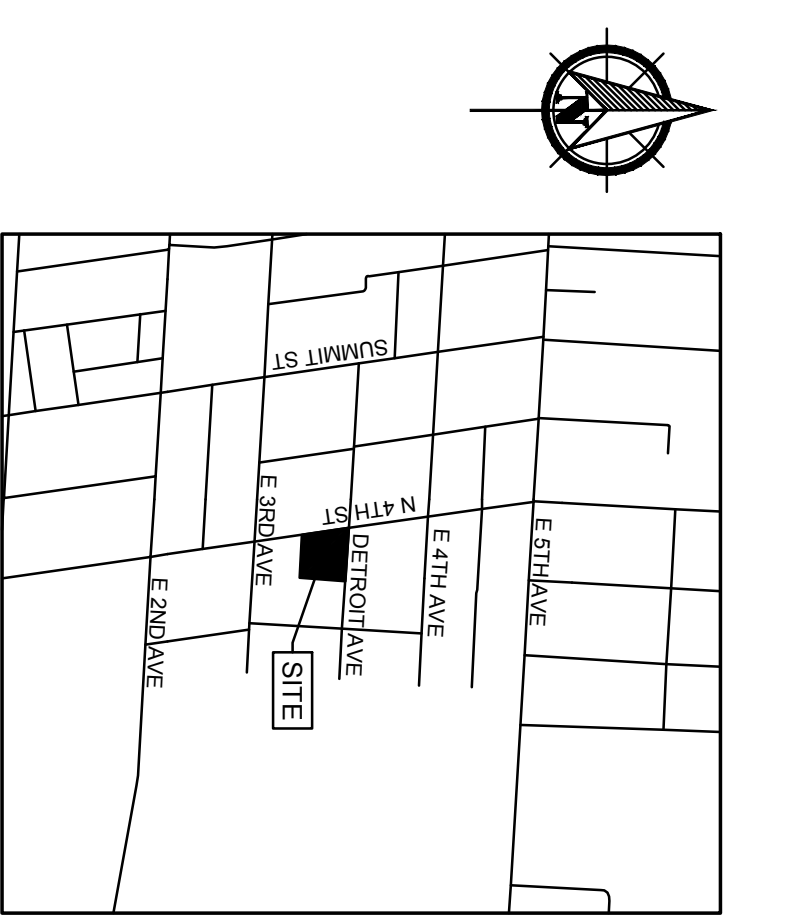
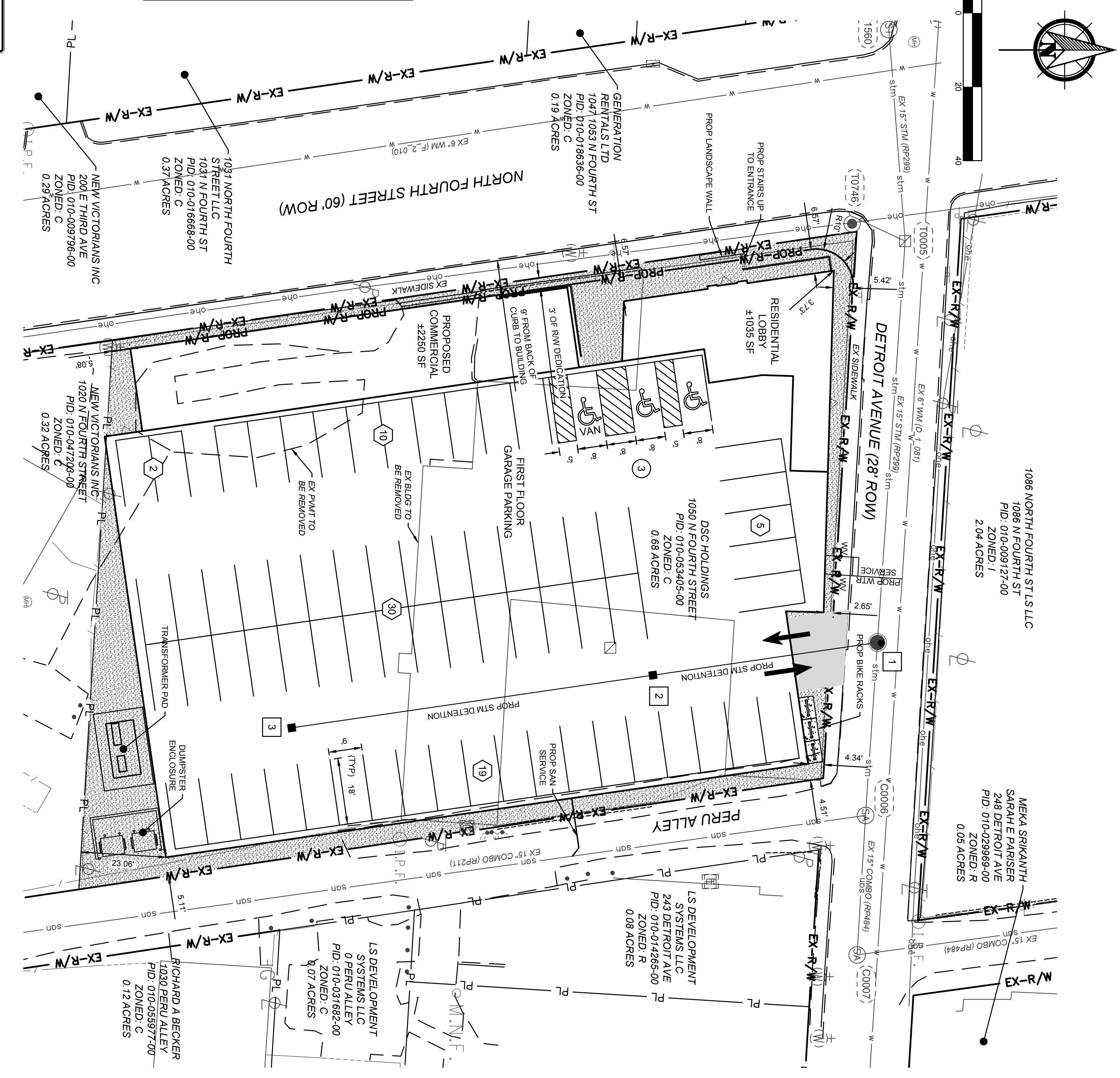
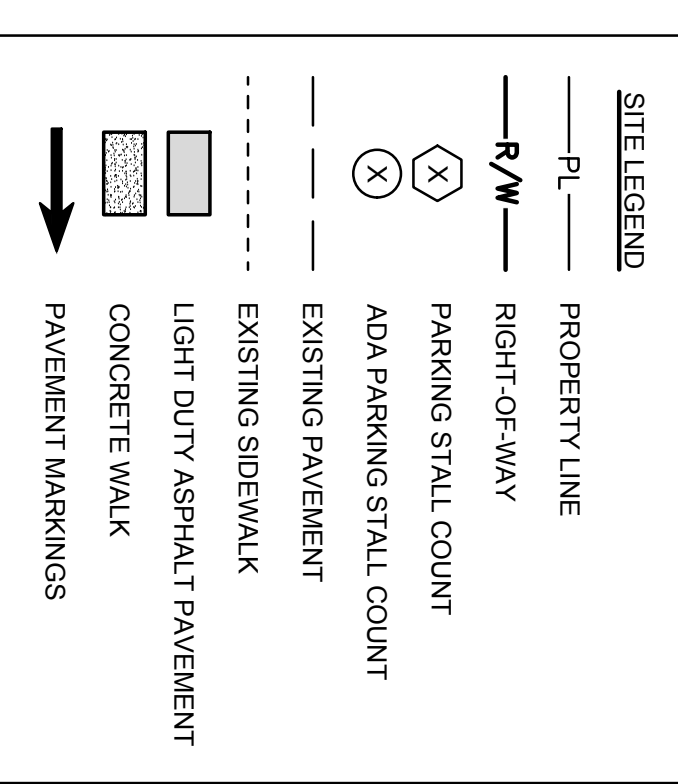
ELEVATION VIEW

CLASS "OC" CONCRETE

FINISHED GRADE

1.14" SCHEDULE 40 PIPE WITH 1/2" SCHEDULE 40 FLANGE ROUGH ENDS SHALL BE USED FOR INVERTED U-TUBES. 24" OUTSIDE RADIUS OF STANDING 36" HIGH

NOTES:
 1. INSTALL BIKE RACKS ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
 2. U- RACKS TO HAVE POWDER COAT FINISH. COLOR AS SELECTED BY OWNER.
 3. RACK TO BE SURFACE MOUNTED TO CONCRETE PAD PER MANUFACTURER'S RECOMMENDATIONS.
 4. SCORE PATTERN TO BE EXACT AND SQUARE.
 5. SEE SITE PLAN FOR LOCATION.



OWNER/DEVELOPER
 LYKENS COMPANIES
 1020 DENNISON AVE
 COLUMBUS, OHIO 43201
 CONTACT: KENNY LYKENS
 PHONE: 614-653-1212
 EMAIL: kenny@lykenscompanies.com

ARCHITECT
 SHREWSHOCK ARCHITECTS
 7400 WEST CAMPUS ROAD, SUITE 150
 NEW ALBANY, OHIO 43054
 CONTACT: KARRICK SHERRILL
 PHONE: 614-545-4550
 EMAIL: karricks@shrewssock.com

ENGINEER
 AMERICAN STRUCTUREPOINT INC.
 2550 CORPORATE EXCHANGE DRIVE, SUITE 300
 COLUMBUS, OHIO 43231
 CONTACT: OLLIE DAMSCHRODER, LEED AP
 PHONE: 614-901-2235
 EMAIL: oдамсhrodеr@structurepoint.com

SITE DATA:

SITE AREA:	0.68 ACRES
ROW TAKE:	0.015 ACRES (646 SF)
NEW SITE AREA WITH ROW TAKE:	0.67 ACRES
SITE BUILDING COVERAGE:	0.58 ACRES (86.9%)
REAR YARD COVERAGE:	2,316 SF (7.9%)
DISTURBED AREA:	0.68 ACRES
R/W DISTURBED AREA:	TO BE DETERMINED
PRE-DEVELOPED IMPERVIOUS AREA:	0.54 ACRES
POST-DEVELOPED IMPERVIOUS AREA:	0.68 ACRES
PROPOSED ZONING:	C-COMMERCIAL
CERTIFIED ADDRESS:	1050 N FOURTH STREET
TAX PARCEL ID:	010-053405-00
FEMA MAP PANEL & ZONE:	39049C0238K (06/17/2008) ZONE "X"

BUILDING DATA:

TOTAL GROSS FLOOR:	85,766 SF
HEIGHT DISTRICT:	H-35
MAX BUILDING HEIGHT:	53'
STORIES & NUMBER OF UNITS:	4 STORIES, 67 UNITS

PARKING PROVIDED:

REGULAR SPACES (9'X18' MIN):	66 SPACES
ADA SPACES:	3 SPACES
TOTAL PROVIDED SPACES:	69 SPACES
BIKE PARKING PROVIDED:	6 SPACES

CERTIFICATION:
 TO THE BEST OF MY KNOWLEDGE, THE PLANS DEPICTED HEREIN MEET ALL REQUIRED ZONING TEXT STANDARDS

SHAWN L. GOODWIN
 REGISTERED ENGINEER
 05/08/2019
 DATE

PRELIMINARY SITE COMPLIANCE PLAN FOR
1050 NORTH FOURTH STREET
 CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

AMERICAN STRUCTUREPOINT INC.
 2550 Corporate Exchange Drive | Suite 300
 Columbus, Ohio 43231
 TEL 614.901.2235 | FAX 614.901.2236
 www.structurepoint.com

REVISIONS	DATE	SHEET NO.	DESCRIPTION	APPROVED	DATE

C001

DATE: 05/08/2019
 DRAWN BY: MMS
 CHECKED BY: OSD
 JOB NUMBER: 2018.02097



DEPARTMENT OF BUILDING AND ZONING SERVICES

Rezoning Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: Z 19 - 040

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, Ohio 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the
following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which
is the subject of this application in the following format:

Name of business or individual (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

Table with 2 columns and 2 rows for listing parties. Row 1: DSC Holdings 1050 N Fourth St LLC; 1020 Dennison Avenue, Columbus, OH 43201; Employees: Zero (0) Contact: Kevin Lykens, Telephone: 614-565-4209. Row 2: Empty.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

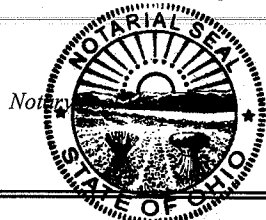
Donald Plank

Subscribed to me in my presence and before me this 13th day of May, in the year 2020

SIGNATURE OF NOTARY PUBLIC

MaryAlice Wolf

My Commission Expires:



This Project Disclosure Statement expires six months after date of notarization.

MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires October 24, 2023

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer