

Conditions CV12-060B 12/15/2016

A. **PERMITTED USES:**

1. Permitted uses shall be all uses of Chapter 3332, Residential Districts, Chapter 3333, Apartment Residential Districts and Chapter 3356, Regional Scale Commercial District, Section 3356.03, C-4, Permitted Uses, except the following:

animal boarding, which shall not be interpreted to exclude short-term animal boarding associated with and accessory to a veterinarian practice, subject to there being no outside animal runs
arcade (unless the arcade is accessory to a permitted use)
automobile/truck sales, new or used, leasing, repair and/or maintenance
billboards
drive-in theater
funeral home
night club
off-premise graphics, except for off-premise graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission

2. Any communication, telecommunications, fiber optic, wire or wireless signal receiving and/or transmitting facility (s), manned or unmanned, that may be classified as a use of the M, Manufacturing District by virtue of size, method of sales or distribution or other operating characteristics, including storage and other incidental and related operating characteristics, except no Monopole Telecommunication Antenna shall be permitted.

B. **C-5. COMMERCIAL DISTRICT USES:**

While the uses of the C-5, Commercial District are not permitted by the permitted uses section (A. Permitted Uses), applicant wishes to further state that no use of the C-5, Commercial District is permitted.

C. **PROHIBITED ACCESSORY USE:**

No permitted use shall include any pick-up window, drive-thru lane or other design element intended or designed to provide services or products to customers in a motor vehicle.

D. DEVELOPMENT STANDARDS: Except as specified in Section 3 of this ordinance, the applicable development standards shall be as specified in the C-4, Commercial District.

1. **Density, Height, Lot and/or Setback Commitments.**

a. Building Height: Permitted building height shall be ninety (90) feet, with additional height calculated in accordance with Section 3309.142, Columbus Zoning Code.

b. Building Setback

1. Other than where the Italian Village Urban Commercial Overlay (UCO) is applicable, the building setback from all public streets shall be a minimum of five (5) feet for residential use buildings, except as permitted on the non-fronting street of a corner lot developed with a detached single family dwelling (See Section 7. Residential Yard and Area Requirements) and zero (0) feet for commercial and mixed use buildings and a maximum of fifteen (15) feet.

2. Where pedestrian plazas or public or private open space are proposed, the maximum building setback established in b.1 shall not apply, to permit the creation of plaza and open space areas. Private open space shall include areas for outside seating associated with a restaurant.

c. Parking Setback:

1. Other than where the Italian Village Urban Commercial Overlay (UCO) is applicable, the minimum parking and pavement setback shall be five (5) feet from all public streets. Driveways shall be designed to cross the parking setback as directly as possible to minimize pavement in the parking setback.
2. There shall be no required pavement setback from property lines other than public streets.
3. All parking lots shall be located to the side or rear of a building and, if located to the side, shall not be in advance of the front wall of any adjacent building(s) on either side of the parking lot existing at the time of construction of the parking lot, except, all parking for uses/buildings fronting North Fourth Street and East First Avenue shall be located to the rear of the primary rear wall of the building on the parcel. The primary rear wall shall be that wall which principally and primarily provides closure to the building envelope. There shall be no parking located to the side of any building or in advance of the primary rear wall of any building that fronts on North Fourth Street or East First Avenue.

2. Access, Loading, Parking and/or other Traffic Related Commitments.

a. The plan titled, "Jeffrey Park Concept Plan," dated ~~April 9, 2015~~ **December 15, 2016**, is illustrative of development areas and existing and proposed public streets. The final design and location of all vehicular access points are subject to the approval of Division of ~~Planning and Operations~~ **Traffic Management**/Public Service Department.

b. There shall be no required loading spaces, as identified in Section 3312.51, Loading Space, and 3312.53, Minimum Number of Loading Spaces Required. To the extent that future loading areas are proposed, their design, location, and maneuvering area (which may include maneuvering off-site and in a public right of way), shall be as specified by the City of Columbus Division of Planning and Operations/Public Service Department, with approval of maneuvering off-site and in the public right of way also requiring the approval of the Italian Village Commission. No maneuvering shall be permitted in the North Fourth Street or East First Avenue right of way.

c. Parking:

1. To provide the most efficient design and layout of parking lots serving multiple buildings and thereby minimizing unnecessary paving to meet code requirements for each driveway, aisle, parking space, number of code required spaces and each parcel to independently meet all design criteria and number of parking spaces within each parcel, parking lots may be designed without regard to property lines internal to the parking lot. Property lines may divide aisles, driveways or parking spaces, as well as loading areas. Overall driveway, aisle and parking space dimensions shall meet minimum code requirements. Easements shall be provided as applicable to insure the function and maintenance of driveways, aisles, parking spaces and loading areas.

2. For purposes of calculating code required parking, all on-site code required parking is reduced by 50% of code required parking, except a minimum of one (1) parking space shall be provided for each dwelling unit, and except as itemized for Site A on the "Jeffrey Park Concept Plan". Additional parking shall be provided off-site of individual uses through the design and use of on-street parking and/or parking structures.

d. Traffic Impact Study (TIS). Prior to a Site Compliance Plan or a final plat approval for an area that would permit a cumulative total of more than nine (9) +/- acres, as depicted on the Concept Plan, noted as Phase 1, and being Site A, Site B, Site C and Site D, the developer shall provide a Traffic Impact Study to the City of Columbus, Department of Public Service. This traffic impact study shall include the intersections of E. First Ave. & N. Fourth St., E. First Ave. & Summit St., Warren St. & N. Fourth St. and Warren St. & Summit St. Upon review and approval of this study by the Department of Public Service, any improvements determined to the responsibility of the developer shall be constructed by the developer. Parcels 010-280394 and 010-

280403 are not owned by applicant at this time and shall not be counted as part of the nine (9) +/- acre development limitation pending an approved TIS if the owners of these two (2) parcels elect to proceed with development prior to there being an approved TIS, nor will the development of either or both of these parcels reduce the permitted development of the nine (9) acres (+/-) of development area represented by Site A, Site B, Site C and Site D.

e. The developer shall be responsible for completing any unfinished portions from the original plans to construct Auden Ave., Neruda Ave., Cornelius St., N. Sixth St., Civitas Ave, Waldron St. and Warren St., as approved by the Department of Public Service. This work shall be completed in conjunction with a site compliance plan or final plat approval that would approve development to occur on both sides of any of the streets listed above.

f. A minimum of one (1) parking space per dwelling unit shall be provided on the parcel of each residential use. For the area bounded by E. First Ave., Waldron St., Auden Ave., and N. Sixth St. (currently parcel 010-280393 and noted as Site B on the Concept Plan), the number of required parking spaces may be satisfied by off-site private parking areas within 350 feet of this property, within the area noted as Temporary Off-site Parking Lot for Site B. The Temporary Off-site Parking Lot for Site B shall be considered accessory parking for Site B and, within three (3) years from the date of approval of a Site Compliance Plan for the temporary accessory parking lot shall be improved in compliance with parking lot development standards for a surface parking lot or a parking structure shall be developed, which shall contain a minimum number of spaces to equal the difference in parking required for the number of dwelling units on Site B, less parking provided on Site B, calculated at one (1) space/dwelling unit.

g. Prior to approval of a final Site Compliance Plan or final plat for any property south of a line established by extending the north right of way line of East Lincoln Avenue east through the site, applicant shall meet with applicable staff of the City of Columbus, Department of Public Service, to determine the status of a road project to relocate the existing westbound exit ramp from I-670 to North Fourth Street. If the City of Columbus has specifically programmed funds for this road project, developer shall work with the City of Columbus to facilitate the road project by not proceeding with construction within the area south of the extended north right of way line of East Lincoln Avenue.

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

a. A street tree row shall be established along all public streets. The street tree row shall contain a minimum of one (1) tree for every 40 feet of lineal frontage. Said trees are subject to the approval of the City Forester. The trees shall be approximately evenly spaced, shall be planted within the street right of way, with applicable City of Columbus approval, or within the parking setback if not approved in the right of way, and shall be planted as close as possible to a uniform setback.

b. All on-site loading areas, if provided, shall be screened from view from public streets, as viewed at the property line of the right of way line of an abutting public street to a minimum height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination. There shall be no loading area screening requirement applicable to any portion of I-670 or any elevated portion of the I-670/North Fourth Street Ramp.

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

All exterior design and materials subject to approval of the Italian Village Commission.

5. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

a. All new or relocated utility lines shall be installed underground, unless underground location or relocation is

not permitted by the applicable public utility.

b. Globe style fixtures and/or comparable lighting fixtures approved by the Italian Village Commission shall be permitted.

6. Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

7. Residential Yard and Area Requirements.

The following yard and area standards shall apply only to sites developed exclusively with residential uses. All standards are minimum standards.

a. Yard and Area Standards:

	Lot Area (sq. ft.)	Lot Width (feet, min.)	Side yard, Minimum (feet)	Total side yard (feet, min)
Single Unit (detached) Corner Lot (1) (2) Interior Lot	735 735	21' 20' 21' 20'	2', along non-fronting street (3) 3'	5' 6' 3'
<u>Site C and D (only)</u> Single Unit (detached) Corner Lot (1)(2) Interior Lot	735	20' 20'	2', along non-fronting street (3) 0'	3' 3'
Two Unit	2,000	40'	3'	6'
Multiple (≥2) Fee Simple Attached Units with common party wall on property line	800	20'/lot	0' (minimum and total)	3' per lot on end units
Multi-unit (3 or 4 dwelling units with single building on separate lot)	1,000/DU	40'	3'	6'
Multi-unit (5 or more dwelling units with separate buildings on separate lot)	500/dwelling unit	50'	3'	6'
Multi-unit (multiple buildings on same parcel)	500/dwelling unit	50'	3' (Total of 6' between buildings)	6'

(1) Corner Lot means a lot located at the intersection of two (2) public streets.

(2) "Lot" and "Parcel" are used interchangeably.

- (3) “Non-fronting” street for single family dwelling on a corner lot shall mean the street that the dwelling is not addressed on.

b. Rear Yard:

1. ~~A single residential building on separate parcel –10% of lot area behind any rear facing plane of the building, provided a detached garage may occupy up to 60% of the rear yard~~ **shall have zero (0) required rear yard. There shall be no maximum % (0) of rear yard that a detached garage may occupy.**

2. Attached single family and/or multiple (≥ 2) Fee Simple Attached Units with common party wall shall have no (0) required rear yard.

3. Multiple buildings on same parcel – no rear yard or perimeter yard.

c. Lot Coverage: There shall be no (0) maximum lot coverage (building footprint).

8. Miscellaneous.

a. The potential exists for conflicts between the Italian Village Urban Commercial Overlay (UCO) standards, standards established in this ordinance and the site and architectural review authority of the Italian Village Commission (IVC). If there is a conflict between this ordinance, underlying Zoning Code standards and/or the standards of the UCO, approval of and by the IVC shall take precedence for plan approval. No separate variance, either to change this ordinance or to the Board of Zoning Adjustment, shall be required. The Italian Village Commission specifically does not have the authority to change required parking, as established by this ordinance, or any requirement of Section D.2.d, e, f, or g, inclusive, or to permit signs (graphics) not in compliance with the Graphics Code.

b. Applicant shall proceed with rezoning application Z00-117 upon issuance of an approved Site Compliance Plan for the last undeveloped area of Jeffrey Park or six (6) years from the date of Columbus City Council passage of this ordinance, whichever occurs first.