



## Legislation Details (With Text)

**File #:** 1746-2016      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/22/2016      **In control:** Zoning Committee  
**On agenda:** 7/11/2016      **Final action:** 7/15/2016  
**Title:** To rezone 1124 NORTH FOURTH STREET (43201), being 0.40± acres located at the northeast corner of North Fourth Street and East Fourth Avenue, From: R-4, Residential District, To: AR-3, Apartment Residential District (Rezoning # Z16-023).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD.1746-2016.Attachments, 2. ORD.1746-2016.Labels

Date	Ver.	Action By	Action	Result
7/15/2016	1	CITY CLERK	Attest	
7/14/2016	1	MAYOR	Signed	
7/11/2016	1	COUNCIL PRESIDENT	Signed	
7/11/2016	1	Zoning Committee	Approved	Pass

### Rezoning Application Z16-023

**APPLICANT:** Damado 1 LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on June 9, 2016.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently undeveloped in the R-4, Residential District, and is within the Italian Village Urban Commercial Overlay. The applicant proposes the AR-3, Apartment Residential district to allow the construction of 36 apartment units. The site lies within the planning area of the *Italian Village East Redevelopment Plan (2000)*, which recommends commercial uses for this location. However, the Plan also recommends that the North Fourth Street corridor should have a mix of commercial, residential, and office land uses. The Planning Division has indicated that it considers this proposal to be consistent with this recommendation for a mixed-use corridor. The Applicant has filed for a concurrent Council variance (Ordinance No. 1747-2016; CV16-027) to development standards, including height, basis of computing area, building lines, side yard, rear yard, parking spaces required, and maneuvering.

To rezone **1124 NORTH FOURTH STREET (43201)**, being 0.40± acres located at the northeast corner of North Fourth Street and East Fourth Avenue, **From:** R-4, Residential District, **To:** AR-3, Apartment Residential District (Rezoning # Z16-023).

**WHEREAS**, application No. Z16-023 is on file with the Department of Building and Zoning Services requesting rezoning of 0.40± acres from the R-4, Residential District, to the AR-3, Apartment Residential District; and

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

**WHEREAS**, the Italian Village Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because AR-3 apartment residential uses are appropriate and consistent with the zoning and development pattern in the area, and with the recommendation of the *Italian Village East Redevelopment Plan* for a mix of commercial, residential, and office uses along the North Fourth Street corridor; 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 No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1124 NORTH FOURTH STREET (43201)**, being 0.40± acres located at the northeast corner of North Fourth Street and East Fourth Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 4 and 5, Township 5, Range 22, Refugee Lands, being part of Lots 6-13 of Wakefield Hughes and Samuel's Subdivision of record in Plat Book 2, Page 220, part of Lots 1, 2, 8, 9, and 10 of Lizzie and Frederick Wheeldon's Subdivision of record in Plat Book 2, Page 212, part of Lots 29 -30 of Wm. G. Deshler's Amended Addition to Phelans Mount Pleasant Addition of record in Plat Book 1, Page 302 and all of the tracts conveyed to Damado 1 LLC of record in Instrument Number 201501160007225 and more particularly described as follows:

Beginning at the southwesterly corner of said Damado tracts, being in the southerly line of said Lot 11 and northeasterly right-of-way intersection of N. Fourth Street and E. 4<sup>th</sup> Avenue;

Thence N 08° 55' 30" W, along the westerly line of said Damado tracts and being the easterly right-of-way line of said N. Fourth Street, 183.7 feet± to the northwesterly corner of said Damado tracts, being in the northerly line of said Lot 6 and the southeasterly right-of-way intersection of said N. Fourth Street and E. Greenwood Avenue;

Thence S 87° 30' 00" E, along the northerly line of said Damado tracts, being the northerly line of said Lot 6 and Lot 13 and along the southerly right-of-way line of said E. greenwood Avenue, 65.6 feet± to the northeasterly corner of said Damado tracts, being the northeasterly corner of said Lot 13 and being the southwesterly right-of-way intersection of said E. Greenwood Avenue and a 15 foot Alley;

Thence S 09° 22' 00" E, along the easterly line of said Damado tracts, being the easterly line of said Lots 12 and 13 and being the westerly right-of-way line of said 15 foot Alley, 184.0 feet± to the southeasterly corner of said Damado tracts, being the southeasterly corner of said Lot 12 and being the northwesterly right-of-way intersection of said 15 foot Alley and said E. 4<sup>th</sup> Avenue;

Thence N87° 30' 00" W, along the southerly line of said Damado tracts, being the southerly line of said Lots 11 and 12 and being the northerly right-of-way line of said E. 4<sup>th</sup> Avenue, 97.1 feet± to the Point of Beginning. Containing 0.40± acre.

This exhibit was prepared on March 31, 2016 and is based on information obtained from the Franklin County Auditor's Office and Franklin County Recorder's Office and is not intended to be used for the transfer of land.

Advanced Civil Design, Inc.

**To Rezone From:** R-4, Residential District

**To:** AR-3, Apartment Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the AR-3, Apartment Residential 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 changes on the said original zoning map in the office of the Department of Building and Zoning Services.

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