



## Legislation Details (With Text)

**File #:** 1438-2017      **Version:** 1

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

**File created:** 5/24/2017      **In control:** Zoning Committee

**On agenda:** 6/12/2017      **Final action:** 6/14/2017

**Title:** To rezone 1453 NORTH FOURTH STREET (43201), being 0.39± acres located at the southwest corner of North Fourth Street and East Fifth Avenue, From: C-4, Commercial District, To: AR-1, Apartment Residential District (Rezoning # Z16-079).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1438-2017\_Attachments, 2. ORD1438-2017\_Labels

Date	Ver.	Action By	Action	Result
6/14/2017	1	CITY CLERK	Attest	
6/13/2017	1	MAYOR	Signed	
6/12/2017	1	COUNCIL PRESIDENT	Signed	
6/12/2017	1	Zoning Committee	Approved	Pass
6/5/2017	1	Columbus City Council	Read for the First Time	

### Rezoning Application Z16-079

**APPLICANT:** Arch City Development; c/o Nathan Sampson, Agent; 990 West Third Avenue; Columbus, OH 43212.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 11, 2017.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 0.39± acre site consists of three parcels zoned in the C-4, Commercial District, and is developed with two industrial/commercial buildings. The applicant is requesting the AR-1, Apartment Residential District and proposes the development of a fourteen-unit apartment building. The site is within the boundaries of the *Italian Village East Redevelopment Plan* (2000), which recommends commercial land uses at this location. While the proposed use is not consistent with that recommendation, the Plan also recommends that the North Fourth corridor be developed with a mix of commercial, residential, and office uses. The Planning Division has indicated that this proposal is consistent with the recommendation for a mixed-use corridor along North Fourth Street. A concurrent Council Variance (Ordinance # 1439-2017; CV16-077) has been filed to reduce the minimum parking spaces required from 21 spaces to 15 spaces, and includes variances to building height, vision clearance, lot coverage, building lines, maximum side yard and minimum side yard.

To rezone **1453 NORTH FOURTH STREET (43201)**, being 0.39± acres located at the southwest corner of North Fourth Street and East Fifth Avenue, **From:** C-4, Commercial District, **To:** AR-1, Apartment Residential District

(Rezoning # Z16-079).

**WHEREAS**, application # Z16-079 is on file with the Department of Building and Zoning Services requesting rezoning of 0.39± acres from C-4, Commercial District, to the AR-1, 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 because AR-1 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:

**1453 NORTH FOURTH STREET (43201)**, being 0.39± acres located at the southwest corner of North Fourth Street and East Fifth Avenue, and being more particularly described as follows:

**Parcel I:**

Parcel No. 010-025259-00

Street Address: 197 East Fifth Avenue, Columbus OH 43201

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being thirty-four and one-third (34 1/3) feet off the West side of Lot Number Four (4) of EDWIN AND ELIZABETH DOMONEY'S SUBDIVISION of Lot Number Thirty-one (31) of WILLIAM G. DESHLER'S AMENDED ADDITION of WILLIAM PHELAN'S MT. PLEASANT ADDITION to the City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 321, Recorder's Office, Franklin County, Ohio.

Prior Instrument: 200404160085690

**Parcel II:**

Parcel No. 010-030575-00

Street Address: Corner of East Fifth and North Fourth, Columbus OH 43201

Situated in the State of Ohio, County of Franklin, and City of Columbus, and being more particularly described as follows:

Being a part of Lot No. 4 in the Edwin and Elizabeth Domoney's Subdivision of Lot No. 31, in William G. Deshler's Addition to William Phelan's Mount Pleasant Addition to said city, as said Lot No. 4 is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, page 321, Recorder's Office, Franklin County, Ohio, and being more

particularly bounded and described as follows:

Beginning at an iron pin located at the southwest corner of Fifth Avenue and Fourth Street (formerly Lazelle Street) as the same are now established in said city; thence in a southerly direction along the West line of Fourth Street, as the same is now established, 122.25 feet to a stake; thence in a westerly direction and parallel to the south line of Fifth Avenue 63.66 2/3 feet to a stake; thence in a southerly direction parallel to the West line of said Lot No. 4, 53.25 feet, more or less, to a stake in the South line of said Lot No. 4; thence in a westerly direction along the South line of said lot, 5 feet to a stake located 34.33 feet East of the West line of said lot; thence in a northerly direction and parallel to the West line of said lot, 175.50 feet, more or less, to a stake in the South line of said Fifth Avenue, as the same is now established, located 34.33 feet East of the West line of said lot; thence in an easterly direction along the South line of Fifth Avenue, as now established, 68.66 feet to the place of beginning.

Prior Instrument References: 199804200092547 and 199804200092549

**Parcel III:**

Parcel No. 010-038136-00

Street Address: 1145 North Fourth Street, Columbus OH 43201

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being a part of Lot Number Four (4) in EDWIN AND ELIZABTEH DOMONEY'S SUBDIVISION of Lot Number Thirty-one (31) in William G. Deshler's Amended Addition to William Phelan's Mount Pleasant Addition to said City of Columbus, bounded and described as follows:

Commencing at a point in the East line of said Lot Four (4) (West line of Laxell now Fourth Street); thence westerly by a line parallel with the North line of said Lot 4, South line of Fifth Avenue, except 11 5/8 inches taken off for widening of Fourth Street, Sixty-three (63) feet and Eight (8) inches; thence southerly by a line parallel with the East line of said Lot Four (4)(West line of Fourth Street) about Fifty-three (53) feet and Two (2) inches to the South line of said Lot Four (4); thence eastward on the South line of said Lot Four (4), Sixty-three (63) and Eight (8) inches, except One and 39/100ths feet taken off for widening of Fourth Street (1.39 ft. per Inst. 198401090043882), to the southeast corner of said Lot; thence northward on the East line of said Lot Four (4) about Fifty-three (53) feet and Two (2) inches to the place of beginning.

Prior Instrument Reference: 200001120008400

Easements, restrictions, etc.: Subject to easements, conditions, and restrictions of record.

Being the same property conveyed to The New Victorians, a Corporation, organized under the laws of Ohio, by Deed from Marvin Glassman, a.k.a. Marvin L. Glassman and Amelia Glassman (the latter who executed only for the purpose of releasing dower), husband and wife, dated April 1, 1998, and recorded April 2, 1998 at 09:13 a.m. in Instrument Number 199804200092547 of the Franklin County Recorder's Office in Columbus, Ohio; being the same property conveyed to The New Victorians, a Corporation, organized under the laws of Ohio, by Deed from Diane G. Witt and Robert Witt (the latter who executed only for the purpose of releasing dower), wife and husband, dated April 1, 1998, and recorded April 20, 1998 at 09:13 a.m. in Instrument Number 199804200092549 of the Franklin County Recorder's Office in Columbus,

Ohio; being the same property conveyed to by Deed from Frieda Kauffman, Deceased, by and through National City Bank, Executor of said decedent's Estate, dated April 1, 1998, and recorded April 20, 1998 at 09:13 a.m. in Instrument Number 199804200092551 of the Franklin County Recorder's Office in Columbus, Ohio; and being the same property conveyed to The New Victorians, a Corporation, organized under the laws of Ohio, by Deed from Nettie E. Baxton and Edgar B. Baxton (the latter who executed only for the purpose of releasing dower), wife and husband, dated April 15, 2004, and recorded April 16, 2004 at 2:12 p.m. in Instrument Number 200404160085690 of the Franklin County Recorder's Office in Columbus, Ohio.

**To Rezone From:** C-4, Commercial District

**To:** AR-1, Apartment Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the AR-1, 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.