



Legislation Details (With Text)

File #: C0002-2019 **Version:** 1

Type: Communication **Status:** Filed

File created: 1/24/2019 **In control:** Columbus City Council

On agenda: 1/28/2019 **Final action:** 1/28/2019

Title: THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF WEDNESDAY, JANUARY 23, 2019:

New Type: D5J
To: B2AM LLC
DBA Winans Grandview Yard
1125 Yard St Ste 240
Columbus OH 43212
Permit# 0406559

TREX Type: D1, D2, D3, D3A, D6
To: DO2 Sabores LLC
DBA DO2 Sabores Mexican Grill
6042 Huntley Rd
Columbus OH 43229
From: C&B Machinery Inc
DBA Monkeys Bar & Grille
6116 Huntley Rd & Patio
Worthington Ohio 43229
Permit# 2294805

Stock Type: D1, D2, D3, D3A
To: Apollos Restaurant & Spirits Inc
DBA Apollos Greek Kitchen
1758 N High St 1st Fl & Patio
Columbus Ohio 43201
Permit# 02453190001

Transfer Type: D5, D6
To: Cantina On The Cap LLC
DBA Local Cantina
600 N High St & Patio
Columbus OH 43215
From: Cap Restaurant Development LLC
600 N High St & Patio
Columbus OH 43215
Permit# 1229955

Transfer Type: D5, D6
To: Singh & Sandhar LLC
3794 Fishinger Blvd
Columbus Hilliard Ohio 43026
From: Jiya Ansh Vansh LLC
DBA Taj Palace
3794 Fishinger Blvd
Columbus Hilliard Ohio 43026
Permit# 8189005

Advertise Date: 2/2/19
Agenda Date: 1/28/19
Return Date: 2/7/19

Re: Notice of Appeal to Columbus City Council filed on January 15, 2019 was read into the record as follows:

1) From Scott N. Schaeffer at Kemp, Schaeffer & Rowe Co. L.P.A., Pursuant to Section 3359.05E of the Columbus City Code, Kemp, Schaeffer & Rowe Co., L.P.A. appeals the Downtown Commission's decision on December 18, 2018 to deny a certificate of appropriateness for an ad mural on the east side of the building located at 88 West Mound Street to Columbus City Council. The appeal is on both issues of law and fact and the appellant intends to present evidence and the record from the Downtown Commission Meeting.

2) Letter signed by all members of Council on Monday, January 28, 2019, addressed to Kemp, Schaeffer & Rowe Co., L.P.A., 88 West Mound Street, Columbus, Ohio 43215 and the Columbus Downtown Commission, 111 N. Front Street, 8th Floor, Columbus, Ohio 43215 was read into the record as follows:

Pursuant to Section 3359.05(E) of the Columbus City Code, Appellant filed a notice of appeal with Columbus City Council regarding the Downtown Commission's decision of December 18, 2018 denying a certificate of appropriateness for an ad mural on the east side of the building located at 88 West Mound Street.

City Council sought the opinion of the Columbus City Attorney as to whether or not the City Attorney believed Council had jurisdiction over this matter based upon the 2016 amendments to C.C. 3359.25 addressing content-neutral review of proposed ad murals on Downtown buildings. Based upon the opinion of the City Attorney, a copy of which is attached hereto, this Council finds that it does not have jurisdiction to consider the merits of the disapproval being appealed in this matter as the Downtown Commission lacked the authority to act once it had approved 88 W. Mound Street as an appropriate site for an ad mural. Therefore, the December 18, 2018 decision of the Downtown Commission regarding the proposed ad mural for 88 W. Mound Street is vacated and the matter is remanded to the Commission to allow Commission staff to determine whether the application complies with the requirements of C.C. 3359.25(B) and to subsequently process the application appropriately.

Shannon G. Hardin, President
Michael Stinziano, President Pro Tem
Elizabeth C. Brown
Mitchell J. Brown
Shayla Favor
Emmanuel V. Remy
Priscilla R. Tyson

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/28/2019	1	Columbus City Council	Read and Filed	

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