



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/9/2019 **In control:** Zoning Committee

On agenda: 4/29/2019 **Final action:** 5/2/2019

Title: To grant a variance from the provisions of Sections 3363.01, M-manufacturing districts; 3361.03, Development plan; 3312.09, Aisle; 3312.21(A), Landscaping and screening; 3312.25, Maneuvering; 3312.27, Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3321.05(A)(1), Vision clearance; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City codes, for the property located 1408 NORTH GRANT AVENUE (43201), to permit a multi-unit residential development with reduced development standards in the M, Manufacturing, C-4, Commercial, and CPD, Commercial Planned Development districts and to repeal Ordinance #1372-2017 (CV15-050), passed June 5, 2017 (Council Variance #CV15-050A).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1047-2019_Legal_Descriptions, 2. ORD1047-2019_Attachments, 3. ORD1047-2019_Labels

Date	Ver.	Action By	Action	Result
5/2/2019	1	CITY CLERK	Attest	
5/1/2019	1	ACTING MAYOR	Signed	
4/29/2019	1	COUNCIL PRESIDENT	Signed	
4/29/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
4/29/2019	1	Zoning Committee	Approved	Pass

Council Variance Application # CV15-050A

APPLICANT: Weinland Park Development, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This Council variance replaces Council variance Ordinance #1372-2017, passed June 5, 2017 that is currently in effect on this development site known as Grant Park, a multi-unit residential development in the M, Manufacturing, C-4, Commercial, and CPD, Commercial Planned Development districts at **1408 NORTH GRANT AVENUE (43201)**. This ordinance updates the property's legal descriptions for Parcel 3 and Parcel 4, allows additional garages to be located on Parcel 3, and increases the number of permitted dwelling units on Parcel 1 from 60 to 108. Staff supports reiteration of the previously approved variances into this ordinance, and considers both the increased number of dwelling units and modified parking reduction as minor and appropriate for this urban residential infill development. Staff finds that a multi-unit residential development of this density should be rezoned to an appropriate apartment residential district. For that reason, this ordinance is conditioned on a follow-up rezoning to an appropriate zoning designation.

To grant a variance from the provisions of Sections 3363.01, M-manufacturing districts; 3361.03, Development plan; 3312.09, Aisle; 3312.21(A), Landscaping and screening; 3312.25, Maneuvering; 3312.27, Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3321.05(A)(1), Vision clearance; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City codes, for the property located **1408 NORTH GRANT AVENUE (43201)**, to permit a multi-unit residential development with reduced development standards in the M, Manufacturing, C-4, Commercial, and CPD, Commercial Planned Development districts and to repeal Ordinance #1372-2017 (CV15-050), passed June 5, 2017 (Council Variance #CV15-050A).

WHEREAS, by application #CV15-050A, the owner of property at **1408 NORTH GRANT AVENUE (43201)**, is requesting a Council variance to permit a multi-unit residential development with reduced development standards in the M, Manufacturing, C-4, Commercial, and CPD, Commercial Planned Development districts; and

WHEREAS, Section 3363.01, M-manufacturing districts, prohibits multi-unit residential development, while the applicant proposes a multi-unit residential development with up to 446 units; and

WHEREAS, Section 3361.03, Development plan, reports the overall concept of a proposed development of a CPD, Commercial Panned Development District, which for a portion of Parcel #010-297276, specifically includes a housing for the elderly development under Ordinance #0224-2013 (Z12-023), while the applicant proposes to permit development at the northern boundary of this CPD district (south end of Parcel 3), that is not in compliance with the CPD plan, thereby permitting access to Parcel 3 from Grant Avenue; and

WHEREAS, Section 3312.09, Aisle, requires an aisle width of 20 feet for two-way travel spaces, while the applicant proposes certain aisles to be divided by property lines, but the total combined aisle width shall meet or exceed the overall minimum width of 20 feet, and applicable easements shall be provided for use of the aisles; and

WHEREAS, Section 3312.21(A), Landscaping and screening; requires the interior of any parking lot containing 10 or more parking spaces to provide 1 deciduous tree per 10 spaces planted in landscaped islands, or 3 trees for the 23 parking spaces in Parcel 5, and 2 trees for the 18 parking spaces in Parcel 6, with minimum soil radius of 4 feet per tree, while the applicant proposes no tree islands within the parking lots on Parcel 5 and Parcel 6, but will instead plant those required trees within landscaped setback areas on those parcels, with a reduced soil radius of 4 feet on Parcel 6; and

WHEREAS, Section 3312.25, Maneuvering, requires the maneuvering area for 90 degree parking spaces to be 20 feet, while the applicant proposes to reduce the required maneuvering area to between 2 feet and 12 feet due to proposed property lines in parking lot aisles, while all code required maneuvering shall be provided in the aisles with easements where applicable; and

WHEREAS, Section 3312.27, Parking setback line, requires a minimum parking setback line of 10 feet along North Grant Avenue, while the applicant proposes to reduce the parking setback lines to 7 feet for two parallel parking spaces at the south driveway on Parcel 1, to 4 feet for one parallel space for the south parallel parking spaces on Parcel 3, and to 3 feet on Parcel 6, the off-site parking lot; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or a maximum total of 669 parking spaces for 446 units, while the applicant proposes a total of 549 parking spaces for this development, with 1.22 spaces/unit for Parcel 1, 0.94 spaces/unit for Parcel 2, 2.14 spaces/unit for Parcel 3, and 0.54 spaces/unit for Parcel 5, subject to 18 off-site parking spaces on Parcel 6 being provided for the use of dwelling units on Parcel 5, thereby providing 0.98 spaces/unit for Parcel 5; and

WHEREAS, Section 3321.05(A)(1), Vision clearance, requires clear vision triangles of 10 feet at the intersection of a driveway and the street right-of-way, while the applicant proposes to reduce the clear vision triangle for the driveway intersection with North Grant Avenue on Parcel 1 to 7 feet for a parallel parking space that is 7 feet from the property line

on each side of the driveway; and

WHEREAS, Section 3363.24, Building lines in an M-manufacturing district, requires a minimum building lines of 25 feet along North Grant Avenue, and of 60 feet along East Fifth Avenue, while the applicant proposes reduced building lines of 7 feet, including open porches, along North Grant Avenue, and of 10 feet along East Fifth Avenue; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal reiterates the previously approved variances for a multi-unit residential development and Staff considers the increased number of dwelling-units and modified parking reduction to be minor and appropriate for an urban residential infill development; and

WHEREAS, a follow-up rezoning will be filed at a later date to establish an appropriate base zoning for the properties to be developed pursuant to this Council variance; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed uses; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1408 NORTH GRANT AVENUE (43201)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a Variance from the provisions of Sections 3363.01, M-manufacturing districts; 3361.03, Development plan; 3312.09, Aisle; 3312.21(A), Landscaping and screening; 3312.25, Maneuvering; 3312.27, Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3321.05(A)(1), Vision clearance; and 3363.24, Building lines in an M-manufacturing district, of the Columbus City codes, is hereby granted for the property located at **1408 NORTH GRANT AVENUE (43201)**, in so far as said sections prohibit up to 446 multi-residential units in the M, Manufacturing District, and access to units in Parcel 3 within the CPD, Commercial Planned Development District; with certain aisles to be divided by a property lines, subject to the combined total aisle width being a minimum width of 20 feet; no tree islands in the parking lots on Parcel 5 and Parcel 6, but with the required trees being planted within the north or south setback area, with reduced soil radius of 3 feet on Parcel 6; reduced maneuvering area from 20 feet to between 2 feet and 12 feet due to proposed property lines in parking lot aisles; reduced parking setback lines along North Grant Avenue from 10 feet to 7 feet in Parcel 1, to 4 feet on Parcel 3, and to 3 feet on Parcel 6; a parking space reduction of 69 required spaces in Parcel 1, 61 required spaces in Parcel 2, and 22 required spaces in Parcel 5, with the 18 parking spaces provided in Parcel 6 counting towards the required parking for units in Parcel 5, and 549 total parking spaces being provided for this development; a reduced clear vision triangle from 10 feet to 7 feet for the driveway intersection with North Grant Avenue on Parcel 1; and reduced building lines from 25 feet to 7 feet, including open porches, along North Grant Avenue, and from 60 feet to 10 feet along East Fifth Avenue, said property being more particularly described as follows:

1408 NORTH GRANT AVENUE (43201) being 13.88± acres located on the east side of North Grant Avenue, 316± feet north of East Fifth Avenue, and at the northwest corner of North Grant Avenue and East Fifth Avenue, and being more particularly described as follows:

PARCEL 3: 3.208 +/- ACRES

Situated in the State of Ohio, County of Franklin, in the City of Columbus, and being in Quarter Township 4, Township 1, Range 18, United States Military Lands, being part of a 7.814 acre tract conveyed to Weinland Park Development, LLC in Instrument Number 201704060046500, part of the Reserve of Felix A. Jacobs Subdivision as recorded in Plat Book 4, Page 168, part of Lot Nos. 1 through 6 and 12 through 16 of Cornelia F. Davis and Others Subdivision as recorded in Plat Book 4, Page 45, being all of Lot Nos. 38 through 42, and part of Lot Nos. 26 through 37, 43, 44, and 47 of A.L. Parkers Second Subdivision as recorded in Plat Book 3, Page 113, being all of Lot Nos. 12 through 15, and part of Lot Nos. 10 and 11, and 19 through 24 of Amended Plat of Asa L. Parker's Subdivision as recorded in Plat Book 3, Page 12, part of alleys vacated by City of Columbus Ordinance Nos. 29384, 104-35, 183-46, 1616-57, 533-40, and 279-55, and being part of Parker Street as vacated in Ordinance Nos. 29384, 38619, and 183-46, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Beginning for reference at an iron pin set in the easterly right-of-way line of Grant Avenue (60 feet width), being the northeast corner of a 1.210 acre tract conveyed to City of Columbus, Ohio as described in Instrument Number 201006180075900, the northwest corner of a 6.693 acre tract conveyed to Grant Park Apartments, LLC as described in Instrument Number 201705260071485, and being in the south line of a 0.807 acre tract conveyed to Grant Avenue Properties, Ltd. as described in Instrument Number 199804230097572;

Thence along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract and the west line of said 6.693 acre tract, South 03 degrees 13 minutes 00 seconds West, 1494.53 feet;

Thence continuing along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract and the west line of said 6.963 acre tract, South 01 degrees 51 minutes 50 seconds West, 58.40 feet to the TRUE POINT OF BEGINNING of the tract herein described:

Thence crossing said 7.814 acre tract and the remainder of Lot No. 1 of said Cornelia F. Davis Subdivision, South 86 degrees 46 minutes 27 seconds East, 14.09 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and the remainder of Lot No. 1 of said Cornelia F. Davis Subdivision, North 03 degrees 13 minutes 33 seconds East, 13.00 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and the remainder of Lot No. 1 of said Cornelia F. Davis Subdivision, crossing said alley vacated by the City of Columbus in Ordinance No. 29384, Lot Nos. 36 and 37 of A.L. Parkers Second Subdivision and part of Parker Street as vacated by the City of Columbus in Ordinance No. 29384, South 86 degrees 54 minutes 37 seconds East, 239.85 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and crossing Lot Nos. 32 through 36 of said A.L. Parkers Second Subdivision, South 00 degrees 11 minutes 06 seconds East, 116.90 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and crossing Lot Nos. 30 through 32 of said A.L. Parkers Second Subdivision, South 07 degrees 59 minutes 42 seconds East, 67.58 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and crossing Lot Nos. 29 and 30 of said A.L. Parkers Second Subdivision, South 02 degrees 36 minutes 47 seconds East, 19.36 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot Nos. 29 through 30 of said A.L. Parkers Second Subdivision, North 87 degrees 11 minutes 37 seconds East, 35.57 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and crossing Lot Nos. 28 through 30 of said A.L. Parkers Second Subdivision, South 02 degrees 48 minutes 28 seconds East, 46.26 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot No. 28 of said A.L. Parkers Second Subdivision, South 87 degrees 17 minutes 36 seconds West, 33.19 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot No. 28 of said A.L. Parkers Second Subdivision, South 02 degrees 52 minutes 07 seconds East, 26.99 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot No. 28 of said A.L. Parkers Second Subdivision North 87 degrees 11 minutes 33 seconds East, 63.01 feet to a set iron pin in the east line of said 7.814 acre tract and the west line of a tract of land conveyed to New York Central Lines LLC as described in Instrument Number 200212180325201, now known as CSX Transportation Inc., successor by merger of record in Instrument Number 200507210144733 and Instrument Number 200507210144, as described in Notice of Merger as described in Instrument Number 200711080194030 (as originally conveyed to Cleveland, Columbus and Cincinnati Rail Road Company as described in Deed Book 51, Page 185 and Deed Book 51, Page 96);

Thence along the east line of said 7.814 acre tract, the west line of said CSX Transportation tract, and crossing Lot Nos. 26 through 28 of said A.L. Parkers Second Subdivision, an alley vacated by the City of Columbus in Ordinance No. 533-

40, and an alley vacated by the City of Columbus in Ordinance No. 183-46, South 02 degrees 44 minutes 04 seconds East, 312.96 feet to a set iron pin;
Thence westerly, crossing said 7.814 acre tract and Lot Nos. 10 and 19 of said Amended Asa L. Parker's Subdivision, and part of Parker Street vacated by the City of Columbus in Ordinance No. 183-46, North 86 degrees 51 minutes 44 seconds West, 226.76 feet to a set iron pin in the west line of said 7.814 acre tract and being in the east line of relocated Grant Avenue (Width Varies) and the east line of said 1.210 acre tract;
Thence northerly, along the east line of said relocated Grant Avenue, the west line of said 7.814 acre tract, the east line of said 1.210 acre tract, crossing Lot Nos. 10 and 11 of said Amended Asa L. Parker's Subdivision, North 01 degrees 51 minutes 52 seconds East, 48.66 feet to a 5/8" rebar found capped "EMH&T" at an angle point in said east and west lines;
Thence westerly, crossing Lot No. 11 of said Amended Asa L. Parker's Subdivision, Lot No. 16 of said Cornelia F. Davis and Others Subdivision, and two vacated alleys, City of Columbus Ordinance Nos. 279-55 and 870-62, continuing along a northerly right-of-way line of said relocated Grant Avenue, the south line of the remainder of said Weinland Park Development, LLC, Parcel 1, and the north line of said 1.210 acre tract, North 86 degrees 38 minutes 21 seconds West, 131.31 feet to a 5/8" rebar found capped "EMH&T" at a point of curvature;
Thence northwesterly, through Lot Nos. 15 and 16 of said Cornelia F. Davis and Others Subdivision, continuing along the east line of said relocated Grant Avenue, the west line of the remainder of said Weinland Park Development, LLC, Parcel 1, and the east line of said 1.210 acre tract, with a curve to the right having a radius of 10.00 feet, a central angle of 88 degrees 30 minutes 14 seconds, an arc length of 15.45 feet, and a chord which bears North 42 degrees 23 minutes 14 seconds West, 13.96 feet to a 5/8" rebar found capped "EMH&T";
Thence northerly, crossing Lot Nos. 12 through 15 of said Cornelia F. Davis and Others Subdivision and a vacated alley by the City of Columbus Ordinance No. 1616-57, continuing along the east line of said Grant Avenue, the west line of the remainder of said 7.814 acre tract, and the east line of said 1.210 acre tract, North 01 degrees 51 minutes 50 seconds East, 162.24 feet to a set iron pin;
Thence crossing said 7.814 acre tract and an alley vacated by the City of Columbus in Ordinance No. 1616-57, South 86 degrees 48 minutes 06 seconds East, 37.81 feet to a set iron pin.
Thence continuing across said 7.814 acre tract and an alley vacated by the City of Columbus in Ordinance No. 1616-57, South 36 degrees 42 minutes 37 seconds East, 12.22 feet to a set iron pin.
Thence continuing across said 7.814 acre tract and an alley vacated by the City of Columbus in Ordinance No. 1616-57, crossing an alley vacated by the City of Columbus in Ordinance No. 104-35, Lot No. 47 of said A.L. Parkers Second Subdivision, and part of Parker Street as vacated by City of Columbus in Ordinance No. 38619, South 86 degrees 46 minutes 54 seconds East, 173.97 feet to a set iron pin.
Thence continuing across said 7.814 acre tract and a part of Parker Street as vacated by the City of Columbus in Ordinance No. 38619, and crossing Lot Nos. 43 and 44 of said A.L. Parkers Second Subdivision, North 02 degrees 48 minutes 52 seconds West, 173.70 feet to a set iron pin.
Thence continuing across said 7.814 acre tract Lot No. 43 of A.L. Parkers Second Subdivision, crossing an alley vacated by the City of Columbus in Ordinance No. 104-35 and Lot No. 6 of said Cornelia F. Davis Subdivision, North 86 degrees 46 minutes 53 seconds West, 171.87 feet to a set iron pin.
Thence continuing across said 7.814 acre tract Lot No. 6 of said Cornelia F. Davis Subdivision, South 43 degrees 08 minutes 49 seconds West, 14.10 feet to a set iron pin.
Thence continuing across said 7.814 acre tract and Lot No. 6 of said Cornelia F. Davis Subdivision, North 86 degrees 45 minutes 09 seconds West, 24.05 feet to a set iron pin in the west line of said 7.814 acre tract, the east line of said 1.210 acre tract and the easterly right-of-way line of Grant Avenue.
Thence along the easterly right-of-way line of said Grant Avenue, the west line of said 7.814 acre tract, and the east line of said 1.210 acre tract, North 01 degrees 51 minutes 50 seconds East, 192.78 feet to the POINT OF BEGINNING, containing 3.208 acres (139,734 s.f.).
Subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

PARCEL 4: 0.826 +/- ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Quarter Township 4, Township 1, Range 18, united States Military Lands, being part of a 7.814 acre tract conveyed to Weinland Park Development LLC as described in Instrument Number 201704060046500, and being in part of Lot Nos. 6, through 11 of Cornelia F. Davis and

Others Subdivision as recorded in Plat Book 4, Page 45, being part of Lot Nos. 43 and 47, and all of Lot Nos. 44 through 46 of A.L. Parkers Second Subdivision as recorded in Plat Book 3, Page 114, being part of alleys vacated by City of Columbus Ordinance Nos. 104-35 and 1616-57, and being part of Parker Street as vacated in Ordinance No. 38619, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Beginning for reference at an iron pin set in the easterly right-of-way line of Grant Avenue (60 feet width), being the northeast corner of a 1.210 acre tract conveyed to City of Columbus, Ohio as described in Instrument Number 201006180075900, the northwest corner of a 6.693 acre tract conveyed to Grant Park Apartments, LLC as described in Instrument Number 201705260071485, and being in the south line of a 0.807 acre tract conveyed to Grant Avenue Properties, Ltd. as described in Instrument Number 199804230097572;

Thence along the easterly right-of-way line of said Grant Ave, the east line of said 1.210 acre tract, and the west line of said 6.693 acre tract, South 03 degrees 13 minutes 00 seconds West, 1494.53 feet;

Thence continuing along the easterly right-of-way line of said Grant Ave, the east line of said 1.210 acre tract, and the west line of said 6.963 acre tract, South 01 degrees 51 minutes 50 seconds West, 251.17 feet to the TRUE POINT OF BEGINNING of the tract herein described:

Thence crossing said 7.814 acre tract and Lot No. 6 of said Cornelia F. Davis Subdivision, South 86 degrees 45 minutes 09 seconds East, 24.05 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot No. 6 of said Cornelia F. Davis Subdivision, North 43 degrees 08 minutes 49 seconds East, 14.10 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and Lot No. 6 of said Cornelia F. Davis Subdivision, crossing an alley vacated by the City of Columbus in Ordinance No. 104-35 and Lot No. 43 of A.L. Parkers Second Subdivision, South 86 degrees 46 minutes 53 seconds East, 171.87 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and a part of Parker Street as vacated by the City of Columbus in Ordinance No. 38619, and crossing Lot Nos. 43 and 44 of said A.L. Parkers Second Subdivision, South 02 degrees 48 minutes 52 seconds East, 173.70 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and part of Parker Street as vacated by City of Columbus in Ordinance No. 38619, crossing an alley vacated by the City of Columbus in Ordinance No. 1616-57, crossing an alley vacated by the City of Columbus in Ordinance No. 104-35, and Lot No. 47 of said A.L. Parkers Second Subdivision, North 86 degrees 46 minutes 54 seconds West, 173.97 feet to a set iron pin;

Thence continuing across said 7.814 acre tract and an alley vacated by the City of Columbus in Ordinance No. 1616-57, North 36 degrees 42 minutes 37 seconds West, 12.22 feet to a set iron pin.

Thence continuing across said 7.814 acre tract and an alley vacated by the City of Columbus in Ordinance No. 1616-57, North 86 degrees 48 minutes 06 seconds West, 37.81 feet to a set iron pin in the west line of said 7.814 acre tract, the east line of said 1.210 acre tract and the easterly right-of-way line of Grant Avenue;

Thence along the easterly right-of-way line of Grant Avenue, the east line of said 1.210 acre tract and the west line of said 7.814 acre tract, North 01 degrees 51 minutes 50 seconds East, 152.62 feet to the POINT OF BEGINNING, containing 0.826 acres (35,975 s.f.).

Subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

SEE ATTACHMENT FILE ORD1047-2019_LEGAL_DESCRIPTIONS for legal descriptions of Parcel 1, Parcel 2, Parcel 5, and Parcel 6; which remain unchanged from Ordinance #1372-2017.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with a maximum of 446 dwelling units, or those uses permitted in the M, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plans titled, "**GRANT PARK REDEVELOPMENT, SHEETS 1-4,**" drawn by E.P. Ferris & Associates, Inc., dated March 20, 2019, and signed by David Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant. The Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the Plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed uses.

SECTION 5. That this ordinance is further conditioned upon applicant filing and completing through action by Columbus City Council a rezoning application upon issuance of an approved Site Compliance Plan for the last undeveloped area of the Grant Park Redevelopment, or six (6) years from the date of Columbus City Council passage of this ordinance, whichever occurs first.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

SECTION 7. That Ordinance #1372-2017, passed June 5, 2017, be and is hereby repealed.