



## Legislation Text

**File #: 1211-2015, Version: 2**

### **AMENDMENT: CV12-060A**

Ordinance #1819-2013, passed July 22, 2013 (CV12-060), allowed the Jeffrey Park development, a mixed-use residential and commercial development in the M, Manufacturing District at **732 NORTH FOURTH STREET (43201)**. The development proposed the Jeffrey Park Community Center located in Site A at the southeast corner of North Fourth Street and East First Avenue. Site A is subject to a data table referencing permitted area of itemized uses and applicable code-required and reduced parking, which included a parking reduction from 115 required spaces to 65 spaces. The Site A Data Table was the best estimate of proposed area of uses when the 2013 ordinance was being prepared. The community center building plans have been finalized and further reviewed by the Italian Village Commission, and it is necessary to adjust the Data Table to reflect the updated breakdown of area and the parking reduction from 141 required spaces to 65 spaces. This ordinance will amend three sections of Ordinance #1819-2013 to reflect the new parcel numbers, update the proposed parking reduction, reference the new site plan date, and replace the Data Table for Site A. No other provisions of the ordinance will change.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance #1819-2013, passed July 22, 2013 (CV12-060), for the property located **732 NORTH FOURTH STREET (43201)**, by amending Sections 1, 3, and 4 to reflect the new parcel numbers, update the proposed parking reduction, reference the new site plan date, and replace the Data Table for Site A **and to declare an emergency** (CV12-060A). **(REPEALED BY ORD. 3355-2016; PASSED 1/9/2017)**

**WHEREAS**, Ordinance #1819-2013, passed July 22, 2013 (CV12-060), allowed a mixed-use residential and commercial development with reduced development standards at **732 NORTH FOURTH STREET (43201)**, in the M, Manufacturing District; and

**WHEREAS**, this ordinance will amend three sections of Ordinance #1819-2013 to reflect the new parcel numbers, update the proposed parking reduction, reference the new site plan date, and replace the Data Table for Site A; and

**WHEREAS**, the Italian Village Commission recommends approval; and

**WHEREAS**, the Department of Public Service, Division of Traffic Management has no objection to the adjusted parking reduction; and

**WHEREAS**, all other development standards and commitments contained in Ordinance #1819-2013 are unchanged by this ordinance and will remain in effect, and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

**SECTION 1.** That the existing Section 1 of Ordinance #1819-2013, passed July 22, 2013 (CV12-060), be hereby repealed and replaced with a new Section 1 reading as follows:

**SECTION 1.** That a variance from the provisions of Sections 3363.01, M, Manufacturing Districts; 3363.24, Building Lines in an M, Manufacturing District; 3309.14(A), Height Districts; 3312.03 (D), Administrative Requirements; 3312.09, Aisle; 3312.13, Driveway; 3312.23, Maneuvering; 3312.27, Parking Setback line; 3312.29, Parking Space; 3312.49, Minimum Number of Parking Spaces Required; 3312.51, Minimum Number of Loading Spaces Required; 3321.01, Dumpster Area; and variances to the following sections applicable to temporary parking only: 3312.21, Landscaping and Screening; 3312.39 Striping and Marking; 3312.43, Surface; and 3321.03, Lighting; and variances to the Urban Commercial Overlay Sections 3372.604, Setback Requirements, 3372.605, Building Design Standards, 3372.606, Graphics, 3372.607, Landscaping and Screening, 3372.608, Lighting and 3372.609, Parking and Circulation; inclusive, only when site plan and/or architectural approval of the Italian Village Commission conflicts with these standards of the UCO, of the Columbus City Codes are hereby granted for the property located at **732 NORTH FOURTH STREET (43201)**, to:

- a) permit various styles and forms of residential use, including detached and attached single-, two-, three-, and four-unit dwellings, multi-unit, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel, subject to a maximum of 1,500 dwelling units.
- b) permit public and/or private parkland/open space;
- c) permit public and/or private school(s);
- d) reduce the required building setback line, on all existing and future streets, for residential uses within the UCO area, which is applicable to the site area between North 4<sup>th</sup> Street and North 6<sup>th</sup> Street, to a minimum of five (5) feet, and also to permit a zero (0) setback for all commercial and mixed use (commercial and residential uses) buildings and a minimum of five (5) feet for residential uses on all property east of North 6<sup>th</sup> Street, except that a single family dwelling, within or outside of the UCO area, shall be permitted a two (2') foot building setback along the non-fronting street, as defined in Section 7.a., Residential Yard and Area Requirements of "Conditions - ~~ORD 1819-2013~~ **1211-2015** (CV12-060A)", as referenced in Section 3, for a detached single family dwelling on a lot, and;
- e) permit a height of ninety (90) feet, with additional height calculated in accordance with Section 3309.142;
- f) reduce code required parking for uses on Site A (PID: 010-280391 ~~293338~~, 010-280392 ~~293339~~), as noted on the Concept Plan, from ~~115~~ **141** spaces to 65 spaces;
- g) reduce code required parking for all dwelling units from 2.0 and 1.5 spaces/DU depending on use to 1.0 spaces/DU;
- h) permit code required parking for dwelling units located on Site B (PID: 010-280393), as noted on the Concept Plan, to be located off-site, subject to off-site parking being located within the area designated as Off-site Parking on the Concept Plan;
- i) reduce code required parking for all uses, other than as specified in (f) and (g) above by 50%;
- j) reduce the required parking setback and vision clearance from public streets to five (5) feet on all public

street frontages for all property east of North Sixth Street, which is not presently regulated by the Italian Village Urban Commercial Overlay;

- k) permit property lines to divide aisles, driveways, parking spaces, maneuvering areas and loading areas, thereby permitting aisles, driveways, parking spaces, maneuvering and loading spaces to be located across and divided by property lines;
- l) eliminate the requirements for and development standards of loading spaces subject to any proposed on-site future loading spaces being reviewed and approved by the Division of Planning and Operations/Public Service Department;
- m) permit the off-site parking lot depicted on the Concept Plan to not have an improved surface, not have stripping, not have headlight screening and/or interior landscaping and without lighting for a maximum of three (3) years from the date of approval of a Site compliance Plan for the off-site parking lot;
- n) permit placement of dumpster boxes on or across shared property lines of private property parcels and to permit access/maneuvering area for a dumpster box(s) to occur in a public street right of way, subject to location, design and access approval of the Public Service Department;
- o) require for that portion of the site that is within the Italian Village Urban Commercial Overlay (UCO) compliance with the UCO except if the Italian Village Commission (IVC) approves a project not in compliance with the UCO, Sections 3372.604, Setback Requirements, 3372.609, Parking and Circulation, inclusive, then the IVC approval shall apply and no variance (BZA) shall be required.

said property being 33.8 ± acres located on the east side of North Fourth Street and the south side of East First Avenue, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio, and known as being Reserves A, B, C, D, E, F, G, H, I, J, K, L, M and Lots 1 - 32, all inclusive in Jeffrey Place, Section 1, as the same is numbered and delineated upon the recorded plat of said Section 1, of record in Plat Book 109, Pages 3 and 4, in the Recorder's Office of Franklin County, Ohio,

**AND THE FOLLOWING:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Sections 4 and 9, Township 5, Range 22, Refugee Lands, being part of that tract of land conveyed to Waterford Limited Partnership by deed of record in Instrument Number 200011020222452 and part of that tract of land conveyed to Pennsylvania Railroad Holding Company by deed of record in Official Record 33954D19 (all references being to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the northwesterly corner of that tract conveyed to the City of Columbus, Ohio by deed of record in Deed Book 2256, Page 474 in the southerly right-of-way line of East First Avenue;

thence South 08°14' 59" East, with the easterly right-of-way line of North Fourth Street, a distance of 558.84 feet to the True Point of Beginning for this description;

thence crossing said Pennsylvania Railroad Holding Company and said Waterford Limited Partnership tracts, the following courses and distances:

South 86°17' 08" East, a distance of 271.12 feet to a point;

South 08°19' 52" East, a distance of 113.87 feet to a point;

South 86°17' 08" East, a distance of 465.89 feet to a point;

South 03°28' 09" West, a distance of 40.00 feet to a point;

South 86°17' 08" East, a distance of 140.09 feet to a point;

North 03°25' 49" East, a distance of 151.37 feet to a point; and

South 86°17' 08" East, a distance of 428.08 feet to a point in the westerly line of that tract conveyed to Consolidated Rail Corporation by deed of record in Deed Book 3714, Page 1;

thence, with said westerly line, and with the arc of a curve to the right, (Delta = 22°28' 04", Radius = 1390.00 feet) a chord bearing and distance of South 04°06' 57" West, 541.58 feet to a point;;

thence South 19°04' 52" West, with said westerly line, a distance of 29.87 feet to a point in the northerly right-of-way line of I-670;

thence with said northerly right-of-way line the following courses and distances:

South 57°05' 47" West, a distance of 162.07 feet to a point;

South 54°57' 08" West, a distance of 155.00 feet to a point;

South 62°04' 39" West, a distance of 161.25 feet to a point;

South 24°16' 43" West, a distance of 9.37 feet to a point;

South 74°27' 12" West, a distance of 132.73 feet to a point;

South 80°13' 39" West, a distance of 127.71 feet to a point;

South 87°23' 14" West, a distance of 125.10 feet to a point;

North 74°13' 31" West, a distance of 157.09 feet to a point;

South 77°16' 27" West, a distance of 34.91 feet to a point;

North 48°28' 27" West, a distance of 34.45 feet to a point;

North 28°07' 31" East, a distance of 33.32 feet to a point;

North 54°07' 01" West, a distance of 54.60 feet to a point;

North 26°22' 45" West, a distance of 238.61 feet to a point;

North 10°01' 02" West, a distance of 110.69 feet to a point;

North 03°53' 03" West, a distance of 107.89 feet to a point; and

North 86°30' 37" West, a distance of 8.00 feet to a point in the easterly right-of-way line of Fourth Street;

thence North 03°34' 09" East, with said easterly right-of-way line, a distance of 217.55 feet to a point;

thence North 08°14' 59" West, with said easterly right-of-way line, a distance of 251.52 feet to the True Point of Beginning, containing 23.3 acres of land, more or less.

**SECTION 2.** That the existing Section 3 of Ordinance #1819-2013, passed July 22, 2013 (CV16-060), be hereby repealed and replaced with a new Section 3 reading as follows:

**SECTION 3.** That this ordinance is further conditioned upon the following:

**See Attachment 1 "Conditions - ORD ~~1819-2013~~ 1211-2015 (CV12-060A)."**

**SECTION 3.** That the existing Section 4 of Ordinance #1819-2013, passed July 22, 2013 (CV16-060), be hereby repealed and replaced with a new Section 4 reading as follows:

**SECTION 4.** That this ordinance is further conditioned on the plan titled, "**Jeffrey Park Concept Plan,**" drawn by Architectural Alliance, dated and signed ~~July 2, 2013~~ **April 9, 2015**, by Donald Plank, Attorney, which plan depicts the site, street system, and development areas of the site. Any slight adjustment to the drawing shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or a designee upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~  
**That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same,**