



Legislation Text

File #: 1372-2017, **Version:** 2

Council Variance Application # CV15-050

APPLICANT: Weinland Park Development, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 2nd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 1st Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is the former Columbus Coated Fabrics manufacturing plant, and is zoned in the M, Manufacturing, C-4, Commercial, and CPD, Commercial Planned Development districts. The applicant proposes to redevelop the site with up to 398 multi-unit residential units in the M district with parking and access in the C-4 and CPD districts. The Weinland Park neighborhood is seeing substantial residential development with both new construction and remodeling of existing structures that have been made possible through Council variances (Ordinance #'s 0345-2013 and 0347-2010). The site is within the planning area of the *University District Plan* (2015), which recommends higher intensity residential uses for this location. The request includes variances for reduced vision clearance, parking and setbacks, aisle, maneuvering, and a reduction in the minimum number of required parking spaces from 597 to 545. The proposed development is appropriate for the site and area and represents a substantial reduction in intensity of uses permitted under the existing zoning; and the proposed variances to standards are reflective of urban developments in this area.

To grant a variance from the provisions of Sections 3363.01, M-manufacturing districts; 3361.03, Development plan; 3312.09, Aisle; 3312.25, Maneuvering; 3312.21(A), Landscaping and screening; 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 (Council Variance # CV15-050) **and to declare an emergency.**

WHEREAS, by application # CV15-050, 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 398 units; and

WHEREAS, Section 3361.03, Development plan, requires the overall concept of a proposed development of a CPD, Commercial Panned Development District, which for a portion of Parcel # 010- 008498, 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, 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, while the applicant proposes no tree islands within these parking lots, but will instead plant those required trees within landscaped setback areas on those parcels; 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 on 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 minimum total of 597 parking spaces for 398 units, while the applicant proposes a total of 545 parking spaces for this development, with 1.22 spaces/unit for Parcel 1, 1.68 spaces/unit for Parcel 2, 2.06 spaces/unit for Parcel 3, and 0.50 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 would permit a multi-unit residential development that is consistent with the development patterns of the surrounding neighborhood, and with the land use recommendations of the *University District Plan*; 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;

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 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 398 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 lot in Parcels 5 or 6, but with the 2 required trees being planted within the north or south setback area; 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, and 40 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 545 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 13.93± 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 1 (6.7± 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 all of a 3.879 acre tract conveyed to Weinland Park Development, LLC as described in Instrument Number 201310070169784, Property 1, part of the remainder of a tract of land conveyed to Weinland Park Development, LLC, as described in Instrument Number 200810080150639, Parcel 1, being in part of Lot No. 7 of Stevenson's Heirs as recorded in Plat Book 1, Page 11, part of the Reserve of Anna M. & Joseph Erb's Subdivision as recorded in Plat Book 4, Page 151, part of the Reserve of Felix A. Jacob's Subdivision as recorded in Plat Book 4, Page 168, and part of Ninth Avenue vacated by the City of Columbus in an Ordinance dated July 4, 1902, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Beginning 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 said 3.879 acre tract, 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 south line of said 0.807 acre tract and the north line of said 3.879 acre tract, South 86 degrees 57 minutes 36 seconds East, 83.33 feet to a set iron pin at an angle point in said north and south lines;

Thence continuing along the south line of said 0.807 acre tract and the north line of said 3.879 acre tract, South 00 degrees 35 minutes 36 seconds East, 17.73 feet to a set iron pin at an angle point in said north and south lines;

Thence continuing along the south line of said 0.807 acre tract and the north line of said 3.879 acre tract, North 88 degrees 30 minutes 24 seconds East, 78.85 feet to a found iron pin at the southeast corner of said 0.807 acre tract, the northeast corner of said 3.879 acre tract and being in 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 3.879 acre tract and the west line of said CSX Transportation tract, South 02 degrees 50 minutes 35 seconds East, 821.00 feet to a set iron pin, being at the southeast corner of said 3.879 acre tract and the northeast corner of the remainder of said Weinland Park Development, LLC, Parcel 1;
Thence along the east line of the remainder of said Weinland Park Development, LLC, Parcel 1, and the west line of said CSX Transportation tract, South 02 degrees 42 minutes 40 seconds East, 313.97 feet to a set iron pin;
Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, South 87 degrees 14 minutes 08 seconds West, 45.50 feet to a set iron pin;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, South 02 degrees 42 minutes 40 seconds East, 139.41 feet to a set iron pin;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 86 degrees 46 minutes 56 seconds West, 170.33 feet to a set iron pin;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, South 03 degrees 13 minutes 06 seconds West, 52.00 feet to a set iron pin;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 86 degrees 46 minutes 54 seconds West, 81.00 feet to a set iron pin in the east line of said 1.210 acre tract, being the easterly right-of-way line of said Grant Avenue;
Thence along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract, North 03 degrees 13 minutes 00 seconds East, 1335.07 feet to the **POINT OF BEGINNING**, containing 6.7 acres, more or less.

PARCEL 2 (2.3± 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 the remainder of a tract of land conveyed to Weinland Park Development, LLC, as described in Instrument Number 200810080150639, Parcel 1, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:
Beginning 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 3.879 acre tract conveyed to Weinland Park Development, LLC as described in Instrument Number 201310070169784, Property 1, 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, South 03 degrees 13 minutes 00 seconds West, 1335.07 feet to the **TRUE POINT OF BEGINNING** of the tract herein described:
Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, South 86 degrees 46 minutes 54 seconds East, 81.00 feet;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 03 degrees 13 minutes 06 seconds East, 52.00 feet;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, South 86 degrees 46 minutes 56 seconds East, 170.33 feet;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 02 degrees 42 minutes 40 seconds West, 139.41 feet;
Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 87 degrees 14 minutes 08 seconds East, 45.50 feet to the east line of the remainder of said Weinland Park Development, LLC, Parcel 1, 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 the remainder of said Weinland Park Development, LLC, Parcel 1, and the west line of said CSX Transportation tract, South 02 degrees 42 minutes 40 seconds East, 388.07 feet;
Thence continuing along the east line of the remainder of said Weinland Park Development, LLC, Parcel 1, and the west line of said CSX Transportation tract, South 02 degrees 48 minutes 27 seconds East, 240.71 feet;

Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, South 87 degrees 11 minutes 33 seconds West, 67.42 feet;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1 tract the following six (6) courses:

1. North 02 degrees 36 minutes 47 seconds West, 50.00 feet;
2. North 07 degrees 59 minutes 42 seconds West, 67.58 feet;
3. North 00 degrees 11 minutes 06 seconds West, 116.90 feet;
4. North 86 degrees 54 minutes 37 seconds West, 239.85 feet;
5. South 03 degrees 13 minutes 33 seconds West, 13.00 feet;
6. North 86 degrees 46 minutes 27 seconds West, 14.09 feet to the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue;

Thence along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract, North 01 degrees 51 minutes 50 seconds East, 58.40 feet;

Thence continuing along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract, North 03 degrees 13 minutes 00 seconds East, 159.47 feet to the **POINT OF BEGINNING**, containing approximately 2.3 acres, more or less.

PARCEL 3 (3.2± 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, part of the remainder of a tract of land conveyed to Weinland Park Development, LLC, as described in Instrument Number 200810080150639, Parcel 1, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Beginning 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 3.879 acre tract conveyed to Weinland Park Development, LLC as described in Instrument Number 201310070169784, Property 1, 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, South 03 degrees 13 minutes 00 seconds West, 1494.54 feet;

Thence continuing along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 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 the remainder of said Weinland Park Development, LLC, Parcel 1, South 86 degrees 46 minutes 27 seconds East, 14.09 feet;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, the following six (6) courses:

1. North 03 degrees 13 minutes 33 seconds East, 13.00 feet;
2. South 86 degrees 54 minutes 37 seconds East, 239.85 feet;
3. South 00 degrees 11 minutes 06 seconds East, 116.90 feet;
4. South 07 degrees 59 minutes 42 seconds East, 67.58 feet;
5. South 02 degrees 36 minutes 47 seconds East, 50.00 feet;
6. North 87 degrees 11 minutes 33 seconds East, 67.42 feet to the east line of the remainder of said Weinland Park Development, LLC, Parcel 1, 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 the remainder of said Weinland Park Development, LLC, Parcel 1, and the west line of said CSX Transportation tract, South 02 degrees 48 minutes 27 seconds East, 372.65 feet;

Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, North 86 degrees 12 minutes 27 seconds West, 230.51 feet to the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue;

Thence along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue, North 01 degrees 51 minutes 52 seconds East, 62.84 feet;

Thence continuing along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue, North 86 degrees 38 minutes 21 seconds West, 131.31 feet;

Thence continuing along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue 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;

Thence continuing along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue, North 01 degrees 52 minutes 17 seconds East, 135.11 feet;

Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, South 86 degrees 53 minutes 19 seconds East, 224.29 feet;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 02 degrees 48 minutes 57 seconds West, 194.23 feet;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 86 degrees 54 minutes 37 seconds West, 208.43 feet to the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue;

Thence along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue, North 01 degrees 51 minutes 50 seconds East, 179.40 feet to the **POINT OF BEGINNING**, containing approximately 3.2 acres, more or less.

PARCEL 4 (0.96± 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 the remainder of a tract of land conveyed to Weinland Park Development, LLC as described in Instrument Number 200810080150639, Parcel 1, and being in part of Lot Nos. 6, through 12 of Cornelia F. Davis and Others Subdivision as recorded in Plat Book 4, Page 45, being part of Lot No. 43 and all of Lot Nos. 44 through 47 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, 183-46, 1616-57, and 279-55, 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 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 3.879 acre tract conveyed to Weinland Park Development, LLC as described in Instrument Number 201310070169784, Property 1, 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, South 03 degrees 13 minutes 00 seconds West, 1494.54 feet;

Thence continuing along the easterly right-of-way line of said Grant Ave and the east line of said 1.210 acre tract, South 01 degrees 51 minutes 50 seconds West, 237.80 feet to the **TRUE POINT OF BEGINNING** of the tract herein described:

Thence crossing the remainder of said Weinland Park Development, LLC, Parcel 1, South 86 degrees 54 minutes 37 seconds East, 208.43 feet to a set iron pin;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, South 02 degrees 48 minutes 57 seconds East, 194.23 feet to a set iron pin;

Thence continuing across the remainder of said Weinland Park Development, LLC, Parcel 1, North 86 degrees 53 minutes 19 seconds West, 224.29 feet to a set iron pin in the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue;

Thence along the east line of said 1.210 acre tract and said easterly right-of-way line of Grant Avenue, North 01 degrees 51 minutes 50 seconds East, 193.16 feet to the **POINT OF BEGINNING**, containing 0.96 acres, more or less.

PARCEL 5 (0.62± 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 the remainder of a tract of land conveyed to Weinland Park Development, LLC as described in Instrument Number 200810080150639, Parcel 1, being part of Lot Nos. 18, 19, 20, 22, and all of Lot 23 of Cornelia F. Davis and Others Subdivision as recorded in Plat Book 4, Page 45, being part of two alleys vacated by City of Columbus Ordinance No. 870-62, and being all of a 0.172 acre tract conveyed to Weinland Park

Development, LLC as described in Instrument Number 201308290147249, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Beginning at a 5/8" rebar found capped "EMH&T" in the south line of Lot No. 22 of said Cornelia F. Davis and Others Subdivision at the intersection of the northerly right-of-way line of Fifth Avenue (Width Varies) and the westerly right-of-way line of the relocated Grant Avenue (60 feet width), being the southwest corner of a 1.210 acre tract conveyed to City of Columbus, Ohio as described in Instrument Number 201006180075900, and being in the south line of the remainder of said Weinland Park Development, LLC, Parcel 1;

Thence along the south line of said Lot Nos. 22 and 23, the south line of said 0.172 acre tract, and in northerly right-of-way line of said Fifth Avenue, and the south line of the remainder of said Weinland Park Development, LLC tract, North 86 degrees 40 minutes 04 seconds West, 107.81 feet to the southwest corner of said 0.172 acre tract and the southeast corner of Lot No. 24 of Amended Plat of Cornelia F. Davis and Others Subdivision as recorded in Plat Book 4, Page 154; Thence along the west line of said 0.172 acre tract and the east line of said Lot No. 24, North 01 degrees 51 minutes 58 seconds East, 145.27 feet to the northwest corner of said 0.172 acre tract, and being at the intersection of the westerly right-of-way line of Grant Avenue and the southerly right-of-way line of the first alley north of Fifth Avenue as shown on said Amended Plat of Cornelia F. Davis and Others Subdivision;

Thence along the north line of said 0.172 acre tract and crossing Grant Avenue, South 86 degrees 38 minutes 15 seconds East, 29.51 feet to an angle point in said north line and being in the easterly right-of-way line of Grant Avenue;

Thence continuing along the north line of said 0.172 acre tract and the easterly right-of-way line of Grant Avenue, North 01 degrees 51 minutes 58 seconds East, 103.18 feet to a point of curvature of the easterly right-of-way line of Grant Avenue;

Thence continuing along the north line of said 0.172 acre tract and the easterly right-of-way line of Grant Avenue with a curve to the right having a radius of 10.00 feet, a central angle of 91 degrees 29 minutes 47 seconds, an arc length of 15.97 feet, and a chord which bears North 47 degrees 36 minutes 52 seconds East, 14.33 feet;

Thence continuing along the north line of said 0.172 acre tract and through said Lot No. 18 along a southerly right-of-way line of relocated Grant Avenue and a south line of said 1.210 acre tract, South 86 degrees 40 minutes 14 seconds East, 68.55 feet to a point of curvature of the westerly right-of-way line of relocated Grant Avenue;

Thence continuing through said Lot No. 18 along the westerly right-of-way line of relocated Grant Avenue and the west line of said 1.210 acre tract with a curve to the right having a radius of 9.99 feet, a central angle of 88 degrees 41 minutes 12 seconds, an arc length of 15.46 feet, and a chord which bears South 42 degrees 19 minutes 38 seconds East, 13.96 feet;

Thence continuing through said Lot Nos. 18 through 20, Lot 22 and vacated alley along the westerly right-of-way line of relocated Grant Avenue and the west line of said 1.210 acre tract, South 01 degrees 51 minutes 16 seconds West, 238.73 feet to a point of curvature of the westerly right-of-way line of relocated Grant Avenue

Thence continuing through said Lot No. 22 along the westerly right-of-way line of said relocated Grant Avenue and the west line of said 1.210 acre tract with a curve to the right having a radius of 9.96 feet, a central angle of 91 degrees 41 minutes 32 seconds, an arc length of 15.95 feet, and a chord which bears South 47 degrees 42 minutes 03 seconds West, 14.30 feet to the **POINT OF BEGINNING**, containing 0.62 acres, more or less.

PARCEL 6 (0.15± 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 Lot Nos. 28 and 29 of Cornelia F. Davis and Others Subdivision of part of Lot No. 5 of Stephenson Heirs Subdivision of record in Plat Book 4, Page 171 conveyed to Weinland Park Development, LLC, as described in Instrument Number 201310070169784, Property 3 and Property 4, all records being of the Recorder's Office, Franklin County, Ohio, unless otherwise noted:

These descriptions are based on records and a field survey by E.P. Ferris and Associates in 2017 and are intended to be used for zoning purposes only.

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 398 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 April 26, 2017, 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.~~
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.