



## Legislation Text

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**File #:** 1033-2017, **Version:** 1

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### **Rezoning Application Z16-035**

**APPLICANT:** Schiff Capital Group; c/o Michael Shannon, Atty., and Eric Zartman, Atty.; 500 South Front Street, Suite 1200; Columbus, OH 43215.

**PROPOSED USE:** Hotel.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-1) on December 8, 2016.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned in the I, Institutional and C-4, Commercial districts, and developed with an 11-story multi-unit residential development for the elderly. The applicant proposes the CPD, Commercial Planned Development District to convert and expand the building into a maximum 190-room commercial hotel with ancillary operations such as office, catering services, bars and restaurants, exercise facilities, and 1,500 square feet of retail or restaurant space with 450 square feet of outside dining space. The CPD text includes appropriate use restrictions, access provisions, and a commitment to a site plan. The conversion requires variances for reduced setback lines, and a reduction in the required number of parking spaces from 213 to 50, with a minimum additional 17 off-site parking spaces. These variances, along with variances for existing site conditions related to building height and lack of parking lot landscaping and screening, are included in the request. The proposal includes an expansion to the front façade of the building for the lobby and retail space which is consistent with the established building line along North High Street. The proposed uses and site plan are consistent with the zoning and development patterns of this historic urban commercial corridor. The requested parking variance, which is based on maximum parking demand findings for hotels in urban areas, is supported by the Department of Public Service with the lease agreement/cash in lieu commitment in the CPD text.

To rezone **750 NORTH HIGH STREET (43215)**, being 0.77± acres located at the southeast corner of North High Street and Warren Street, From: I, Institutional District and C-4, Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z16-035).

**WHEREAS**, application # Z16-035 is on file with the Department of Building and Zoning Services requesting rezoning of 0.77± acres from I, Institutional District and C-4, Commercial District, to CPD, Commercial Planned Development 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 of said zoning change because the request is consistent with the zoning and development patterns of this rapidly redeveloping urban commercial corridor, and has the support of the Italian Village Commission. The requested parking variance, which is based on maximum parking demand findings for hotels in urban areas, is supported by the Department of Public Service with the lease agreement/cash in lieu commitment

in the CPD text; 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:

**750 NORTH HIGH STREET (43215)**, being 0.77± acres located at the southeast corner of North High Street and Warren Street, and being more particularly described as follows:

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

Being Lots Numbers Thirty-One (31) and Thirty-Two (32) of WILLIAM A. GILL'S SECOND ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 280, Recorder's Office, Franklin County, Ohio, excepting ten (10) feet therefrom off the west end thereof conveyed to the City of Columbus, Ohio, for street widening purposes.

Being Lots Numbers Thirty-Three (33) and Thirty-Four (34) of WILLIAM A. GILL'S SECOND ADDITION to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 280, Recorder's Office, Franklin County, Ohio, saving and excepting a strip of land 10 feet wide taken off of the entire west ends of said lots, which ten (10) foot strip of land was conveyed by Luellen D. Lampman and Alice May Lampman, his wife, to the City of Columbus, Ohio, on the 26th day of May, 1919, for the purpose of widening North High Street.

Being Lot No. 24 of WILLIAM A. GILL'S SECOND NORTH ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 1, Page 280, Recorder's Office, Franklin County, Ohio. Excepting the title and interest of the City of Columbus, in and to 10 feet off of the west end of said premises, as conveyed to it by Ellen G. Whiting, Grace B. Cooke and Emmet R. Cooke by deed dated Rule 28, 1919, and of record in Volume 656, Page 82, of the Deed Records in said Recorder's Office, but including all right of reversion reserved to the said Ellen G. Whiting in said deed to the City of Columbus.

LESS AND EXCEPTING- the real property described in Official Record 3880315 and Official Record 2105A03, Franklin County records.

**To Rezone From:** I, Institutional District and C-4, Commercial District

**To:** CPD, Commercial Planned Development District

**SECTION 2.** That a Height District of one hundred-ten (110) feet is hereby established on the CPD, Commercial Planned Development 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 change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**CPD SITE PLAN**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," both signed by Michael T. Shannon and Eric Zartman, Attorneys for Applicant, and dated April 19, 2017, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

**PROPOSED DISTRICT:** CPD

**PROPERTY ADDRESS:** 750 N. High Street

**PARCEL NO.:** 010-009227 and 010-028040

**OWNER:** Columbus Metropolitan Housing Authority

**APPLICANT:** Schiff Capital Group, c/o Michael Shannon, Esq.; CRABBE, BROWN & JAMES, LLP; 500 South Front Street, Suite 1200; Columbus, Ohio 43215

**DATE OF TEXT:** 4/19/2017

**APPLICATION NO.:** Z16-035

**1. Introduction:**

Applicant is proposing renovation of the existing Bollinger Tower building for use as a commercial hotel and development of additional commercial space, as shown on the CPD Site Plan. The hotel will include a maximum of 190 rooms. The hotel will include customary ancillary operations (e.g., conference rooms and exercise facility and limited food for guests). Applicant shall provide 48 on-site, valet-only parking spaces, 2 ADA parking spaces which shall remain accessible at all times, and 17 off-site, valet-only parking spaces. The hotel is bounded by High Street to the West and Pearl Street to the East.

**2. Permitted Uses:**

The following uses shall be permitted pursuant to C.C.C. Section 3356.03 (C-4, Commercial District): (1) hotel, including any customary ancillary operations such as office, catering services, bars and restaurants, and exercise facilities (2) commercial and (3) patio.

**3. Development Standards:**

Unless otherwise indicated herein, the applicable development standards shall be those standards contained in Chapter 3356 (C-4) of the Columbus City Code.

**A. *Density, Height, Lot and/or Setback Commitments:***

1. The maximum number of guest rooms in the hotel shall be 190.
2. The Applicant requests a variance from C.C.C. 3356.11 (C-4 district setback lines), which section does require a twenty-five (25) foot building setback. Applicant requests a variance to reduce the minimum building setback from North High Street, Warren Street, and Bollinger Place to zero (0) feet, which is recommended by the Short North Design Guidelines.
3. The Site shall be designated in the H-110 height district per C.C.C. 3309.14. Roof top mechanical equipment and its associated screening, parapet walls, elevator penthouses and similarly customary roof top equipment will not be considered in determining building heights.

**B. *Access, Loading, Parking and/or Other Traffic Related Commitments:***

1. Any and all traffic related commitments shall be installed and paid by the developer as designated, and to the specification of the City of Columbus, Department of Public Service, Division of Traffic Management.
2. The most intense contemplated parking requirement is one (1) parking space per hotel room, one (1) parking space per 75 square feet of restaurant without pickup unit and one (1) parking space per 150 square feet of patio/outdoor dining area. Therefore, for example, the required parking for 190 hotel rooms, 1,500 square feet of restaurant use without pickup unit, and 450 square feet of patio/outdoor dining area would be 213 parking spaces. The Applicant requests a variance from Section 3312.49 (minimum parking spaces required) to reduce the required number of on-site parking spaces for the proposed development. Applicant requests a variance to reduce the minimum parking spaces required by hotel, commercial, and patio uses to 50 on-site parking spaces (34 parking spaces, 14 stacked/drive-aisle parking spaces and 2

ADA spaces), a total reduction of 163 parking spaces, based on the example above. Pursuant to an agreement with Department of Public Service, Applicant shall provide 48 on-site, valet-only parking spaces, 2 ADA parking spaces which shall remain accessible at all times, and 17 off-site, valet-only parking spaces, assuming 183 hotel rooms. This agreement to provide for 17 off-site parking spaces is referred to herein as the “Off-Site Parking Requirement”. The Off-Site Parking Requirement shall increase by one parking space per hotel room above 183 rooms.

3. Prior to issuance of an occupancy permit, the property owner of this site (“Owner”) shall enter into one or more parking agreements giving Owner the right to use one or more off-site parking facilities to satisfy the Off-Site Parking Requirement. The minimum initial term of the parking agreements shall be one (1) year. On an annual basis prior to July 1 of each year, Owner shall provide to the Department of Public Service, Division of Traffic Management evidence that Owner has entered into parking agreements satisfying the Off-Site Parking Requirement with a minimum term of one (1) year.

4. If Owner cannot provide evidence of parking agreements satisfying the Off-Site Parking Requirement by September 1 of any year, this noncompliance shall be considered a violation of the certificate of zoning clearance. At any time, Owner shall have the right to reduce the number of parking spaces currently required under §3312.49 as referenced in Section 3 (B)(2) and eliminate the Off-Site Parking Requirement by making a one-time payment to the Short North Special Parking Area Fund based upon the current non-residential in-lieu fee schedule applicable at such time such an election is made.

5. The Owner shall maintain valet service on site that is available 24 hours a day while this hotel is in operation.

6. Applicant requests a variance from Section 3312.29 (parking space) which section does not allow stacked parking. Applicant requests a variance to allow stacked parking as depicted in the CPD Site Plan.

7. Applicant requests a variance from Section 3312.21(A), which section does require a minimum ratio of one interior parking lot shade tree for every ten parking spaces. Applicant requests a variance to allow zero interior parking lot shade tree for every ten parking spaces, to match existing interior parking lot shade tree count.

8. Applicant requests a variance from Section 3312.27(4), which section establishes a ten-foot parking setback line from the street right-of-way line. Applicant requests a variance to reduce the parking setback line to zero feet, to match existing parking setback line.

***C. Building Design and/or Exterior Treatment Commitments:***

1. In general, the building exteriors will be constructed of brick, EIFS (exterior insulation and finish system), glass and metal.

2. All roofs will be flat and will contain parapets or other screening concealing visibility of mechanical equipment from street level.

3. New ground-level mechanical equipment will be contained within the building itself and, as such, screening of these elements will be by the aforementioned building materials.

4. These commitments shall be adhered to unless otherwise approved by the Italian Village Commission.

***D. Lighting and/or Other Environmental Commitments:*** N/A

***E. Graphics and Signage Commitments:***

All graphics shall conform to Article 15 of the Columbus City Code as it applies to the C-4 Commercial District, and pursuant to Code be approved by The Italian Village Commission. Any variance to the applicable standards of the C-4 District shall be submitted to the Italian Village Commission and Columbus Graphics Commission.

**F. Miscellaneous:**

1. The Site shall be developed in accordance with the submitted CPD Site Plan. The CPD Site Plan may be slightly adjusted to reflect engineering, topographical, or other site development data developed at the time the development and engineering plans are completed. Any slight adjustment to the plan shall be subject to review and approval by the Director of Building and Zoning Services or his or her designee, upon submission of appropriate data regarding the proposed adjustment.

2. Variances Requested:

- a. Section 3356.11 (C-4 District Setback lines)
- b. Section 3312.49 (Minimum Parking Spaces Required)
- c. Section 3312.29 (Allow Stacked Parking)
- d. Section 3312.21(A) (Parking Lot Landscaping and Screening) - To match existing condition.
- e. Section 3312.27(4) (Parking Setback Line) - To match existing condition.

**G. CPD Requirements:**

- 1. Natural Environment: The site consists of approximately .77+/- acres currently used as an apartment development.
- 2. Existing Land Use: The Site is currently use as an apartment development.
- 3. Transportation and Circulation: The Site will have pedestrian access from North High Street and vehicular access to Warren Street and Pearl Street.
- 4. Visual Form of the Environment: The existing uses/zoning of the surrounding properties are all zoned C-4.
- 5. View and Visibility: Significant consideration has been given to visibility and safety issues.
- 6. Proposed Development: The proposed development is a hotel with accessory uses including conference facilities and an exercise facility.
- 7. Behavior Patterns: This area has existing traffic flows which use the roadway in and around the area.
- 8. Emissions: There will be no emissions from the proposed uses.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.