



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0317-2012, **Version:** 2

Rezoning Application Z11-027

APPLICANT: Pizzuti Short North, LLC; c/o Michael T. Shannon and George R. McCue, Attys.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Mixed-use commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on November 10, 2011.

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District will allow mixed-commercial development, including a 145-room luxury boutique hotel with customary ancillary operations on the east side of North High Street (Sub-Area A), and an office building, a 313-space parking garage, and an art gallery on the west side of North High Street (Sub-Area B). The CPD plan and text establish development standards and permitted uses for each sub-area and include setback and building materials commitments. Variances for increased building height, reduced setbacks, and a reduction in the required minimum number of parking and loading spaces are included in the request. The proposed uses are consistent with the zoning and development patterns of the area, and both the Italian Village and Victorian Village Commissions have recommended approval on the CPD Text and plans.

To rezone **616 & 623 NORTH HIGH STREET (43215)**, being 1.5± acres located on the east side of North High Street, 100± feet south of Russell Street, and at the southwest corner of North High Street and Russell Street, From: AR-2, Apartment Residential, and C-4, Commercial Districts, To: CPD, Commercial Planned Development District (Rezoning # Z11-027).

WHEREAS, application #Z11-027 is on file with the Department of Building and Zoning Services requesting rezoning of 1.5± acres from AR-2, Apartment Residential, and C-4, Commercial Districts, 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 Victorian Village Commission recommends approval of said zoning change; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and recognizes that this mixed-use development has many features which promote an active lifestyle; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed uses are consistent with the zoning and development patterns of the area, and both the Italian Village and Victorian Village Commissions

have recommended approval on the CPD Text and plans; 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:

616 & 623 NORTH HIGH STREET (43215), being 1.5± acres located on the east side of North High Street, 100± feet south of Russell Street, and at the southwest corner of North High Street and Russell Street, and being more particularly described as follows:

SUB-AREA A

Situated in the State of Ohio, County of Franklin, City of Columbus, being part Lots 12 and 13 of “William Neils Addition” of record in Plat Book 1, Page 170, as conveyed to City of Columbus by deed of record in Official Record 4509C03 (all references refer to the records of the Recorder’s Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Russell Street and North High Street;

thence South 08° 18’ 00” East, with the centerline of said North High Street, a distance of 130.12 feet to a point;

thence North 81° 37’ 26” East, across the right-of-way of said North High Street, and with the northerly line of that tract conveyed to City of Columbus by deed of record in Deed Book 622, Page 374 and with the northerly line of said Lot 13, a distance of 43.00 feet to a point, being the TRUE POINT OF BEGINNING;

thence North 81° 37’ 26” East, with the northerly line of said Lot 13, a distance of 140.00 feet to a point at a northeasterly corner thereof, being the westerly right-of-way line of Clinton Alley (also known as Pearl Street) of record in Plat Book 1, Page 170;

thence South 08° 18’ 00” East, with the easterly line of said Lots 13 and 12, the westerly right-of-way line of said Clinton Alley, a distance of 101.60 feet to a point at a southeasterly corner of said Lot 12;

thence South 81° 37’ 26” West, with the southerly line of said Lot 12, a distance of 140.00 feet to a point at a southeasterly corner of said tract conveyed to City of Columbus by deed of record in Deed Book 622, Page 374;

thence North 08° 18’ 00” West, with the westerly line of said City of Columbus tract, a distance of 101.60 feet to the TRUE POINT OF BEGINNING and containing 0.33 acre of land, more or less.

To Rezone From: C-4, Commercial District

To: CPD, Commercial Planned Development District

SUB-AREA B

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 8, Township 5, Range 22, Refugee Lands, being part of Lincoln Gaudily’s Reserve Number 8 as shown for record in Plat Book 1, Page 92, being all of that 22 foot alley (known as Wall Street) between Russell Street and Millay Alley and all of that parcel conveyed to UCT Real Estate LLC of record in Instrument Number 200812090176764 (all references refer to the records of the Recorder’s Office, Franklin County, Ohio) and being more particularly bounded and described as follows:

Beginning at the centerline intersection of Park Street and Russell Street;

thence North 81° 36' 13" East, with the centerline of Russell Street, a distance of 37.50 feet to a point;

thence South 08° 23' 47" East, a distance of 20.00 feet to a point at the intersection of the southerly right-of-way line of Russell Street and the easterly right-of-way line of Park Street, the TRUE POINT OF BEGINNING;

thence North 81° 36' 13" East, with the southerly right-of-way line of Russell Street and the northerly line of said UCT Real Estate LLC Parcel, a distance of 222.00 feet to a point on the easterly right-of-way line of said 22 foot alley (Wall Street) and the westerly line of Woods High Street Ltd. Parcel of record in Official Record 08825A04;

thence South 08° 23' 47" East, with the easterly right-of-way line of said 22 foot alley (Wall Street) and the westerly line of said Woods High Street Ltd. parcel, a distance of 94.94 feet to a point at the southwesterly corner of said Woods High Street Ltd. Parcel;

thence North 81° 36' 13" East, with the southerly line of said Woods High Street Ltd. Parcel, a distance of 150.00 feet to a point on the westerly right-of-way of High Street;

thence South 08° 34' 47" East, with the westerly right-of-way line of said High Street, a distance of 79.06 feet to a point at the intersection of the northerly right-of-way of Millay Alley and the westerly right-of-way line of said High Street;

thence South 81° 36' 13" West, with the northerly right-of-way of said Millay Alley, a distance of 372.00 feet to the easterly line of said Park Street;

thence North 08° 23' 47" West, with the easterly right-of-way line of said Park Street, a distance of 174.00 feet to the TRUE POINT OF BEGINNING, containing 1.149 acres, more or less.

The above description is to be used for zoning purposes only and is NOT to be use for fee transfer.

This description was prepared from record information only and should be used for zoning purposes only.

To Rezone From: AR-2, Apartment Residential, and C-4, Commercial Districts

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, "**THE JOSEPH HOTEL - SUB-AREA A,**" and "**SHORT NORTH MIXED USE - SUB-AREA B,**" both dated February 6, 2012, and text titled, "**DEVELOPMENT TEXT,**" dated January 4, 2012, all signed by Michael T. Shannon, Attorney for the Applicant, and the text reading as follows:

DEVELOPMENT TEXT

EXISTING ZONING DISTRICTS: C-4 AND AR-2

PROPOSED DISTRICT: CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT

PROPERTY ADDRESS: 616 AND 623 NORTH HIGH STREET, COLUMBUS, OHIO 43215

OWNERS: PIZZUTI SHORT NORTH, LLC; c/o CRABBE, BROWN & JAMES, LLP; MICHAEL T. SHANNON, ESQ., GEORGE R. MCCUE, ESQ.; 500 S FRONT STREET, SUITE 1200, COLUMBUS, OHIO 43215; mshannon@cbjlawyers.com; gmccue@cbjlawyers.com and the CITY OF COLUMBUS, ATTN: BOYCE SAFFORD, 50 WEST GAY STREET, COLUMBUS, OHIO 43215

APPLICANT: PIZZUTI SHORT NORTH, LLC; c/o MICHAEL T. SHANNON, ESQ., GEORGE R. MCCUE, ESQ.; 500 S. FRONT STREET, SUITE 1200, COLUMBUS, OHIO 43215

DATE: JANUARY 4, 2012

1. INTRODUCTION

The Pizzuti Development Company is proposing a mixed use Commercial Development that encompasses both sides of a two block area of North High Street in the Short North area of Downtown Columbus. The development is being undertaken in cooperation/partnership with the City of Columbus as signature projects for both the Italian Village Commission Area and Victorian Village Commission Area.

The proposed development will consist of two (2) sub-areas: Sub-Area A, addressed as 616 North High Street, and containing the property at 618 North High Street within the Italian Village Commission area, will include a maximum 145 room luxury boutique hotel and related parking. The hotel will include customary ancillary operations (ie office, catering, conference rooms, bar and restaurant) and other retail uses. The hotel is bounded by High Street to the West and Pearl Street to the East.

Sub-Area B, addressed as 623 North High Street, and containing the properties at 621-629 High Street and 632 North Park Street within the Victorian Village Commission area, will consist of an office building which fronts on High Street and a public 313 space parking garage which fronts on Russell Street.

Also proposed at 632 North Park Street is a world class art gallery, which is a critical part of the proposed mixed use development as it proposes a very high end adaptive re-use of the historically significant former office building of The Order of United Commercial Travelers of America. (U.C.T.)

SUB-AREA A

1. Permitted Uses: The following uses shall be permitted pursuant to C.C.C. Section 3356.03 (C-4, Commercial District): hotel, including any customary ancillary operations such as office, catering services, bars and restaurants, work out facilities and the like.

2. Prohibited Uses: No billboards shall be permitted

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 145.

2. Building Setbacks: The minimum building setback from North High Street shall be reduced from twenty-five (25) feet to zero (0) feet, which will match the surrounding commercial setbacks on High Street.

3. Height District: 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. The subject hotel is 114 ft. high and the applicant therefore

requests a 10 foot variance to the H-110 height district for the subject site.

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 Planning and Operations Division.

2. Parking: The Applicant requests a variance from Section 3312.49 (minimum parking spaces required) to reduce the required number of on site parking spaces for each of the buildings in the proposed development, in consideration of the parking garage to be constructed. Applicant requests a zero (0) on site parking space requirement for this site, conditioned on the construction of the parking garage. The five (5) story parking garage will provide 313 parking spaces for use by each building's employees and customers. The stand alone parking requirements per code for the hotel use is 145 parking spaces and 8 bicycle racks , which will be provided for in the 313 space parking garage on the West side of High Street in Sub-Area B.

3. Loading Spaces: Section 3312.53 (minimum loading spaces required) requires one (1) loading space for the hotel. Applicant requests a variance from this requirement to allow no loading space for the hotel, in recognition of the alley to the rear of the hotel building.

C. BUILDING DESIGN AND/OR EXTERIOR TREATMENT COMMITMENTS:

In general, the building exteriors will be constructed of brick, EIFS (exterior insulation and finish system) glass and metal. The podium (levels 1 and 2) will be comprised of brick, EIFS and glass with minimal metal (such as trim awnings, etc.) The east-west portion of the L-shaped tower will be comprised of glass and metal. The north-south portion of the L-shaped tower will be comprised of brick, EIFS and glass with minimal metal (such as trim, etc.).

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

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.

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

D. LIGHTING AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Ground mounted lighting shall use fully shielded cutoff fixtures (down lighting) except there may be accent lighting/uplighting on landscaping in front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacture's type to ensure aesthetic compatibility.

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

E. GRAPHICS AND SIGNAGE COMMITMENTS:

1. 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. A monetary contribution shall be made to the City of Columbus, pursuant to Parkland Dedication Requirements of CCC 3318.13. Payment shall be made at the time of zoning clearance approval.

3. Variances Requested:

- 1) Section 3356.11 (C-4 District Setback lines)
- 2) Section 3312.49 (Minimum Parking Spaces Required)
- 3) Section 3312.53 (Minimum Loading Spaces Required)
- 4) Section 3309.14 (Building Height)

G. CPD REQUIREMENTS:

1. Natural Environment: The Hotel Site consists of approximately 0.3 acres currently used for public parking which is proposed for commercial redevelopment

2. Existing Land Use: The Site is currently a public parking lot.

3. Transportation and Circulation: ~~The Site will have access from North High Street, with secondary access from Vine Street (Eden Alley) and Clinton Street.~~ **The Site will have pedestrian access from North High Street.**

4. Visual Form of the Environment: The existing uses/zoning of the surrounding properties are as follows:

West - The site to the West across High Street is zoned C-4 and consists of public parking lots.

North - The site immediately North of the site is zoned C-4 and consists of a variety of retail commercial uses.

East - The parcels immediately East of the Hotel site are zoned R-4 with non-conforming Commercial parking lot uses.

South - the site immediately South of the Hotel site is 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 full service luxury boutique hotel with accessory uses including office, restaurant, bar, fitness facilities, conference facilities and parking.

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.

SUB-AREA B

1. Permitted Uses: Permitted uses shall include those uses as permitted in C.C.C. 3356.03 (C-4 Commercial District).

2. Prohibited Uses: No billboards shall be permitted.

3. Development Standards: Except as specified herein and on the submitted CPD Site Plan, the applicable development standards shall be as specified in C.C.C. 3356 (C-4 Commercial District).

A. DENSITY, HEIGHT, LOT and/or SETBACK COMMITMENTS:

1. Building Setbacks: The building setback from north High Street shall be reduced from twenty-five (25) feet to zero (0) feet, which will match the surrounding commercial setbacks on High Street.

The Applicant requests a variance to reduce the building setback along Russell Street from twenty-five (25) feet to zero (0) feet for the proposed parking garage, which will have access and frontage on Russell Street.

The building setback for the Art Gallery (former UCT Building) will be the established building line setback of twenty-seven (27) feet.

2. Height District: 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 rooftop 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 Planning and Operations Division.

2. The developer will pay for the pavement markings, traffic control signage, parking meter changes and removals and modifications to the existing traffic signal necessary to change Russell St. from one-way eastbound to one-way westbound.

3. Parking: The Applicant requests a variance from C.C. C. Section 3312.49 (minimum parking spaces required) to reduce the required number of on site parking spaces for each of the buildings in the proposed development in consideration of the parking garage to be constructed. The five (5) story parking garage will provide 313 parking spaces for use by each of the building's employees and customers. The stand-alone parking requirements for each of the buildings in both Sub-Areas are as follows:

Art Gallery: 37 parking spaces/3 bicycle racks
Office Building: 158 parking spaces/8 bicycle racks
Hotel: 145 parking spaces/ 8 bicycle racks
340 total required vehicle parking spaces

Applicant requests a zero (0) on site parking space requirement for the individual buildings, conditioned on the construction of the parking garage with a minimum of 313 spaces. The minimal variance of required spaces (313 of 340 provided) represents 92% parking compliance.

The required number of bicycle parking areas/racks will be provided either near the building entrances or within the parking garage.

4. Loading Spaces: Section 3312.53 (minimum loading spaces required) requires one loading space for the office building. A loading space will be provided for the office building, pending Council's approval of Applicant's request to partially vacate the existing alley between the UCT Building and office parcel, as shown on the submitted site plan.

C. BUILDING DESIGN and/or EXTERIOR TREATMENT COMMITMENTS:

In general, the exteriors of the office and garage buildings will be constructed of brick EIFS (exterior insulation and finish system), glass and metal. The upper and lower portions of the office building will be predominantly glass in order to provide occupants with daylight and views. The glass of the office exterior will be complimented by brick, EIFS and metal elements. The upper levels of the garage exterior will be brick and EIFS with metal infill panels to partially screen openings and provide for natural ventilation of the garage interior. At ground level, the garage exterior will be of the same (or similar) screening material as the openings above.

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

Ground level mechanical equipment is currently planned to be contained within the buildings themselves and, as such, screening of these elements will be by the aforementioned building materials.

Exterior building illumination shall be permitted, provided such light source is approved by the reviewing village

commission. No-off site spillage will occur.

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

D. LIGHTING and/or OTHER ENVIRONMENTAL COMMITMENTS:

1. All parking lot or ground mounted lighting shall use fully shielded cutoff fixtures (down lighting) except there may be accent lighting/uplighting on landscaping in front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacture's type to ensure aesthetic compatibility.

3. Light poles in parking lot areas shall not exceed 18 feet in height.

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

E. GRAPHICS AND SIGNAGE COMMITMENTS:

1. 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 Victorian Village Commission. Any variance to the applicable standards of the C-4 District shall be submitted to the Victorian 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. A monetary contribution shall be made to the City of Columbus, pursuant to the Parkland Dedication Requirements of C.C.C. 3318.13. Payment shall be made at the time of the zoning clearance approval.

3. VARIANCES REQUESTED:

- 1) Section 3356.11 (C-4 District Setback lines)
- 2) Section 3312.49 (Minimum Parking Spaces Required)

G. CPD REQUIREMENTS:

1. **Natural Environment:** The Site consists of 1.15 acres. The High Street parcel is currently used for public parking and is proposed for commercial redevelopment. The Park Street parcel is currently the remnants of the former UCT Building and is proposed to be adaptively re-used as an Art Gallery.

2. **Existing Land use:** Commercial parking lot and vacant office building

3. **Transportation and Circulation:** The Site will have pedestrian access from North High Street, Russell Street, and Millay Alley. Further, garage access for vehicular traffic will be on Russell Street.

4. Visual Form of the Environment:

East - C-4 zonings are on the East side of High Street with commercial parking lots and a wide variety of retail uses.

North - The block directly north of the site, across West Russell Street, contains two parcels. The north parcel is zoned C-4 and AR3. The South parcel is zoned AR2, C-4, and AR3.

West - Goodale Park is directly west of the site and is zoned R-4.

South - The block directly south, across Millay Alley contains four parcels. The two (2) parcels on the east are zoned C-4 with the two western parcels zoned C-2 and C-4.

5. View and Visibility: Significant consideration has been given to visibility and safety issues.

6. Proposed Development: The proposed development includes a 66,359 sq. ft. office building of which 5,761 sq. ft. will be retail. Also included in this Sub-Area is a 313 space parking garage. Finally, the former UCT Building is being renovated into a 19,025 sq. ft. Art Gallery with attendant, office space and storage.

7. Behavior Patterns: This area has existing traffic flows which use the roadways in and around the area.

8. Emissions: There will be no emissions from the proposed use.

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